



**Ordinary Council Meeting**

**29 January 2020**

Council Chamber, Town Hall, Sturt Street, Ballarat

**AGENDA**

**Public Copy**

**NOTICE IS HEREBY GIVEN THAT A MEETING OF BALLARAT CITY COUNCIL WILL BE HELD IN THE COUNCIL CHAMBER, TOWN HALL, STURT STREET, BALLARAT ON WEDNESDAY 29 JANUARY 2020 AT 7:00PM.**

This meeting is being broadcast live on the internet and the recording of this meeting will be published on council's website [www.ballarat.vic.gov.au](http://www.ballarat.vic.gov.au) after the meeting.

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

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

## AGENDA

### ORDER OF BUSINESS:

|  |           |
|--|-----------|
| <b>1. Opening Declaration.....</b>   | <b>4</b>  |
| <b>2. Apologies For Absence.....</b>   | <b>4</b>  |
| <b>3. Disclosure Of Interest .....</b>   | <b>4</b>  |
| <b>4. Confirmation Of Minutes.....</b>   | <b>4</b>  |
| <b>5. Matters Arising From The Minutes.....</b>                                  | <b>4</b>  |
| <b>6. Public Question Time .....</b>   | <b>5</b>  |
| <b>7. Reports From Committees/Councillors .....</b>                              | <b>6</b>  |
| <b>8. Chief Executive Officer Report.....</b>                                    | <b>6</b>  |
| <b>9. Assemblies Of Councillors .....</b>  | <b>9</b>  |
| 9.1. Assemblies of Councillors.....  | 9         |
| <b>10. Petitions And Joint Letters .....</b>                                     | <b>20</b> |
| 10.1. Lal Lal and Elsworth Street - Petition.....                                | 20        |
| 10.2. Australia Day Fireworks - Joint Letter .....                               | 24        |
| <b>11. Officer Reports.....</b>  | <b>28</b> |
| 11.1. Rate Cap and Variation.....  | 28        |
| 11.2. 2020 National Polocrosse Championships - Tourism Event Grant Submission .. | 32        |
| 11.3. 2020 Ballarat Gift - Tourism Event Grant Program Submission .....          | 36        |

|  |            |
|--|------------|
| 11.4. Red Hot Summer Tour Event - Changes to Local Law .....   | 40         |
| 11.5. Rationalisation of Title Boundaries 5 Inkerman Street Newington .....                                | 43         |
| 11.6. Australian Local Government Women's Association (ALGWA).....   | 47         |
| 11.7. Ballarat Friends of Ainara Special Committee Minutes.....  | 49         |
| 11.8. Contracts Special Committee of Council Minutes - 2 October, 16 October and 20<br>November 2019 ..... | 83         |
| 11.9. S11A Instrument of Appointment and Authorisation (Planning and Environment<br>Act 1987).....         | 103        |
| 11.10. S6 Instrument of Delegation - Members of Staff.....   | 107        |
| 11.11. Outstanding Question Time Items .....   | 212        |
| <b>12. Notice Of Motion .....</b>  | <b>219</b> |
| <b>13. Urgent Business .....</b>   | <b>219</b> |
| <b>14. Section 89 (In Camera) .....</b>  | <b>219</b> |
| <b>15. Close .....</b>   | <b>220</b> |

**The next Ordinary Meeting of the Ballarat City Council will be held on Wednesday 19 February 2020.**

**1. OPENING DECLARATION**

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

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

**2. APOLOGIES FOR ABSENCE**

**3. DISCLOSURE OF INTEREST**

**4. CONFIRMATION OF MINUTES**

**5. MATTERS ARISING FROM THE MINUTES**



## 6. PUBLIC QUESTION TIME

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

### QUESTION TIME

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

### PUBLIC SUBMISSIONS

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

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

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

**OFFICER RECOMMENDATION****Council resolves to:**

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

**EXECUTIVE SUMMARY**

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

**RATIONALE**

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

**Key achievements, projects and events delivered:**Ballarat Localised launch

Ballarat Localised, a business to business networking platform was officially launched in December at the Ballarat Sports Events Centre. The City of Ballarat has partnered with Localised, Commerce Ballarat and GROW Ballarat to encourage local businesses to connect and support local jobs and the economy.

Federation University Road Nationals

The Road Nationals was successfully staged in Ballarat and Buninyong in early January. The event included the announcement that Ballarat would continue to host the event for another three years from 2021.

Keeping Children Safe Early Years Forum

In early November the City of Ballarat's Best Start team hosted its eighth Early Years Forum, attended by 70 early years professionals on the theme of Keeping Children Safe. This topic was particularly relevant as it aligns with the City of Ballarat's commitment to child safety as well as being a signatory to the Victorian Charter for Child Friendly Cities and Communities.

Aim for the Top 7-A-Side Soccer Tournament

In November, about 80 athletes from Specialist Schools across Victoria competed in the Aim for the Top 7-a-side Soccer Tournament at the Ballarat Soccer Facility. City of Ballarat Rural Access and Sport and Active Living worked closely with Ballarat District Soccer Association to bring the day to fruition.

**Ongoing community consultation:**Living Corridors Action Plan

Community consultation started in early December on the Living Corridors Action Plan, with a community drop-in session attended by approximately 30 people, and the first Community Working Group meeting. It is anticipated that the Living Corridors Action Plan will be comprised of goals, strategies and actions to better protect natural values such as vegetation and biodiversity throughout the identified eastern biodiversity corridor.

Eureka Centre and Eureka Stockade Memorial Park Draft Interpretation Plan

The City of Ballarat is seeking feedback on a Draft Interpretation Plan for the Eureka Centre and Eureka Stockade Memorial Park. The plan articulates how stakeholder and community values and aspirations will be delivered through custodianship and a new approach to telling the Eureka story at this important site into the future.

**Ongoing projects, initiatives and works:**SUMMER in Ballarat campaign

SUMMER in Ballarat was launched in December with a presentation to local visitor economy representatives. The summer events program is one of the biggest on record featuring more than 50 events across 145 event days with more than 155,000 attendees and kicked-off with the Road Nationals before building up to Summer Sundays, Hyundai A-League, Ballarat Beer Festival, Rock Ballarat, Ballarat Cycle Classic and our first Nitro Circus.

Pause Fest Regional Ambassador Program 2020

The City of Ballarat will welcome creative genius Haraldur (Halli) Thorleifsson as our 2020 Pause Fest guest speaker on 3 February. Halli started Ueno, a full-service creative agency, as a one-man operation from his apartment in Reykjavik, Iceland in 2014. Five years later, it has more than 65 employees, offices in Reykjavik, San Francisco, New York and Los Angeles, and clients including Airbnb, Apple, Dropbox, Facebook, Fitbit, Google, Lonely Planet, Red Bull, Samsung and Uber. In 2019, the City of Ballarat hosted the inaugural Pause Fest Regional Ambassador Program event and the only event to be held outside Melbourne.

**Staff achievements and presentations**Award for the Creative City Strategy and Masterplan

Ballarat's Creative City and Creative Precinct Master Plan was named best Planning Idea - Large Project at the 2019 Planning Institute of Australia Victoria Awards. The category was one of the most hotly contested awards this year – with the project up against some significant entries from around the state.

**LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

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

**REPORTING AND COMPLIANCE STATEMENTS**

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

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

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

**OFFICERS DECLARATIONS OF INTEREST**

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

**REFERENCE DOCUMENTS****ATTACHMENTS**

Nil

## 9. ASSEMBLIES OF COUNCILLORS

### 9.1. ASSEMBLIES OF COUNCILLORS

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

#### OFFICER RECOMMENDATION

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

- 20 November 2019 Mayor, Councillor and CEO Meeting in Jesse Scott Room
- 4 December 2019 Strategic Briefing
- 5 December 2019 Ballarat Airport Advisory Committee Meeting
- 11 December 2019 Mayor, Councillor and CEO Meeting in Jesse Scott Room
- 13 December 2019 Disability Advisory Committee
- 15 January 2020 Infrastructure and Environment Portfolio Meeting

#### EXECUTIVE SUMMARY

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

#### RATIONALE

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

#### LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

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

#### REPORTING AND COMPLIANCE STATEMENTS

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

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

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

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

## **CONSULTATION**

Nil

## **OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

Nil

## **ATTACHMENTS**

1. 20 November 2019 Mayor, Councillor and CEO Meeting in Jesse Scott Room [9.1.1 - 1 page]
2. 4 December 2019 Strategic Briefing [9.1.2 - 2 pages]
3. 5 December 2019 Ballarat Airport Advisory Committee Meeting [9.1.3 - 2 pages]
4. 11 December 2019 Mayor, Councillor and CEO Meeting in Jesse Scott Room [9.1.4 - 1 page]
5. 13 December 2019 Disability Advisory Committee [9.1.5 - 2 pages]
6. 15 January 2020 Infrastructure and Environment Portfolio Meeting [9.1.6 - 1 page]

## ASSEMBLY OF COUNCILLORS RECORD

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

|                                |   |
|--------------------------------|---|
| <b>Description of meeting:</b> | Mayor, Councillor and CEO Meeting in Jessie Scott Room, Town Hall |
| <b>Date of meeting:</b>        | 20 November 2019  |
| <b>Start time:</b>             | 5.44pm  |
| <b>Finish time:</b>            | 6.10pm  |

|  |
|--|
| <b>Councillors present:</b>  |
| Mayor Cr Ben Taylor, Cr Mark Harris, Cr Des Hudson, Cr Jim Rinaldi, Cr Samantha McIntosh, Cr Grant Tillett, Cr Belinda Coates, Cr Daniel Moloney |
| <b>Apologies:</b>  |
| Cr Amy Johnson   |
| <b>Council staff present:</b>  |
| Justine Linley, Chief Executive Officer  |
| <b>Other attendees present:</b>  |
|  |

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

|  |
|--|
| <b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i> |
| <ul style="list-style-type: none"> <li>Delegations</li> </ul>                |

|  |  |
|--|--|
| <b>Record completed by:</b>  |  |
| <b>Signed:</b>  | <b>Position:</b> Chief Executive Officer |
| <b>Name:</b> Justine Linley  | <b>Date:</b> 03 December 2019            |

## ASSEMBLY OF COUNCILLORS RECORD

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

|                                |                    |
|--------------------------------|--------------------|
| <b>Description of meeting:</b> | Strategic Briefing |
| <b>Date of meeting:</b>        | 4 December 2019    |
| <b>Start time:</b>             | 6:05pm             |
| <b>Finish time:</b>            | 9:32pm             |

|   |
|---|
| <b>Councillors present:</b>   |
| Cr Daniel Moloney<br>Cr Ben Taylor<br>Cr Grant Tillett<br>Cr Des Hudson<br>Cr Belinda Coates<br>Cr Jim Rinaldi<br>Cr Amy Johnson  |
| <b>Apologies:</b>   |
| Cr Samantha McIntosh<br>Cr Mark Harris  |
| <b>Council staff present:</b>   |
| Justine Linley – Chief Executive Officer<br>Darren Sadler – Acting Director Infrastructure and Environment<br>Glenn Kallio – Director Business Services<br>Neville Ivey – Director Community Development<br>Angelique Lush – Director Development and Planning<br>Cameron Cahill – Director Innovation and Organisational Improvement<br>Louise Turner – Acting Executive Manager Operations and Environment<br>Quenton Gay – Waste, Water and Energy Officer<br>Peter Appleton – Executive Manager Engaged Communities<br>James Guy – Executive Manager Economic Partnership |
| <b>Other attendees present:</b>   |
| Anthony Pearce - CFA Commander<br>Michael Bailey - Regional Director of Regional Roads Victoria   |

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



**Matters Considered:**

**External Presentations**

- 2019/20- Fire Season
- Regional Roads Victoria Ballarat Connections Project

**Portfolio Updates**

**Planning Committee Agenda Review**

**Strategic Briefing Reports**

- Small Business Friendly Council Charter
- Carbon Neutrality and 100% Renewables Action Plan
- Girrabanya Close Out Report
- Mars Stadium - Management Options
- Lake Lighting

**Record completed by:**

**Signed:** 

**Position:** Director Business Services

**Name:** Glenn Kallio

**Date:** 5 December 2019

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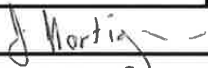
## APPENDIX 1



### Assembly of Councillors Record

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

|  |   |
|--|---|
| Purpose of meeting:  | Ballarat Airport Advisory Committee Meeting                                       |
| Date of meeting:   | 5 December 2019   |
| Start time:  | 8.15 am   |
| Finish time:   | 9.45am  |
| Councillors present:   | Cr McIntosh and Cr Grant Tillett  |
| Apologies:   | Cr Moloney, Sandy Gray and Terry Demeo  |
| Council Staff present:   | John Hartigan, Roland Wade, Natalie Robertson and Darren Sadler                   |
| Other people present:  | Warwick Kinscher, George Langley, Daryl Chibnall, Peter Mackay and Gordon Cornell |
| Any conflict of interest disclosed?<br><br><i>*If so, provide details of which Councillor(s) disclosed a conflict of interest and any details of that conflict of interest. The time at which the Councillor left and returned should be recorded here, with a statement (if applicable) that a Councillor was absent when one or more of the matters outlined below was being considered.</i> | No  |
|  |   |

|  |   |
|--|---|
| <p>Matters considered:</p> <p><i>*Provide dots points of matters discussed.</i></p>              | <ul style="list-style-type: none"> <li>• Airport Leases</li> <li>• Upgrade 18-36 runway</li> <li>• Resealing movement area</li> <li>• Council's rabbit baiting program</li> <li>• Terms of Reference</li> <li>• Purchasing Defibrillator</li> <li>• Airport street naming</li> <li>• Emergency power</li> </ul> |
| <p>Signed: </p> | <p>Position: Airport Manager</p>  |
| <p>Name: John Hartigan</p>   | <p>Date: 5 December 2019</p>  |

## ASSEMBLY OF COUNCILLORS RECORD

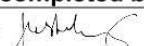
This record must be completed by the attending Council Officer and returned to the Statutory Compliance Unit within 48 hours after the meeting for recording in the register.

|                                |   |
|--------------------------------|---|
| <b>Description of meeting:</b> | Mayor, Councillor and CEO Meeting in Jessie Scott Room, Town Hall |
| <b>Date of meeting:</b>        | 11/12/2019  |
| <b>Start time:</b>             | 5.50pm  |
| <b>Finish time:</b>            | 6.25pm  |

|   |
|---|
| <b>Councillors present:</b>   |
| Cr Taylor, Cr Coates, Cr Rinaldi, Cr Tillett, Cr Johnson, Cr Moloney, Cr McIntosh |
| <b>Apologies:</b>   |
| Cr Hudson, Cr Harris  |
| <b>Council staff present:</b>   |
| Justine Linley, Chief Executive Officer   |
| <b>Other attendees present:</b>   |
| Nil   |

|   |
|---|
| <b>Conflict of Interests:</b>   |
| Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest. |
| A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.  |
| None to declare   |

|  |
|--|
| <b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>                                 |
| <ul style="list-style-type: none"> <li>Councillor representatives on Committees and Organisations</li> </ul> |

|  |  |
|--|--|
| <b>Record completed by:</b>  |  |
| <b>Signed:</b>  | <b>Position:</b> Chief Executive Officer |
| <b>Name:</b> Justine Linley  | <b>Date:</b> 11 December 2019            |

## ASSEMBLY OF COUNCILLORS RECORD

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

|                                |                               |
|--------------------------------|-------------------------------|
| <b>Description of meeting:</b> | Disability Advisory Committee |
| <b>Date of meeting:</b>        | 13 December 2019              |
| <b>Start time:</b>             | 12.30pm                       |
| <b>Finish time:</b>            | 2.10pm                        |

|   |
|---|
| <b>Councillors present:</b>   |
| Cr Belinda Coates   |
| <b>Apologies:</b>   |
| Pete Appleton, Executive Manager Engaged Communities  |
| <b>Council staff present:</b>   |
| Phil Cutts, Rural Access Officer  |
| Helen McIntosh, Executive Assistant Director Community Development                                  |
| <b>Other attendees present:</b>   |
| Vincent McDonald, Ken Gunning, Sharon Eacott, Robyn Hall, Narelle Mason, Rebecca Paton, Jneen Burke |

|   |
|---|
| <b>Conflict of Interests:</b>   |
| Pursuant to Sections 77, 78 and 79 of the <i>Local Government Act 1989</i> (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest. |
| A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken.  |
| Nil   |

|   |
|---|
| <b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>  |
| <ul style="list-style-type: none"> <li>• Confirmation of Minutes 25 October 2019</li> <li>• Footpath Design Solutions/Accessible Parking Base Hospital</li> <li>• Access Ramp at Sebastopol Library</li> <li>• MyBallarat DAC Autumn Feature</li> <li>• Correspondence In and Out</li> <li>• Presentation by Jody Drummond – FDC Officer – Inclusion Support</li> <li>• Deaf Access Finishing Up</li> <li>• Disability Resource Centre -Public Transport Improvements</li> <li>• Ballarat Train Station – Access Between Platforms</li> <li>• Disability Access &amp; Inclusion Plan East English Version 2019-20</li> <li>• Central Highlands Inclusion Festival 2019 Feedback</li> <li>• International Day of People with Disability</li> <li>• DAC Media Opportunities</li> <li>• Inclusive Play Subcommittee</li> <li>• Accessibility 10 Pin Bowling</li> </ul> |

|                             |
|-----------------------------|
| <b>Record completed by:</b> |
|-----------------------------|

|  |   |
|--|---|
| <b>Signed:</b>  | <b>Position:</b> EA Director Community Director |
| <b>Name:</b> Helen McIntosh  | <b>Date:</b> 17 December 2019                   |

## ASSEMBLY OF COUNCILLORS RECORD

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

|                                |   |
|--------------------------------|---|
| <b>Description of meeting:</b> | Infrastructure and Environment Portfolio Meeting No 208 |
| <b>Date of meeting:</b>        | Wednesday 15 January 2020                               |
| <b>Start time:</b>             | 7.30am  |
| <b>Finish time</b>             | 9.20am  |

|  |
|--|
| <b>Councillors present:</b>  |
| Cr Ben Taylor, Cr Grant Tillett,   |
| <b>Apologies:</b>  |
| Cr Mark Harris   |
| <b>Council staff present:</b>  |
| Terry Demeo – Director Infrastructure and Environment (Minute Taker), Natalie Robertson – Executive Manager Development Facilitation |
| <b>Other attendees present:</b>  |
| Nil  |

|  |
|--|
| <b>Conflict of Interests:</b>  |
| Pursuant to Sections 77, 78 and 79 of the Local Government Act 1989 (as amended), if a Councillor has a conflict of interest in a matter which is to be considered or discussed at a meeting, the Councillor must, if he or she is attending the meeting, disclose the conflict of interest.<br>A Councillor who has declared a conflict of interest, must leave the meeting and remain outside the room while the matter is being considered, or any vote is taken. |
| Nil  |

|  |
|--|
| <b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>   |
| <b>Updates</b> <ul style="list-style-type: none"> <li>Recycling Update</li> <li>Smarter Parking Implementation</li> <li>Planning Mediation Meeting Process</li> <li>Mitchell Park Industrial Estate</li> <li>State and Federal Government Advocacy Targets</li> <li>Update Operational Issues Across the Division.</li> </ul> <b>Reports</b> <ul style="list-style-type: none"> <li>Discuss Reports for Next Agenda Review in Business Calendar</li> </ul> <b>Upcoming Tenders</b> <ul style="list-style-type: none"> <li>Circulated to Councillors prior to meeting</li> </ul> <b>Other Business</b> <ul style="list-style-type: none"> <li>Solar Panels</li> <li>Major Patching Program</li> <li>Re-sealing Program</li> </ul> |

|  |  |
|--|--|
| <b>Record completed by:</b>  |  |
| <b>Signed:</b>  | <b>Position:</b> Director Infrastructure and Environment |
| <b>Name:</b> Terry Demeo   | <b>Date:</b> 16 January 2020                             |

## **10. PETITIONS AND JOINT LETTERS**

### **10.1. LAL LAL AND ELSWORTH STREET - PETITION**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Christian Dymock - Administration Officer – Statutory Compliance

#### **RECOMMENDATION**

**Council resolves to:**

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

#### **EXECUTIVE SUMMARY**

A petition was received on 6 December 2019 containing 23 signatories.

The petition reads as follows

“We, the undersigned residents of the homes between Lal Lal Street and Elsworth Street, petition the Council and ask that a speed hump or any other device to reduce the speeding cars using this stretch of road, be installed as soon as possible. Over the past few years many local pets have been killed and with a growing number of grandchildren and families within the street we fear that a fatality because of the speed that people travel down this section of road will unfortunately happen.”

#### **ATTACHMENTS**

1. Lal Lal and Elsworth Street Petition [**10.1.1** - 3 pages]



## PETITION

To the Council of the City of Ballarat

We, the undersigned residents of the homes between Lal Lal Street and Elsworth Street, petition the Council and ask that *a speed hump or any other device to reduce the speeding cars using this stretch of road, be installed as soon as possible. Over the past few years many local pets have been killed and with a growing number of grandchildren and families within the street we feel that a fatality because of the speed that people travel down this section of road will unfortunately happen.*

The contact person for this petition is

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

*We note that any petition received maybe publicly available by the Council, unless we specifically advise otherwise.*

|    | NAME       | ADDRESS | PHONE<br>NUMBER | RESIDENT/RATE<br>PAYER | SIGNATURE |
|----|------------|---------|-----------------|------------------------|-----------|
| 1  | [REDACTED] |         |                 |                        |           |
| 2  |            |         |                 |                        |           |
| 3  |            |         |                 |                        |           |
| 4  |            |         |                 |                        |           |
| 5  |            |         |                 |                        |           |
| 6  |            |         |                 |                        |           |
| 7  |            |         |                 |                        |           |
| 8  |            |         |                 |                        |           |
| 9  |            |         |                 |                        |           |
| 10 |            |         |                 |                        |           |

## PETITION

To the Council of the City of Ballarat

We, the undersigned residents of the homes between Lal Lal Street and Elsworth Street, petition the Council and ask that a *speed hump or any other device to reduce the speeding cars using this stretch of road, be installed as soon as possible. Over the past few years many local pets have been killed and with a growing number of grandchildren and families within the street we feel that a fatality because of the speed that people travel down this section of road will unfortunately happen.*

The contact person for this petition is

[REDACTED]

Name

Address

Phone

*We note that any petition received maybe publicly available by the Council, unless we specifically advise otherwise.*

|    | NAME       | ADDRESS | PHONE<br>NUMBER | RESIDENT/RATE<br>PAYER | SIGNATURE |
|----|------------|---------|-----------------|------------------------|-----------|
| 1  | [REDACTED] |         |                 |                        |           |
| 2  |            |         |                 |                        |           |
| 3  |            |         |                 |                        |           |
| 4  |            |         |                 |                        |           |
| 5  |            |         |                 |                        |           |
| 6  |            |         |                 |                        |           |
| 7  |            |         |                 |                        |           |
| 8  |            |         |                 |                        |           |
| 9  |            |         |                 |                        |           |
| 10 |            |         |                 |                        |           |

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## PETITION

To the Council of the City of Ballarat

We, the undersigned residents of the homes between Lal Lal Street and Elsworth Street, petition the Council and ask that a *speed hump or any other device to reduce the speeding cars using this stretch of road, be installed as soon as possible. Over the past few years many local pets have been killed and with a growing number of grandchildren and families within the street we feel that a fatality because of the speed that people travel down this section of road will unfortunately happen.*

The contact person for this petition is

[REDACTED]

Name

Address

Phone

*We note that any petition received maybe publicly available by the Council, unless we specifically advise otherwise.*

|    | NAME       | ADDRESS | PHONE<br>NUMBER | RESIDENT/RATE<br>PAYER | SIGNATURE |
|----|------------|---------|-----------------|------------------------|-----------|
| 1  | [REDACTED] |         |                 |                        |           |
| 2  |            |         |                 |                        |           |
| 3  |            |         |                 |                        |           |
| 4  |            |         |                 |                        |           |
| 5  |            |         |                 |                        |           |
| 6  |            |         |                 |                        |           |
| 7  |            |         |                 |                        |           |
| 8  |            |         |                 |                        |           |
| 9  |            |         |                 |                        |           |
| 10 |            |         |                 |                        |           |

## **10.2. AUSTRALIA DAY FIREWORKS - JOINT LETTER**

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

### **RECOMMENDATION**

**Council resolves to:**

- 1. Receive a Joint Letter dated 6 January 2020 in relation to the Australia Day fireworks.**

### **EXECUTIVE SUMMARY**

A Joint Letter was received on 6 January 2020 referring to an online petition of 6,500 signatories requesting Council to reconsider the 26 January Australia Day fireworks.

### **ATTACHMENTS**

1. Australia Day Fireworks Joint Letter [**10.2.1** - 3 pages]

City of Ballarat  
Town Hall  
Sturt Street  
BALLAARAT VIC 3350

To the Mayor and Councillors of the City of Ballarat,

## RE: January 26 Fireworks Petition

We are respectfully drawing your attention to a Change.org [petition](#) launched on December 23, 2019. It calls for the Ballarat City Council to reconsider the planned fireworks display on the January 26, 2020. As of January 6, the petition has been supported by 6500 individuals. These numbers equate to almost 6% of Ballarat's population.

The petition is led by members of the Ballarat community, who hold great concerns regarding the CoB plan to proceed with the fireworks.

As you are aware Australia is facing a national bushfire crisis due to extreme, concerning and unprecedented weather patterns. Lives and homes continue to be lost, in addition to livestock, wildlife and significant masses of our land. Australia's heroic firefighters, many of whom are volunteers, have shown incredible courage whilst sacrificing so much in order to protect us.

As the country burns, it is bewildering that the Ballarat City Council would still consider setting off fireworks on January 26th. Smoke in our country is visible from space and haze has travelled in New Zealand. There have been 19 deaths reported so far, and Canberra is currently recording the worst air quality in the world.

Indulging in 12 minutes of pyrotechnics and fire-based entertainment can hardly be considered respectful to those individuals, families and businesses who have lost so much.

This is a clear opportunity for the Ballarat City Council to show leadership, and to demonstrate what a culturally and environmentally focused community we really are.

If there is concern for some tax-payer dollars that would be lost if the display was cancelled, then we urge the City of Ballarat, at the very least, to postpone the fireworks to a later date. Alternatives could be:

- A charity event raising money for the CFA, victims of fires, wildlife charities
- Cultural Diversity Week (Harmony Fest)
- Heritage Weekend
- Begonia Festival
- Springfest
- Eureka Anniversary

[REDACTED]  
[REDACTED]  
[REDACTED]

We saw outrage from the Australian public when the Sydney New Year's Eve fireworks went ahead during this tragedy. Why would the City of Ballarat open themselves up to similar ridicule and criticism, when you could instead lead the way and encourage other regional Local Governments to follow suit by taking a stand at this time?

We have witnessed viral conversations around climate change being a major contributing factor to the unseen weather patterns and unprecedented fire behaviour in Australia. Indigenous leaders have spoken out in recent times, calling on the need for radical change in how land is managed and for Indigenous land management practices to be acknowledged, respected and restored. There are reported links between the colonisation of Australia and the climate crisis our country faces. The dispossession from land and the inability to practice culture and cultural burning practices due to government policies has resulted in country be un-cared for, unmanaged and as a consequence - a recipe for disaster.

The reasoning for highlighting this now, is the fact that the City of Ballarat is well aware of the feelings felt by its Aboriginal community members regarding the celebration of January 26, and therefor consider the setting off celebratory fireworks, as a further act of disrespect towards the oldest continuing culture on earth.

We look forward to your prompt response. As you can appreciate, time is of the essence.

We conclude this letter by sharing a sample of the comments made by petition signatories. We encourage you to consider the breadth of community opinion by reviewing the petition at your earliest convenience.

Respectfully yours

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

On behalf of Ballarat Allies 2019

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*"I live in Lexton and the firefighters saved our town with pure grit, determination, sweat, tears and pure hard work and dedication. They deserve the assistance more than people deserve a 10 min firework display. Put the funds where they're needed most, please"*

[REDACTED]  
[REDACTED]  
[REDACTED]  
*"Right now, I find it hard to celebrate Australia day when so much tragedy is around. What can change is to stop doing this in the future and invest money where it is needed"*

*"How can we celebrate Australia Day & waste funds on fireworks when our country is burning & our people are hurting. Wake up Ballarat! We don't want or need to celebrate at this point in time. We need to rally together as a nation and use our resources wisely. We need to help one another, we need to show empathy, respect and all make changes in the way we live and treat this country"*

*"This is not the time to be celebrating Australia and particularly not with fireworks"*

*"How could a single person enjoy seeing fireworks while our beautiful country is being incinerated before our eyes. The loss of life, homes and our beautiful wildlife is heart wrenching"*

*"Seems weird to set off FIREworks in the middle of horrific bushfires"*

*"As someone who lives out on a 12 acre bush block in outer Ballarat this is just heartless and shows a total lack of bad judgment"*

*"As a volunteer fire fighter I have seen the devastation first hand. We need to help out our fellow Aussies as much as we can"*

*"I challenge the mayor and the council to show some real leadership and lead the way for all levels of government to forgo the predictable use of fireworks to mark occasions and instead apply the money directly to community emergency relief and or assisting the recovery of fauna injured in bushfires"*

*"I believe it's disrespectful to be celebrating with FIREworks while so many lives are being destroyed by fire"*

*"Last night on tv we witnessed the Vic government and the NSW government literally set fire to \$ just to watch it sparkle in the night sky while both states burn. Ballarat council, rise to the challenge of finding an inclusive, fun alternative to the waste of fireworks. I find any sort of fireworks displays gruesome and distressing given the fire emergencies that are occurring across Australia now and have been for months. I DO NOT WANT MY COUNCIL RATE PAYMENT MONEY BEING BLOWN UP AND BURNT!!!! PLEASE GIVE IT TO THE CFA!!!!!"*

*"If the Politicians are not bright enough to stop the fireworks while this beautiful country burns surely our voices should try to get through to them and be heard!"*

*"We have had fireworks at the Christmas Carols and this is better given the current fire situation"*

## **11. OFFICER REPORTS**

### **11.1. RATE CAP AND VARIATION**

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

### **OFFICER RECOMMENDATION**

#### **Council resolves to:**

- 1. Advise the Essential Services Commission that it does not intend to seek a variation to the rate cap of 2.0 percent for the 2020-2021 Financial Year.**

### **EXECUTIVE SUMMARY**

In 2015 the Victoria Government introduced the Fair Go Rates system which commenced in the 2016-2017 financial year. Legislation required to give effect to the system was passed by the Victorian Parliament in November 2015 and come into operation on 2 December 2015. Before 31 December each year, the Minister for Local Government decides upon and announces the Average Rate Cap to apply in the forthcoming year. The Minister has set the Average Rate Cap for the Financial Year 2020–2021 at 2.0 percent.

The Fair Go Rates system provides for the ability for Councils to apply for a higher cap. Any Council intending to seek a variation or a higher cap for the forthcoming financial year is required to indicate that intention by 31 January 2020.

It is proposed that the Council advises the Essential Services Commission that it does not intend to seek a variation to the rate cap for the 2020-2021 Financial Year.

### **RATIONALE**

Each year the Minister for Local Government sets the rate cap that will specify the maximum increase in a Council's rates and charges for the forthcoming financial year. The Minister has the capacity to set a cap that applies to all Councils or a single Council. In circumstances where the rate cap is insufficient for a specific Councils needs, a Council can apply to the Essential Services Commission for a higher cap.

In considering a higher cap, the Commission is required to have regard to:

- The proposed higher cap and the specified year(s) that it will apply;
- The reasons for which the Council seeks the higher cap;
- How the views of ratepayers and the community have been considered in proposing the higher cap;
- How the higher cap is an efficient use of Council resources and represents value for money;
- Whether consideration has been given to reprioritising proposed expenditure and alternative funding options and why the Council does not consider those options to be adequate; and



- That the assumptions and proposals in the application are consistent with the Council's long term strategy and financial management policies set out in the Council's planning documents and annual budget.

The Minister for Local Government has set the Average Rate Cap under section 185D(1) of the *Local Government Act 1989* (the act) and the General Order establishing the rate cap for 2020-2021 was published in the Government Gazette.

As required by section 185D(3) of the Act the Minister's decision was informed by advice from the Essential Services Commission (ESC). The ESC has guidance information materials for the application process on its website at [www.esc.vic.gov.au](http://www.esc.vic.gov.au)

In 2020-2021 the rate cap will apply only to general rates and municipal charges, not to other revenue such as service rates and service charges (eg. Garbage collection), special rates and charges, and revenue in lieu of rates. Under legislation, the Minister has power to extend the application of the rate cap to other rates or charges in the future.

If Council was to seek a rate increase higher than the cap, it must first advise the ESC of its intention to do so by 31 January 2020. It then has until 31 May 2020 to make the application. The ESC makes the assessment and within two months of the receipt of any application, the ESC notifies the Council of the decision.

Any limits placed on Council by other tiers of government that restrict Council's ability to raise revenue, are of concern. This doesn't mean that Council wishes to raise rates, in fact to the contrary, Council would prefer a far more equitable distribution of taxpayer funds direct to local government.

Council has very few options available to it to raise revenue other than from rates. The levers are essentially borrow more, however this needs to be repaid at some stage and cannot be for operational requirements; raise user fees and charges, however many of these have statutory and regulatory limits and/or the community does not have the capacity to pay; decrease service levels and standards or cut services altogether, however this has significant impacts on the wellbeing of the community; secure more tied government grants, however these often come with co-contribution requirements; or finally seek a variation to increase the rate cap which must be approved by the ESC.

The proposed rate cap for 2020 – 2021 of 2.0 percent is in line with Council's long term financial strategy, if Council resolves to apply the full rate cap then this would not require Council to adjust the 2020 – 2021 budget to that proposed in the long term financial strategy.

It should be noted that although Council's long term financial strategy forecasts a required rate increase in 2020-2021 of 2 percent this remains subject to the Council's budget development and approval process. Councillors have previously requested modelling including the impact on services delivered to the community (levels, standards, type and amount) if revenue from rates was to decrease or if the rate increase was to be less than the rate cap set by the Minister.

## Options

### Option A

That Council notify the ESC that it does not intend to seek a higher rate cap for the 2020-2021 financial year (**recommended**).

*Option B*

That Council notify the ESC that it does intend to seek a higher rate cap for the 2020-2021 financial year and direct the CEO to commence the preparation of the required documentation and application.

If Council were to seek a rate increase higher than the cap, it must first advise the ESC of its intention to do so by 31 January 2020. It then has until 31 March 2020 to make the application. The ESC makes the assessment and within two months of the receipt of any application, the ESC notifies the Council of the decision.

Any limits placed on Council by other tiers of government that restrict Council's ability to raise revenue, are of concern. This doesn't mean that Council wishes to raise rates, in fact to the contrary, Council would prefer a far more equitable distribution of taxpayer funds direct to local government.

Council has very few options available to it to raise revenue other than from rates. The levers are essentially borrow more, however this needs to be repaid at some stage and cannot be for operational requirements; raise user fees and charges, however many of these have statutory and regulatory limits and/or the community does not have the capacity to pay; decrease service levels and standards or cut services altogether, however this has significant impacts on the wellbeing of the community; secure more tied government grants, however these often come with co-contribution requirements; or finally seek a variation to increase the rate cap which must be approved by the ESC.

**LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

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

**REPORTING AND COMPLIANCE STATEMENTS**

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

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

**Financial/Resources** - As outlined in the report.

## **CONSULTATION**

The preparation of the Council Plan and the annual budget are both subject to community consultation processes required by the *Local Government Act 1989*.

## **OFFICERS DECLARATIONS OF INTEREST**

Under section 80C of the *Local Government Act 1989* Officers providing advice to Council must disclose any interest, including the type of interest.

Director Business Services – Glenn Kallio

In providing this advice as the Director of Business Services and Author, I have no disclosable interests in this report.

## **REFERENCE DOCUMENTS**

- Essential Services Commission – Fair Go Rates System Guidance for Councils 2018-19 Amended

## **ATTACHMENTS**

Nil

**11.2. 2020 NATIONAL POLOCROSSE CHAMPIONSHIPS - TOURISM EVENT GRANT SUBMISSION**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Heidi Zukauskas – Acting Executive Manager for Arts and Events

**OFFICER RECOMMENDATION****Council resolves to:**

- 1. Approve a one-year \$5,520 (excl. GST) Tourism Event Grant to Polocrosse Victoria Inc. for the 2020 Australian Polocrosse Championships to be held in Ballarat in April 2020.**

**EXECUTIVE SUMMARY**

Council has received a Tourism Event Grant application from Polocrosse Victoria Inc for the 2020 Australian Polocrosse National Championships to be held in Ballarat from 30 March to 5 April 2020. The event, organised by Polocrosse Victoria, relies heavily on the support of the Ballarat Polocrosse Club. Polocrosse Victoria Inc. has requested \$24,000 (excl. GST) in cash funding and is estimated to deliver an approximate economic impact of \$434,600.

The Australian Polocrosse Championships is a biennial competition, held in a different state every two years. This is a National Level event and is expected to attract up to 3,000 participants and spectators. This event was last held in Ballarat in 2010 and was well managed.

This grant application aligns with the Ballarat Events Strategy 2018 – 2028 by delivering an event during a low mid-week event period to activate the City and inject economic impact in the lead up to Easter 2020.

**RATIONALE**

On 22 February 2017, Council adopted the City of Ballarat Grants Policy (R66/17). The purpose of the grants policy is to ensure that recipients can deliver quality programs, events, products and services which are of great benefit to Ballarat and which bring a wide range of social, environmental and economic returns to the City. Included in the Grants Policy is the Tourism Event Grant program.

Polocrosse Victoria Inc. in conjunction with the Ballarat Polocrosse Club is scheduled to host the 2020 Australian Polocrosse National Championships, which is a week-long event running from 30 March to 5 April 2020. The Championships is a biennial competition, held in a different state every two years and was previously held in Ballarat in 2010. The 2020 event is estimated to deliver an approximate economic impact of \$434,600.

The event planned for Ballarat will involve the top players of their respective States and Territories vying for the honour of being the best State team in Australia; with Men, Women, Mixed, Intermediate, and Junior sections competing. Organisers expect to attract 3,000

participants and spectators to the Ballarat polocrosse Club Grounds, Airport Drive, Mitchell Park.

If the Polocrosse Championships grant application is successful, Council funding will be expended on; trophies, media coverage and commentators.

The Championships promises to be a well organised event that would be enjoyed by the Ballarat community, it supports a local sporting association, and would further enhance Ballarat's reputation as a host city for national and international sporting events. However, the recommended funding amount is less than the requested amount based on the calculated evaluation score for the event.

This grant application aligns with the Ballarat Events Strategy 2018 – 2028 by delivering an event during a low-peak event period to activate the City and inject economic impact in the lead up to Easter 2020.

### **Funding Assessment**

Although the event runs over a number of days, the event scored lower on the Tourism Grant assessment criteria in the following areas:

1. Inclusiveness and accessibility of the event
  - a. The event will predominately attract visitation from the Polocrosse community both local, state and interstate. The broader community/tourism appeal of the event reduced this assessment score.
2. Legacy and ongoing benefits for Ballarat
  - a. The event is one-off with no ongoing activities or occurrence for Ballarat and as a result, the one-off event does not provide a legacy or ongoing benefit to the community.
3. Good level of expected economic return from tourist visitation and a good overall return on investment
  - a. This scored low due to the fact competitors and their families will be free camping at the event grounds and sourcing local supplies.

### **Funding Options**

Three funding options were identified by officers:

1. Approve a one-year Tourism Event Grant for the 2020 National Polocrosse Championship for \$24,000 cash (excl. GST);
2. Approve a one-year Tourism Event Grant for the 2020 National Polocrosse Championship for \$5,520 cash (excl. GST), **(recommended)**
3. Do not approve a one-year Tourism Event Grant for the 2020 National Polocrosse Championship.

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

### **LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

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

**REPORTING AND COMPLIANCE STATEMENTS**

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

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

**Economic** – An economic impact report prepared by Council Officers using the REMPLAN economic modelling software calculated the potential economic impact of the event. Using the tourist visitation data provided by the applicant, the event may provide an injection of \$434,600 from visitor audiences into the Ballarat economy.

Based on a cash grant of \$24,000 this represents a ROI of 1:18

Based on a cash grant of \$5,520 this represents a ROI of 1:123

Whilst 10 nights is acknowledged as excellent for a 7-day event, the competitors and families are not staying in commercial accommodation. To accommodate this fact in the economic assessment, the number of total overnight stays was reduced to 30%.

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

**Risk Management** – If Council does not provide the requested grant funding for the 2020 Australian Polocrosse National Championships, the event will still proceed in Ballarat but will reduce its expenditure on quality of trophies and may not be able to live stream the event.

Conduct and management of the event itself appears to offer little risk, the event has been held in Ballarat in 2010 and the Ballarat Polocrosse Club are experienced in what the event will require. The local club will also have the support and involvement of the state polocrosse organising body.

**Implementation and Marketing** – In addition to potential cash funding, Council officers will provide in-kind support with promotional activities to advise the Ballarat community of the event and encourage their attendance. The event organisers will market the event primarily through their sporting networks, website(s) and social media.

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

**OFFICERS DECLARATIONS OF INTEREST**

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

**REFERENCE DOCUMENTS**

Nil

**ATTACHMENTS**

Nil

**11.3. 2020 BALLARAT GIFT - TOURISM EVENT GRANT PROGRAM SUBMISSION**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Heidi Zukauskas – Acting Executive Manager for Arts and Events

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Approve a one-year \$13,000 (excl. GST) Tourism Event Grant to Ballarat Athletics Club Inc. for the 2020 Ballarat Gift event to be held 8-9 February 2020.**

**EXECUTIVE SUMMARY**

Council has received a Tourism Event Grant application for the Ballarat Gift, to be held on 8-9 February 2020 at the City Oval. The Ballarat Gift is organised by the Ballarat Athletic Club and has been running annually since 1949. The event is an athletics carnival that caters for elite Australian athletes, juniors, masters, and open men and women. The Ballarat Gift attracts over 1,200 entries and large spectator crowds during the two-day event. The 2020 event expects an estimated economic impact of \$211,600.

This grant application aligns with the Ballarat Events Strategy 2018 – 2028 in supporting flagship state events for the athletic sporting discipline. The Ballarat Gift is the second biggest gift in Australia behind the Stawell Gift and attracts interstate participation.

**RATIONALE**

On 22 February 2017, Council adopted the City of Ballarat Grants Policy (R66/17). The purpose of the grants policy is to ensure that recipients can deliver quality programs, events, products and services which are of great benefit to Ballarat and which bring a wide range of social, environmental and economic returns to the City. Included in the Grants Policy is the Tourism Event Grant program.

Council has received a Tourism Event Grant application from the Ballarat Athletic Club for the 2020 Ballarat Gift, to be held on 8-9 February at the City Oval. The Ballarat Gift has been running annually since 1949 and is an athletics carnival that caters for elite Australian athletes, juniors, masters, and open men and women. The Ballarat Gift attracts over 1,200 entries and large spectator crowds during the two-day event. The 2020 event expects an estimated economic impact of \$211,600.

The Ballarat Gift has requested \$13,000 cash funding towards the Victorian Athletics League cost to conduct the meeting, track preparation and PA system, and costs associated with holding the event.

The Athletics Club are aiming to drive stronger sponsorship outcomes and create opportunity for the event to become self-sustaining in the future.

The Ballarat Athletic Club has over recent years developed a structured junior's program and affiliation with Ballarat Little Athletics Club. The results of this program are realised by an increase in junior runner registrations and associated spectators to the event. Along with this



change the event has experienced growth in female participation, supporting Councils Active Women and Girls Strategy 2018, driven by equity in prize money for both men and women. This grant application aligns with the Ballarat Events Strategy 2018 – 2028 in supporting flagship state events for the athletic sporting discipline. The Ballarat Gift is the second biggest gift in Australia behind the Stawell Gift and attracts interstate participation.

### **Funding Assessment**

The Ballarat Gift scored low in the Tourism Event Grant assessment process due to the projected modest attendance numbers and the subsequent low economic impact generated. However, the assessment panel identified the following significant factors, which lead to the funding recommendation.

Significant factors identified are:

- The event is in its 71<sup>st</sup> year of running and is considered to be a culturally significant event on the Ballarat events calendar
- The event is open to all ages of athletes and has increased female participation as a result of equity in prize money for both men and women
- An increase in junior entries and associated spectators through a partnership with Ballarat Little Athletics Club
- In addition to the social benefits of the event, Ballarat Gift could deliver increased visitation to Ballarat and economic return to Ballarat businesses if the status can be maintained and prize money increased
- There is a very high risk of the event losing status on the athletic carnival calendar if funding cannot be secured in 2020
- The Club aims to drive sponsorship outcomes and create opportunity for the event to become self-sustaining in the near future.

### **Funding Options**

Three funding options were identified by officers:

1. Approve a one-year Tourism Event Grant for the 2020 Ballarat Gift for \$13,000 cash (excl. GST). **(Recommended)**;
2. Approve a one-year Tourism Event Grant for the 2020 Ballarat Gift for \$1,300 cash (excl. GST) in line with the assessment of the Ballarat Gift via the Tourism Event Grant program;
3. Do not approve a one-year Tourism Event Grant for the 2020 Ballarat Gift.

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

## **LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

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

**REPORTING AND COMPLIANCE STATEMENTS**

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

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

**Economic** – An economic impact report prepared by Council officers using the REMPLAN economic modelling software calculated the potential economic impact of the event. Using the tourist visitation data provided by the applicant, the event may provide an injection of \$211,600 from visitor audiences into the Ballarat economy.

Based on a cash grant of \$13,000 this represents a ROI of 1:15

Based on a cash grant of \$1,300 this represents a ROI of 1:161

Typically, Officers will seek an ROI of 1:20 as an acceptable base level and whilst this event does not achieve that ROI, the above mentioned social benefits and cultural significance have been considered by the assessment panel to determine the recommendation.

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

**Risk Management** – As outlined in the funding application, if the Ballarat Gift does not receive funding in 2020, the event would be reduced to one day. This would result in losing the status of the Ballarat Gift through the Victoria Athletics League organisation and the rating of the event will be downgraded. Ultimately, reducing the status of the event on the athletics calendar which would impact the events ability to attract sponsorship and continue to run into the future.

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

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

**OFFICERS DECLARATIONS OF INTEREST**

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

**REFERENCE DOCUMENTS**

Nil

**ATTACHMENTS**

Nil

**11.4. RED HOT SUMMER TOUR EVENT - CHANGES TO LOCAL LAW**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Heidi Zukauskas, Acting Executive Manager Events and the Arts

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Pursuant to clause 56.1 of the Community Local Law 2017, designate the North Gardens environs as a dry zone in which the carriage and/or consumption of alcohol is prohibited for a 12-hour period spanning the conduct of the Red Hot Summer Tour event;**
  - a. The 12-hour dry zone period to remain in force from 11am - 11pm of the scheduled event day**
  - b. The dry zone period to encompass for the 2020 event scheduled for 28 March, and all future annual Red Hot Summer Tour events held in Ballarat at North Gardens, Lake Wendouree or Victoria Park location.**
- 2. Consistent with the application of clause 56.1, authorise Council Officers to place such notices and signs on or in the vicinity of North Gardens and Lake Wendouree as are appropriate to advise the public of the alcohol-free zone.**
- 3. Authorise Council Officers to implement an appropriate media strategy to communicate the intent and effect of the application of these proposals to the public and emergency services.**
- 4. Not issue any temporary liquor licences around the North Gardens and immediate Lake Wendouree precinct for the period encompassed by the Red Hot Summer Tour event; with exemption of the Red Hot Summer Tour event liquor licence.**

**EXECUTIVE SUMMARY**

Regional Touring are returning to Ballarat in 2020 with the Red Hot Summer Tour. The event will take place in North Gardens between 12:30pm – 10:00pm on 28 March 2020.

To aid the safe management of the area during this time, it is proposed that Council utilise the provisions of clause 56.1 of the Community Local Law 2017 to designate the North Gardens environs as a dry zone, except for the licensed area managed by the event. This is intended to prevent the consumption of alcohol in the area between the hours of 11am on the morning of the event until 11pm on the evening of the 2020 event, as well as for future annual Red Hot Summer Tour events held in the North Gardens, Lake Wendouree or Victoria Park locations. The designation of the North Gardens environs as dry-zones is considered an important tool by both the event organisers and Victoria Police for managing antisocial behavior and is based on recommendation by Victoria Police.

It is proposed that all future Red Hot Summer Tour events maintain the Dry Zone status in place for each event until such point as Council lifts the restriction, or the Red Hot Summer Tour event changes format and it is not deemed necessary.

## RATIONALE

The Red Hot Summer Tour event is a ticketed music event to be held in the precinct of North Gardens. Patrons under 18 years of age must be accompanied by a Parent or Guardian 18+ years. Patrons under 12 years of age are admitted free to the General Admission area only, with a paying Parent or Guardian 18+ years. In the past, there has been occurrences where non paying audiences have gathered outside the licensed event area. Whilst the event organisers provide comprehensive risk management strategies, this external audience could cause anti-social behaviour caused by consumption of alcohol.

It should be noted that prohibiting the consumption of alcohol in the area will not guarantee an absence of adverse incidents, however it does provide a process for control by Victoria Police and Council's Regulatory Officers.

As part of the operational planning for the 2020 Red Hot Summer Tour event, Council Officers liaised with Ballarat Police who made the following recommendations:

1. That Council should not issue any temporary liquor licenses applicable to the North Gardens environs for 28 March 2020, except for the licensed area of the event; and
2. That Council should declare the entire North Gardens and immediate environs on Lake Wendouree a dry area pursuant to the Community Local Law 2017.

The adoption of these proposals will allow Victoria Police to manage crowd control and alcohol related issues more effectively.

## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- City of Ballarat Council Plan 2013-2017; and
- City of Ballarat Community Local Law 2017.

## REPORTING AND COMPLIANCE STATEMENTS

| Implications                        | Considered in Report? | Implications Identified? |
|-------------------------------------|-----------------------|--------------------------|
| <b>Human Rights</b>                 | Yes                   | Yes                      |
| <b>Social/Cultural</b>              | Yes                   | Yes                      |
| <b>Environmental/Sustainability</b> | No                    | No                       |
| <b>Economic</b>                     | No                    | No                       |
| <b>Financial/Resources</b>          | Yes                   | Yes                      |
| <b>Risk Management</b>              | Yes                   | Yes                      |
| <b>Implementation and Marketing</b> | Yes                   | Yes                      |
| <b>Evaluation and Review</b>        | 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** – Imposing alcohol restrictions on the North Gardens environs during the Red Hot Summer Tour event will work toward providing a safe and enjoyable experience for those who attend the event and for residents in the immediate area.

**Financial/Resources** – The costs associated with the public promotion of the proposed dry zone is within budget of the City of Ballarat Events Unit.

**Risk Management** – The primary intention of the proposed dry zone is to reduce the risk of harm that may arise from excessive alcohol consumption at and around the event. Appropriate risk management planning for events is vital and this proposed step is a proactive measure to ensure that adverse alcohol related incidents are minimised.

**Implementation/Marketing** – as per the following:

*Signage*

One key component in the implementation of the North Gardens environs Dry Zone shall be the placement of appropriate signage on and around the precinct. Signs with the wording of *Alcohol-Free Area* will be installed to provide reasonable coverage of the precinct.

*Advising the Public*

A communications plan will be developed to advise the public through the following methods/outlets:

- Media releases;
- Radio announcements; and
- A noticeboard advertisement in The Ballarat Times on the Thursday immediately preceding the event.

## **CONSULTATION**

City of Ballarat's Events Unit has consulted with Red Hot Summer Tour event organisers and Victoria Police to confirm the request for a Dry Zone for the 2020 Red Hot Summer Tour event and potential following years.

## **OFFICER' DECLARATIONS OF INTEREST**

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

## **ATTACHMENTS**

There are no attachments for this report.

**11.5. RATIONALISATION OF TITLE BOUNDARIES 5 INKERMANS STREET NEWINGTON**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Terry Demeo – Director Infrastructure and Environment

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Undertake the formal Gazettal process in respect to the discontinuance and closure of this portion of Inkermans Street, Newington.**
- 2. Subject to satisfactory resolution of any submissions received in response to the Gazettal of the proposal, delegate to the Chief Executive Officer to dispose of the land at market value.**

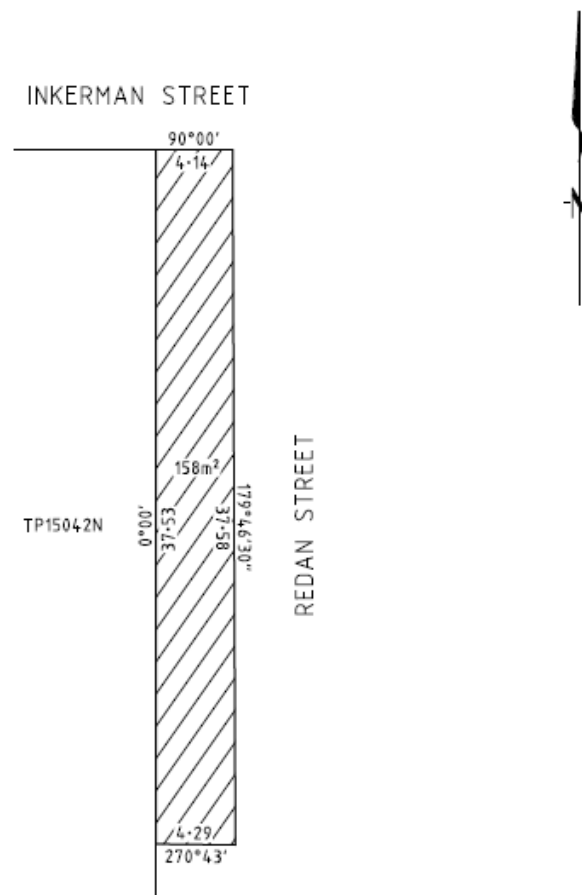
**EXECUTIVE SUMMARY**

A request has been received for the rationalization of a residential title boundary for the property at 5 Inkermans Street, Newington. As a result of historical circumstances, the residential parcel has extended beyond the formal title boundary and occupied an area of some 158m<sup>2</sup> of the Inkermans Street Road Reservation. Having reviewed the options in respect to rectifying this situation it is considered that the consolidation of this portion of land into the residential title is potentially the most appropriate course of action. It is therefore recommended that a formal process of Gazettal of the discontinuous and closure of this portion of the Road Reservation be undertaken to determine the appropriateness of this approach. Further it is recommended that the Chief Executive Officer be delegated authority to formalize the disposal of the portion of Road Reserve subject to any submission being appropriately resolved.

**RATIONALE**

A request has been received from the current owners of the residential title of 5 Inkermans Street, Newington for the rationalisation of the title Boundary to accord with the residential parcel boundaries which have been fenced and controlled by the previous owners for decades. The owners of the current title (recent purchases) bought the site with the understanding that the fenced parcel was titled accordingly.

Having undertaken a title re-establishment survey it has been determined that the Title does not include an area which has been fenced, managed and built on as part of the residential parcel for decades (the buildings have been located on a portion of the road reserve for over 50 years). The portion of land which is excluded from the current title is detailed in the aerial photograph depicted below, along with the formal survey plan detailed below. It is further noted worthy that the area of the parcel which Council has rated for decades includes the portion of land detailed below.



As a result of this discovery the owners of the existing parcel have made a request to Council to consider the rationalisation of the road reserve to include the portion of road reserve into the Title of 5 Inkerman Street. That is, to formally include the area currently fenced and managed as part of the residential parcel into the Title proper by the statutory discontinuance



of the section of road reserve currently fenced as part of the residential parcel and consolidation of this portion of land into the residential title.

The anecdotal advice from long-term residents of the area is that the Council of the day supported and facilitated the realignment of the Boundary to allow the portion of road reserve to be consolidated into the residential parcel of number 5 Inkerman Street as a trade off for the provision of rear access over a portion of this title to allow rear access to adjacent properties. A search of Councils records has not revealed any specifics around this anecdotal advice.

Having been made aware of the circumstances of the situation in respect to the alignment of the road reserve and residential title boundary, and now having received a formal request from the owners of this address, the options for Council are affectively as follows:-

- Resume the portion of land controlled under the 5 Inkerman Street address to form part of the road reserve.
- Undertake a statutory process to formalise the intent to extinguish this portion of Road Reserve and undertake a statutory process to dispose of the land. This would include the Gazettal of Councils intent and formal notification around the discontinuance of the road along with a public process in relation to the sale of the subject land.

On balance it is recommended that the commencement of the latter approach detailed above is the appropriate course of action. The area of land which has been included for all practical purposes into the residential title could be extinguished as part of the road reserve, as it has not formed part of the road reserve for many years and it appears generally logical for the status quo to be maintained rather than resume this area as part of the road reserve.

That said, there is obviously a formal process that is required to be undertaken in relation to Gazettal of Councils intent in this regard and Council would need to have regard to any submissions received in respect to the matter to determine a formal position accordingly.

## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

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

## REPORTING AND COMPLIANCE STATEMENTS

| Implications                        | Considered in Report? | Implications Identified? |
|-------------------------------------|-----------------------|--------------------------|
| <b>Human Rights</b>                 | Yes                   | Yes                      |
| <b>Social/Cultural</b>              | Yes                   | Yes                      |
| <b>Environmental/Sustainability</b> | Yes                   | Yes                      |
| <b>Economic</b>                     | Yes                   | Yes                      |
| <b>Financial/Resources</b>          | Yes                   | Yes                      |
| <b>Risk Management</b>              | Yes                   | Yes                      |
| <b>Implementation and Marketing</b> | Yes                   | Yes                      |
| <b>Evaluation and Review</b>        | Yes                   | Yes                      |

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

**Social/Cultural** – It is considered that there is unlikely to be any adverse social/cultural consequences associated with the consolidation of the portion of road reserve affected into the title of 5 Inkerman Street, Newington.

However, a formal process to determine if there are any concerns from other parties is required to be undertaken.

**Environmental/Sustainability** – Given the established position of the portion of road reserve affectively forming part of the residential parcel it is considered that it is unlikely that there are any environmental/sustainability consequences. However, a formal process to determine if there are any concerns from other parties is required to be undertaken.

**Economic** – There are no adverse impacts envisaged from an economic perspective.

**Financial/Resources** – The costs associated with the process recommended in this instance can be managed within operational budgets, with any resultant income from the sale of the property to go to Councils land sales reserve.

**Risk Management** – The Gazettal process will identify any risks associated with the recommended approach.

**Implementation and Marketing** – As recommended, the intention to consider the discontinuance and closure of this portion of the road reserve will be subject to the formal Government Gazette process and public notification.

**Evaluation and Review** – The process identified includes the review mechanism of the public notification exercise.

## **CONSULTATION**

As recommended, the formal Gazettal and public notification will provide for the appropriate level of consultation in this instance.

## **OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

Nil

## **ATTACHMENTS**

Nil

**11.6. AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION (ALGWA)**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Christian Dymock - Administration Officer

**OFFICER RECOMMENDATION**

**Council resolves to:**

- **Determine one Councillor representative for the Australian Local Government Women's Association will be nominated as having voting rights for the Association.**

**EXECUTIVE SUMMARY**

The purpose of this report is to provide the Australian Local Government Women's Association (ALGWA) with the nominated Councillor representative for voting rights with the Association.

**RATIONALE**

At the Ordinary Council meeting held on 11 December 2019, Council resolved to appoint Cr McIntosh, Cr Johnson and Cr Coates as Council's representatives to the Australian Local Government Women's Association in 2020 (R330/19). In previous years Council has had one representative to the Association.

The Association has requested that one of the three representatives from the City of Ballarat be nominated as having voting rights for the Association in accordance with their governance rules.

**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**

| <b>Implications</b>                 | <b>Considered in Report?</b> | <b>Implications Identified?</b> |
|-------------------------------------|------------------------------|---------------------------------|
| <b>Human Rights</b>                 | Yes                          | No                              |
| <b>Social/cultural</b>              | Yes                          | No                              |
| <b>Environmental/Sustainability</b> | No                           | No                              |
| <b>Economic</b>                     | No                           | No                              |
| <b>Financial/Resources</b>          | No                           | No                              |
| <b>Risk Management</b>              | No                           | No                              |
| <b>Implementation and Marketing</b> | No                           | No                              |
| <b>Evaluation and Review</b>        | 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** – A Committee is likely to have greater influence on Council if a Councillor is an active observer of its business and if the Councillor appointed has an interest in influencing understandings in the Chamber of the Committee's strategic intentions.

**Financial/Resources** – There are financial implications of servicing Committees; these costs have been incorporated into Business Plans and the Budget.

**Risk Management** – The *Local Government Act 1989* and the *Local Government (General) Regulations 2015* provides steps to ensure that Council complies with the Act in the establishment, administration and dissolution of Committees.

**Implementation and Marketing** – All Committees will be notified of the Councillor Representation with relevant documentation.

**Evaluation and Review** – As per Councils Meeting Procedure Local Law at least by the last Council Meeting of the calendar year, the Council must appoint and/or remove Councillors to Committees.

## **OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

Nil

## **ATTACHMENTS**

Nil

**11.7. BALLARAT FRIENDS OF AINARO SPECIAL COMMITTEE MINUTES**

**Division:** Community Development  
**Director:** Neville Ivey  
**Author/Position:** Frances Salenga - Coordinator Intercultural Services

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Endorse the minutes of the Ballarat Friends of Ainaro Special Committee for 2019 and adopt the resolutions made therein.**
- 2. Acknowledge the resignation of committee member Barry Flynn and commend him for his service to the Ballarat Friends of Ainaro Special Committee.**

**EXECUTIVE SUMMARY**

This report provides Council with the minutes of the meetings of Council's Ballarat Friends of Ainaro Special Committee (BFACC) held in 2019 and includes the resignation of Committee member Barry Flynn on 19 May 2019. Barry has made a significant contribution to both the Ainaro community and the Committee.

**RATIONALE**

This report provides the full minutes of the Special Committee for the following months:

- 18 February 2019 BFACC Meeting Minutes
- 18 March 2019 BFACC Meeting Minutes
- 15 April 2019 BFACC Meeting Minutes
- 20 May 2019 BFACC Meeting Minutes
- 19 August 2019 BFACC Meeting Minutes
- 16 September 2019 BFACC Meeting Minutes
- 21 October 2019 BFACC Meeting Minutes
- 18 November 2019 BFACC Meeting Minutes

**LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

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

**REPORTING AND COMPLIANCE STATEMENTS**

| Implications                 | Considered in Report? | Implications Identified? |
|------------------------------|-----------------------|--------------------------|
| Human Rights                 | Yes                   | No                       |
| Social/Cultural              | Yes                   | Yes                      |
| Environmental/Sustainability | No                    | No                       |
| Economic                     | No                    | No                       |
| Financial/Resources          | No                    | No                       |
| Risk Management              | 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 the Minutes in the Council Agenda and the availability to the public will increase awareness of the activities of the Committee and could increase community involvement in decision making at Council.

**CONSULTATION**

No consultation has been required.

**OFFICERS DECLARATION OF INTEREST**

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

**REFERENCE DOCUMENTS****ATTACHMENTS**

1. 18 February 2019 Meeting Minutes [11.7.1 - 4 pages]
2. 18 March 2019 Meeting Minutes [11.7.2 - 4 pages]
3. 15 April 2019 Meeting Notes (no quorum) [11.7.3 - 3 pages]
4. 20 May 2019 Meeting Minutes [11.7.4 - 3 pages]
5. 19 August 2019 Meeting Minutes [11.7.5 - 4 pages]
6. 16 September 2019 Meeting Minutes [11.7.6 - 5 pages]
7. 21 October 2019 Meeting Notes [11.7.7 - 5 pages]
8. 18 November 2019 Meeting Minutes [11.7.8 - 3 pages]
9. Barry Flynn Resignation Email [11.7.9 - 1 page]

## Ballarat Friends of Ainaro Community Committee

Section 86 Sub Committee

### MINUTES

|                      |   |              |         |
|----------------------|---|--------------|---------|
| <b>DATE:</b>         | 18/02/2019  | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room   |              |         |
| <b>CHAIR:</b>        | Cr Belinda Coates   |              |         |
| <b>MINUTE TAKER:</b> | Rob Gray  |              |         |
| <b>PRESENT:</b>      | Chris Bluett, Dianne McGrath, Desley Beechey, Andrew Miller |              |         |

#### APOLOGIES:

Barry Flynn, Hemraz Bhoolah

**BFACC resolves to accept these apologies.**

**Moved: Desley Beechey**

**Seconded: Dianne McGrath**

**CARRIED**

#### DISCLOSURE OF CONFLICTS OF INTEREST:

Nil

#### CONFIRMATION OF MEETING MINUTES:

**BFACC resolves to accept 19/11/2018 minutes.**

**Moved: Desley Beechey**

**Seconded: Dianne McGrath**

**CARRIED**

#### MATTERS/ACTIONS ARISING FROM THE MINUTES:

1. Follow-up on Letters from Deputy Municipal Administrator – Aguida Mendonca and letter from BACDO INC.

##### ACTION:

- Cr Coates to follow-up with Cultural Diversity Office to see how a response for furthering this proposed visit may land.
- Further work on this as a positive Action to be added to the discussion of the Action Plan as it is developed.
- Good support for “In-kind” assistance from BFACC and BACDO Inc.

**Letter from Neville Ivey (Dir of Comm Development) :** CoB happy to host and provide working calendar; provide contacts within house .... Unable to help with travel and accommodation... can provide cost relief to accommodation providers.

**ACTIONS:** 1. Cr Coates to flag follow-up with NI to further discussions, particularly in resourcing travel budgets. Committee wishes to enable this aspect of the Implementation plan from the SP.

2. A small group to follow up development of a Project Plan for a possible visit and involvement of groups such as LGV.... AM/DB

3. Official communication from CoB to Ainaro Management needs development rather relying on BFACC members to be the conduit .

## 2. Discussion of Implementation (Action) Plan

### ACTION:

To Include Action Plan and Reporting Framework outlines, from the SP, into each of the future minutes/agenda.....to more readily keep the Strategic Plan at a high level of operation by BFACC. See notes in General Business.

## 3. Student Feedback to BFACC/Council delayed for this month.

Possibility of a short report to a public council meeting from a Grammar and Damascus student.

**ACTION:** Take up with Hemraz to see if this can be put on Council Meeting (occur every 3 weeks). RGG/Cr BC/HB to follow up with Civic Support. Waiting on an arrangements to be made from CD Office.... 12 Dec is last possible opportunity.

Following what was discussed during the previous meeting in relation to whether there is an opportunity for a Ballarat Grammar and/ or Damascus college student to present their experience to the Council during one of the Council's meetings, I have been told that this is unfortunately not possible. It is always busy and also the first half of the year, Councillors main focus is the budget. It was suggested that it would be much better to invite the Councillors to something specific, perhaps a special night that BFACC organises. If you have any query please do not hesitate to let me know. HB

**ACTION:** Cr Coates to follow –up with Helen McIntosh.... To see if this can be actioned for second half of the year.

## CORRESPONDENCE IN:

1. Invitation to BFACC members to attend the Ballarat Ryder-Cheshire starting the year with a celebration of our work '*for the relief of suffering*' with an evening featuring two returned volunteers from Raphael and Klibur Domin.

This is a special year for Ryder-Cheshire.... 60 years since inception of Klibur Domin  
7:00 pm at

## 2. Letter from Margie Beck Baucau Teachers College

Dear Rob and all Friends of Ainaro, we in Baucau have just started our academic year. There is one student from Ainaro - Lucia da Costa Soares Verdial, who is in need of support . She is the second child of 10

Would Friends of Ainaro consider supporting Lucia? The cost remains the same - AU\$1400 for one year. This includes tuition, monthly living allowance in Baucau, and photocopying each month.

I look forward to hearing back from you

Best wishes

Margie x

Need to check our criteria and how will this sit with people in Ainaro.

Await feedback from MB..... Possibly check for shared support....

Possible forward motion: Would a reference from MB be of assistance.

Motion: communicate back to Margie Beck based on a 50:50 shared scholarship.

Dependent on advice from Margie B and that is based on our present funds.

**Moved AM Sec Dianne McG Carried.**



[Committee logo – if applicable]



Note: This has since been resolved as the young lady in question has gained work in Ainaro and won't be requiring our assistance.

**BFACC resolves to accept Correspondence In.**

**Moved: Desley Beechey**

**Seconded: Chris Bluett**

**CARRIED**

**CORRESPONDENCE OUT: Nil**

Nil

**REPORTS:**

1. Financial Report: See attached report. As at Dec 2018  
Trust: \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total \$10,754.17

**Moved: Andrew Miller**

**Seconded: Chris Bluett**

**CARRIED**

2. BACDO Inc. No meetings so far for 2019
3. Teachers for Timor (T4T). First preparation meeting 23 February 2019.  
New Exec: Chair Brian Harrison, Deputy Ch Kim Patterson, Treas/Sec: Rob Gray.  
Program planning for 2019 under way. Three teaching groups organised at present.
4. School groups visiting Ainaro. Damascus and Grammar well advanced with planning at present for June/July visits of schools groups.  
Possibility of a GAP English assistant deployment at Fernando LaSama High School as a trial in 2019.
5. AB Health Support: Nursing student 3<sup>rd</sup> year, pharmacy student 3<sup>rd</sup> Year, Public Health 2<sup>nd</sup> year.
6. Ryder-Cheshire. Invitation to BFACC members to attend the Ballarat Ryder-Cheshire start for the year with a celebration of our work '*for the relief of suffering*' with an evening featuring two of our returned volunteers from Raphael and Klibur Domin. See attachment.  
Pres: Dianne McGrath.....
7. Arts - Going back mid year..... artists teed up previous vols... Program in Ainaro and Dili.... Exhibition at Xanana RR. (Less time in Ainaro) but sharing the story in Dili.

**BFACC resolves to accept the reports.**

**Moved: Dianne McGrath**

**Seconded: Andrew Miller**

**CARRIED**

**GENERAL BUSINESS:**

**1. Confirmation of membership/members of Ballarat Friends of Ainaro Community Committee.**

**ACTION:** Hold over approval so that Names can be provided from Governance and approved at the next meeting. Hemraz B?

**2. Discussion of Implementation Plan.**

**ACTION:** Update. Production of road map on implementing our SP. Involve DM/RG/AM/MSchultz to bring this to a more complete structure. Final format... Meeting organised for March 1 at Ballarat Grammar.

Bring to March meeting for discussion and acceptance for actioning.

**3. Scholarship request. Done.**

**4. Meeting dates 2019**

CoB will publicly advertise for committee membership before the end of the year (2018), but worth discussing other ways to attract new members. What may come out of the Implementation plan.

|               |  |
|---------------|--|
| <b>Title:</b> | <b>Ballarat Friends of Ainaro Community Committee</b>  |
| <b>Date:</b>  | 3 <sup>rd</sup> Monday of the month. Feb – Nov 2019<br>18 February<br>18 March<br>15 April<br>20 May<br>17 June<br>15 July<br>19 August<br>16 September<br>21 October<br>19 November |

**AOB:** David McPhail and Des Hudson OAM perhaps send congrats.

Moved: Dianne McGrath  
Seconded: Chris Bluett  
**CARRIED**

|                              |                             |
|------------------------------|-----------------------------|
| <b>DATE OF NEXT MEETING:</b> | 5:30pm Monday 18 March 2019 |
|------------------------------|-----------------------------|

|                          |         |
|--------------------------|---------|
| <b>CLOSE OF MEETING:</b> | 7:00 pm |
|--------------------------|---------|

## Ballarat Friends of Ainaro Community Committee

Section 86 Sub Committee

### MINUTES

|                      |   |              |         |
|----------------------|---|--------------|---------|
| <b>DATE:</b>         | 18/03/2019  | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room   |              |         |
| <b>CHAIR:</b>        | Cr Belinda Coates   |              |         |
| <b>MINUTE TAKER:</b> | Rob Gray  |              |         |
| <b>PRESENT:</b>      | Chris Bluett, Dianne McGrath, Desley Beechey, Andrew Miller |              |         |

|  |                             |  |
|--|-----------------------------|--|
|  | Hemraz Bhoolah, Barry Flynn |  |
| <b>BFACC resolves to accept these apologies.</b> |                             |  |
| <b>Moved: Desley Beechey</b>                     |                             |  |
| <b>Seconded: Dianne McGrath</b>                  |                             |  |
| <b>CARRIED</b>                                   |                             |  |

|   |
|---|
| <b>DISCLOSURE OF CONFLICTS OF INTEREST:</b> |
| Nil   |

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|---|
| <b>CONFIRMATION OF MEETING MINUTES:</b>             |
| <b>BFACC resolves to accept 18/02/2019 minutes.</b> |
| <b>Moved: Desley Beechey</b>                        |
| <b>Seconded: Andrew Miller</b>                      |
| <b>CARRIED</b>                                      |

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| <b>MATTERS/ACTIONS ARISING FROM THE MINUTES:</b>   |
| <p><b>ACTIONS:</b> 1. Belinda to flag follow-up with Neville Ivey to further discussions related to visitation from Ainaro delegation, particularly in resourcing travel budgets. Committee wishes to enable this aspect of the Implementation Plan from the Strategic Plan 2.7 (b)-(b).</p> <p><b>RESPONSE:</b> Time frame..... 7 days to get back to Neville Ivey... meeting with CEO re discussions preferring support for travel funds .... Accommodation would be more readily taken care of by members of Ballarat Friendship groups . Andrew Miller to prepare a brief plan outlining what cost would be involved with this</p> <p>2. A small group to follow up development of a Project Plan for a possible visit and involvement of groups such as LGV.... Andrew/Desley</p> <p><b>RESPONSE:</b> Report submitted by Andrew and Desley....Draft attached with budget. Flesh out detail .... In submission.</p> <p>3. Official communication from CoB to Ainaro Management needs development rather relying on BFACC members to be the conduit.</p> <p><b>RESPONSE:</b> Rob G to follow-up with Council Officers.....</p> |

[Committee logo – if applicable]



|   |  |
|---|--|
| <b>CORRESPONDENCE IN:</b>   |  |
| 1. ATLFN Annual Membership renewal. \$50<br><br>Rob G to follow-up with Council Officers.....   |  |
| <b>BFACC resolves to accept Correspondence In and payment of invoice from ATLFN.</b><br><b>Moved: Dianne McGrath</b><br><b>Seconded: Chris Bluett</b><br><b>CARRIED</b>   |  |
| <b>CORRESPONDENCE OUT: Nil</b>  |  |
| Nil   |  |
| <b>REPORTS:</b>   |  |
| 1. Financial Report: See attached report. As at Dec 2018<br>Trust: \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total \$10,754.17<br><b>Moved: Desley Beechey</b><br><b>Seconded: Chris Bluett</b><br><b>CARRIED</b>  |  |
| 2. BACDO Inc. No meetings so far 2019   |  |
| 3. Teachers for Timor (T4T). Three teaching groups organised at present.  |  |
| 4. School groups visiting Ainaro. Damascus and Grammar well advanced with planning at present for June/July visits of schools groups. Possible group in Sept.   |  |
| 5. AB Health Support. Tea and Oranges April 6 <sup>th</sup> at Main Bar fundraiser.   |  |
| 6. Ryder-Cheshire . Invite to Civic Rose Planting 25 March 11:30  |  |
| 7. Arts - still planning for visit mid-year to Ainaro and Dili.   |  |
| <b>BFACC resolves to accept the reports.</b><br><b>Moved: Dianne McGrath</b><br><b>Seconded: Desley Beechey</b><br><b>CARRIED</b>   |  |
| <b>GENERAL BUSINESS:</b>  |  |
| 1. <b>Confirmation of membership/members of Ballarat Friends of Ainaro Community Committee.</b><br>This item was held over from February so that Names can be provided from Governance and approved at the next meeting.<br><br>"I am trying to get all the nomination forms but from my recollection, everyone who were the members last year have submitted their forms." Hemraz<br><br>Rob to follow-up....<br>Chris Bluett to submit..... unsure of status. |  |

**Moved: Dianne McGrath**

**Seconded:**

**CARRIED**

**2. Discussion of Implementation Plan.**

A. Production of road map on implementing our Strategic Plan.

Draft IP attached to this agenda for discussion and acceptance for actioning.

B. **To Include Action Plan and Reporting Framework outlines, from the SP, a standing item to be placed in each of the future minutes/agenda.....to more readily keep the Strategic Plan at a high level of operation by BFACC.**

**REPORT TO BFACC**

**IMPLEMENTATION PLAN for BFACC STRATEGIC PLAN**

**Monday 18 March 2019**

**1. BACKGROUND**

**Brief background for BFACC strategic planning process to date**

- (a) BFACC Strategic Plan 2017-2022 has been completed
- (b) BFACC has endorsed the development of an Implementation Plan to guide the delivery of the BFACC Strategic Plan 2017-2022.
- (c) A sub-committee was appointed to develop a Draft Implementation Plan for BFACC consideration.
- (d) The Draft Implementation Plan is attached to this report.

**2. SUB-COMMITTEE**

Members of the sub-committee are Dianne McGrath, Rob Gray and Andrew Miller

**3. IMPLEMENTATION PLAN**

The following format for the Implementation Plan has been adopted:

- (a) **Key Tasks** were drawn from the Goals listed in the Strategic Plan
- (b) **Sub-Tasks** were drawn from the
  - (i) Goal descriptions in the Strategic Plan
  - (ii) Schedule of tasks to achieve the Goals, as listed in the Strategic Plan
- (c) **Sub-Task Description** – a brief description of each Sub-Task is provided by the Sub-Committee
- (d) **Other columns in the Implementation Plan** provide for Responsibilities, Priorities, Timelines and Comments

**4. NEXT STEPS**

The Sub-Committee considers the next steps in the development of the Implementation Plan to be:

- (i) **IMPLEMENTATION PLAN FORMAT** - Confirm Implementation Plan format with Mark Schultz (Governance Today) before end of March
- (ii) **IMPLEMENTATION PLAN CoB View:** Have Frances Selenga check for Cultural Partnerships issues and provide CoB officers with a view of the intent of the IP and supporting the SP.

[Committee logo – if applicable]



|  |  |
|--|--|
| <p>(iii) <b>FINAL FEEDBACK</b> - seek feedback from BFACC Committee and incorporate into Implementation Plan, as appropriate.</p> <p>(iv) <b>FINALISE IMPLEMENTATION PLAN</b> (Responsibilities/Priorities/Sub-Committees/Timelines/Comments)</p> <p>(v) <b>CIRCULATE FINAL DRAFT OF IMPLEMENTATION PLAN</b> to BFACC before 15 April</p> <p>(vi) <b>ENDORSEMENT OF FINAL DRAFT OF IMPLEMENTATION PLAN</b> by BFACC at its meeting on 15 April 2019.</p> <p><b>Implementation Plan Sub-Committee</b><br/><b>15 March 2019</b></p> <p><b>5. RECOMMENDATION:</b><br/>BFACC endorse the Next Steps as listed in Item 4 above<br/><b>Moved: Chris Bluett</b><br/><b>Seconded: Desley Beechey</b><br/><b>CARRIED</b></p> <p><b>To do: Include Action Plan and Reporting Framework outlines, from the SP, a standing into to be placed in each of the future minutes/agenda.....to more readily keep the Strategic Plan at a high level of operation by BFACC.</b></p> |  |
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|                              |                             |
|------------------------------|-----------------------------|
| <b>DATE OF NEXT MEETING:</b> | 5:30pm Monday 15 April 2019 |
| <b>CLOSE OF MEETING:</b>     | 6:38 pm                     |

## Ballarat Friends of Ainaro Community Committee

### Section 86 Sub Committee

#### NOTES of Meeting (No quorum)

|                      |  |              |         |
|----------------------|--|--------------|---------|
| <b>DATE:</b>         | 15/04/2019   | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room  |              |         |
| <b>CHAIR:</b>        | Cr Belinda Coates  |              |         |
| <b>MINUTE TAKER:</b> | Rob Gray   |              |         |
| <b>PRESENT:</b>      | Dianne McGrath, Desley Beechey,<br>Insufficient members to form a quorum.<br>Discussions held on agenda items; no motions moved. |              |         |

|                   |  |
|-------------------|--|
| <b>APOLOGIES:</b> | Hemraz Bhoolah, Barry Flynn, Andrew Miller |
|                   |  |
|                   |  |

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|---|
| <b>DISCLOSURE OF CONFLICTS OF INTEREST:</b> |
| Nil   |

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|---|
| <b>CONFIRMATION OF MEETING MINUTES:</b> |
|   |
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|   |
|---|
| <b>MATTERS/ACTIONS ARISING FROM THE MINUTES:</b>  |
| <ol style="list-style-type: none"> <li>1. Follow-up on resourcing the proposed visit by an Ainaro delegation.<br/>Possibility of two members of BFACC addressing Council with a verbal proposal for a Strategic Briefing. Concise , clear and targeted....(5 min +5 min.) Wed May 8 ..... Briefing will enable Council to give support or not for the proposal.</li> <li>2. Membership of ATLFN has been organised with Hemraz and Liz.....</li> <li>3. Confirmation of membership/members of Ballarat Friends of Ainaro Community Committee. Hemraz to follow-up.</li> <li>4. Action Plan and Reporting – Strategic Planning... see Reports below</li> </ol> |

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| <b>CORRESPONDENCE IN:</b>  |
| <ol style="list-style-type: none"> <li>1. From Local Government Timor-Leste Partnership Network meeting, Dr Graeme Emonson (Executive Director Local Government Victoria) recently wrote to network council CEOs with a copy of the Victorian Government Timor-Leste Program 2018-2021, and the document outlining the role of councils in municipal partnerships. Attachments x (2) passed on via Jenny Fink.</li> <li>2. Bendigo Maubisse Friendship Committee newsletter.<br/>New Chair Margaret O'Rourke.<br/>ACTION Follow-up Ballarat Bendigo</li> </ol> |
| <b>BFACC resolves to accept Correspondence In.</b>   |
|  |

|                                |
|--------------------------------|
| <b>CORRESPONDENCE OUT: Nil</b> |
| Nil                            |
|                                |
| <b>REPORTS:</b>                |

|   |  |
|---|--|
| <p><b>1. Financial Report:</b> See attached report. As at Dec 2018</p> <p>(a) <b>Trust:</b> \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total \$10,754.17</p> <p>(b) <b>CoB BFACC Operational Budget:</b> the balance for BFACC's 2018-2019 budget is \$1000.<br/>If it's not expended before the end of June, then it's lost. \$50 to be expended in paying ATLFN fees for the coming year. (possibility of these funds being diverted to Arte Ramelau??? Or Printing of Implementation Plan.....Independence Day guest speaker???? ) Any other thoughts?? Mid- April will make it difficult.</p> | <p><b>2. Action Plan and Reporting – Strategic Planning:</b></p> <p><b>STATUS OF NEXT STEPS</b></p> <p>The Sub-Committee considers the next steps in the development of the Implementation Plan to be:</p> <p>(i) <b>IMPLEMENTATION PLAN FORMAT</b> - Confirm Implementation Plan format with Mark Schultz (Governance Today) before end of March.</p> <p><b>Re Agenda:</b> Mark Schultz and myself are discussing the development of the format of the Implementation Plan for the BFACC Strategic Plan - AM</p> <p>(ii) <b>IMPLEMENTATION PLAN CoB View:</b> Have Frances Selenga check for Cultural Partnerships issues and provide CoB officers with a view of the intent of the IP and supporting the SP.</p> <p>(iii) <b>FINAL FEEDBACK</b> - seek feedback from BFACC Committee and incorporate into Implementation Plan, as appropriate.</p> <p>(iv) <b>FINALISE IMPLEMENTATION PLAN</b> (Responsibilities/Priorities/Sub-Committees/Timelines/Comments)</p> <p>(v) <b>CIRCULATE FINAL DRAFT OF IMPLEMENTATION PLAN</b> to BFACC before 15 April</p> <p>(vi) <b>ENDORSEMENT OF FINAL DRAFT OF IMPLEMENTATION PLAN</b> by BFACC at its meeting on 15 April 2019.</p> <p>Move on to May 20<sup>th</sup> meeting.</p> <p><b>3. BACDO Inc.</b> No meetings so far 2019</p> <p><b>4. Teachers for Timor (T4T).</b> First Teaching group in residence in Ainaro, classes have started with Robyn and Noel Lucas along with Heather Watson on about their 4<sup>th</sup> placement in Ainaro. (Add BFACC group to T4T mail-list.)</p> <p><b>5. School groups visiting Ainaro.</b> Damascus and Grammar well advanced with planning at present for June/July visits of schools groups. Grammar has also planned a Middle School trip to Ainaro in September.</p> <p><b>6. AB Health Support</b> - Fundraiser at main bar/ good community awareness raising... Issues with Alola and funds delivery</p> <p><b>7. Ryder-Cheshire.</b> "Friends of Klibur Domin" newsletter coming.</p> <p><b>8. Arts</b></p> |
| <p><b>GENERAL BUSINESS:</b></p> <p><b>1. Follow-up of enabling visitation of Ainaro delegation for Capacity Building of delegates from Ainaro Administration. Done</b></p> <p><b>2. Action Plan and Reporting – Strategic Planning Done</b></p> <p><b>3. AOB - Student Feedback on School's trips to Ainaro to Council in Aug.</b></p>  |  |



[Committee logo – if applicable]



|  |  |
|--|--|
| <b>This has been organised and will involve one student from Damascus and one from Grammar.</b>                                |  |
| <b>4. Possible issues with quorum in coming months with Rob Gray and Barry Flynn and also Andrew on visits to Timor Leste.</b> |  |
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|------------------------------|---------------------------|
| <b>DATE OF NEXT MEETING:</b> | 5:30pm Monday 20 May 2019 |
|------------------------------|---------------------------|

|                          |    |
|--------------------------|----|
| <b>CLOSE OF MEETING:</b> | pm |
|--------------------------|----|

## Ballarat Friends of Ainaro Community Committee

Section 86 Sub Committee

### MINUTES

|                      |  |              |         |
|----------------------|--|--------------|---------|
| <b>DATE:</b>         | 20/05/2019   | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room  |              |         |
| <b>CHAIR:</b>        | Cr Belinda Coates  |              |         |
| <b>MINUTE TAKER:</b> | Chris Bluett   |              |         |
| <b>PRESENT:</b>      | Dianne McGrath, Desley Beechey,<br>Andrew Miller. <b>A QUORUM WAS PRESENT.</b> |              |         |

#### APOLOGIES:

|  |                                      |  |
|--|--------------------------------------|--|
|  | Barry Flynn, Rob Gray, Hemraz Boolah |  |
| <b>BFACC resolves to accept these apologies.</b> |                                      |  |
| <b>Moved: Desley Beechey</b>                     |                                      |  |
| <b>Seconded: Dianne McGrath</b>                  |                                      |  |
| <b>CARRIED</b>                                   |                                      |  |

#### DISCLOSURE OF CONFLICTS OF INTEREST:

|     |
|-----|
| Nil |
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#### CONFIRMATION OF MEETING MINUTES:

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|---|
| <b>BFACC resolves to accept 15/04/2019 (no quorum) notes.</b>   |
| <b>Moved: Desley Beechey</b>                                    |
| <b>Seconded: Dianne McGrath</b>                                 |
| <b>CARRIED</b>  |
| <b>BFACC resolves to accept Minutes of meeting on 18/3/2019</b> |
| <b>Moved: Chris Bluett</b>                                      |
| <b>Seconded: Desley Beechey</b>                                 |
| <b>CARRIED</b>  |

#### MATTERS/ACTIONS ARISING FROM THE MINUTES:

#### CORRESPONDENCE IN:

|   |
|---|
| Letter of resignation from BFACC sent by Barry Flynn. His commitments to his workplace's health initiatives in Timor Leste mean he is spending about half the year up there so can seldom attend BFACC meetings.                                |
| <b>BFACC resolves that</b> CoB writes to Barry accepting his resignation and thanking him for his long Service to the BFACC Section 86 Committee of Council. (Belinda will follow up on who should write that letter and make sure it happens). |
| <b>Moved: Chris Bluett</b>  |
| <b>Seconded: Desley Beechey</b>   |
| <b>CARRIED.</b>   |

**CORRESPONDENCE OUT: Nil  
REPORTS:**

**1. Financial Report:**  
No change from previous month.

**THERE IS** \$1000 left as the balance of the funding allocation from CoB for implementation of the Plan.

**MOTION:**

**THAT** BFACC seek approval to use the operational funds (\$959) to develop a quarterly reporting system and template for the implementation of the BFACC Strategic Plan and finalise the wording of the Implementation Plan itself.

**Moved: Andrew Miller**

**Seconded: Desley Beechey**

**CARRIED**

(Note, we (Andrew Miller) will seek guidance from Hemraz and Liz, asking them to check requirements with Governance Branch.

- 1. Teachers for Timor (T4T).** Rob Gray is in Ainaro now with Brian Harrison and Paul Simonsen from Colac.
- 2. School groups visiting Ainaro.** All trips are in advanced planning stage.
- 3. AB Health Support.** All health scholarship students are making good progress.
- 4. Ryder-Cheshire.** They have fundraising for four Wednesdays in June, 5<sup>th</sup>, 12<sup>th</sup>, 19<sup>th</sup> & 26<sup>th</sup>, from the Trivia Nights run by Freight Bar.
- 5. Arte Ramelau.** The Arts trip is going ahead in the first two weeks of July.

**BFACC resolves to accept the reports.**

**Moved: Desley Beechey**

**Seconded: Dianne McGrath**

**CARRIED**

**GENERAL BUSINESS:**

- 1. Discussion of Implementation Plan.**

Andrew tabled the latest draft.

- 2. Strategic Plan Book.**

**Chris suggested that** the Strategic Plan book (of which we have many copies) could be placed in the Ballarat Libraries. Also in the Visitor centre, with a placard about the City of Ballarat Ainaro friendship. "Interested? Please take one".

Other suggestions included school libraries and staff rooms.

**3. A social media Plan for the Ballarat Ainaro friendship.**

**It was suggested that** Rob G be asked if a couple of Ballarat Grammar students who have a keen involvement with TL and Ainaro could come up with at least the bones of a social media strategy for BFACC / Ballarat : Ainaro friendship.

**4. Bendigo Maubisse & Ballarat Ainaro Joint Meeting.**

The Mayor of Bendigo has picked up the chairmanship of their Committee. Many people are away at this time from both cities so a joint meeting cannot occur for a couple of months.

**5. Ballarat Courier and volunteering in the community.**

Every month in the Ballarat Courier they run a feature which enables organisations seeking for volunteers from the community to “advertise” for people to join and help.

**NOTE. A copy of a “Draft Municipal Agreement” document for friendships between Australian and Timor Leste communities is attached to the email with these minutes.**

**DATE OF NEXT  
MEETING:**

5:30pm Monday 15 July 2019

**CLOSE OF  
MEETING:**

7:00 pm

## Ballarat Friends of Ainaro Community Committee

Section 86 Sub Committee

### MINUTES of Meeting

|                      |   |              |         |
|----------------------|---|--------------|---------|
| <b>DATE:</b>         | 19/08/2019  | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room   |              |         |
| <b>CHAIR:</b>        | Cr Belinda Coates   |              |         |
| <b>MINUTE TAKER:</b> | Rob Gray  |              |         |
| <b>PRESENT:</b>      | Dianne McGrath, Desley Beechey, Andrew Miller, Hemraz Bhoolah, Chris Bluett |              |         |

|                   |     |
|-------------------|-----|
| <b>APOLOGIES:</b> | Nil |
|-------------------|-----|

#### DISCLOSURE OF CONFLICTS OF INTEREST:

Refer to item 2 of General Business Chris Bluett.

#### CONFIRMATION OF MEETING MINUTES:

Notes from May meeting. (Included with the agenda).

Checking with newly amended ToR with number of meetings set down for the year which appears as 9 for this year.

This will require close checking to see what is possible given that many members are in Timor during the middle of the year.

BFACC resolves to accept these notes.

Moved: Desley Beechey

Seconded: Dianne McGrath

**CARRIED**

#### MATTERS/ACTIONS ARISING FROM THE May Notes:

Has letter to Barry Flynn been actioned? **Cr Coates /Hemraz to follow up!**

BFACC Social media plan for Grammar Students to action to be followed up on (Rob Gray)

#### CORRESPONDENCE IN:

##### 1. LGTLN

Dear Local Government Timor-Leste Network,

A couple of quick updates, as we rapidly and excitedly approach the 20<sup>th</sup> anniversary of the 30 August 1999 popular consultation...

##### Friendship Grants

DFAT's Friendship Grants are open again, providing grants of \$30,000 to \$60,000 to expand or enhance existing international development activities in countries including Timor-Leste.

Councils and Friendship Groups are eligible to apply before 10 September; further details at <https://dfat.gov.au/aid/who-we-work-with/friendshipgrants/pages/default.aspx>

##### Friendship Book

We had the long awaited launch of the Friendship Book ("Friends Across the Timor Sea: A history of friendship groups") as part of Ambassador Guterres' official visit to Victoria.

Invitations were limited as the launch took part during a broader reception hosted by the Timor-Leste Consulate Office.

Network councils should have received copies by now (either collected at the event or by post/DX to the CEO); please let me know if you haven't. **Do we have our copies?** An online version of the book is also being developed for publication on the Australia Timor-Leste Friendship Network webpage and we'll let you know when it is available.

Email/invitation list

It's been a while since we've reviewed the email/meeting invitation list – please let me know if you no longer wish to receive these emails/invitations, or if anyone should be added/removed from your organisation.

As always, feel free to get in touch with any queries.

Thanks,

Nick.

Nick Oats | Program Director International

Local Infrastructure | Department of Environment, Land, Water and Planning

Discussion around the DFAT Friendship grants and where they may be applied to our friendship. Need to inform LGTLN as to who our membership people and email contacts are. **Hemraz to action.**

**BFACC resolves to accept Correspondence In.**

**Moved: Dianne McGrath**

**Seconded: Chris Bluett**

**CARRIED**

**CORRESPONDENCE OUT: Nil**

**REPORTS:**

1. **Financial Report:** See attached report. As at Dec 2018
  - (a) **Trust:** \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total \$10,754.17

Full operational budget from 2018-19 unable to be expended.

**BFACC RESOLVES TO ACCEPT THE FINANCIAL REPORT:**

**Moved: Dianne McGrath**

**Seconded: Chris Bluett**

**CARRIED**

2. **Action Plan and Reporting – Strategic Planning:**

**STATUS OF NEXT STEPS**

  - (a) there are a range of projects in the Implementation Plan attached that we need to urgently get moving. Setting of some priorities and allocating of Sub-tasks needs to occur. Tasks, targets and responsibilities need to be spelled out.
  - (b) Is there a way around expediting this issue? Conflict of Interest has duly been noted. Is it possible to hold a special meeting to clarify how the process can be moved forward?  
**Cr Coates and Hemraz to seek advice on whether the process of engaging previous contractor can be restarted from scratch.** (see Gen Business Item 2.)
  - (c) With the MA and Deputy MA coming to Ballarat in Oct / Nov, it would be desirable to have some of the Sub-tasks completed or have their development underway.
3. BACDO Inc. No meetings so far 2019
4. Teachers for Timor (T4T). 4 months of Community classes achieved this year. Happy to have achieved this but community were disappointed that the program could not run past July this year. Still a strong demand for classes. 2020 program being planned at this stage commencing in April after Easter.

5. School groups visited Ainaro in June /July. Each program was quite successful in achieving its aims. Damascus and Grammar planning at present for June/July visits of schools groups for 2020. Grammar has also planned a Middle School trip to Ainaro in September of this year.
6. AB Health Support No report
7. Ryder-Cheshire . No report
8. Arts Report held over to September meeting,

**BFACC resolves to accept the reports.**

**Moved: Desley Beechey**

**Seconded: Andrew Miller**

**CARRIED**

**GENERAL BUSINESS:**

1. a) Follow-up on draft schedule for visitation of Ainaro delegation for Capacity Building of delegates from Ainaro Administration. Presented by Hemraz.  
  
b) Next Steps Lots of work has gone into the planning, draft schedule looks good. Possibility of bumping time back by 4 weeks to accommodate some council officers. Comments to Hemraz for continued development of this plan. A message from Aguida has been received guiding the planning as well as who from Ainaro will be available when.  
(A subsequent meeting with Hemraz, Andrew and Rob has found that October has only one part-time member of the Cultural Partnerships team available. Need to find a more appropriate time for this Visitation to happen. Aguida has been informed. )
2. Action Plan and Reporting – Strategic Planning see point 2 in Reports above. Conflict of Interest announced.... Chris Bluett left the meeting for this discussion. Can the Discussion of engagement of a Contractor who can enable the Implementation Planning be resumed?  
Discussion:
  - A relatively small amount of funds involved.
  - BFACC has explored options with several providers... best quote and best operational services offered by Charles Bluett (\$1000).

**MOTION:**

BFACC recommends to engage Charles Bluett for the construction of a Database to enable the efficient monitoring and reporting on the tasks necessary to realise the intent of the Strategic Plan?

Moved: Dianne McGrath

Seconded: Desley Beechey

**CARRIED.**

**ACTION: Cr Coates to check out if this is possible to action this Motion.**

3. Combined fund raiser event for Timor-Leste - Comedy for a Cause 2020/2021.  
Combined Community focus on Timor-Leste.... A plan for a fund-raiser for 5 Timor related groups .... An ambitious plan but potentially provides lots of funds for each of the groups involved.

[Committee logo – if applicable]



|  |  |
|--|--|
| Go ahead for initial planning from BFACC..... ACTION: Dianne McGrath   |  |
| 4. The Ballarat Foundation-Volunteering Ballarat.<br>Advertise in their booklet/ on their website.<br>Contact passed on for Andrew and Rob to follow-up with.  |  |
| 5. Student reports to Council possibly Sept 11 <sup>th</sup> . 7:00pm<br>One each from Grammar and Damascus. ACTION: Rob Gray  |  |
| 6. Book launch David McPhail is looking for a small working party to work with him<br>on 20 <sup>th</sup> Year of Referendum Celebration. ACTION: Dianne McGrath                                     |  |
| 7. Liz has resigned from CoB moving on to other pastures. Need to record her great<br>contribution to the BFACC group over a long period of time.<br>Note to Liz from this group. ACTION: Cr Coates. |  |
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|                              |                                 |
|------------------------------|---------------------------------|
| <b>DATE OF NEXT MEETING:</b> | 5:30pm Monday 16 September 2019 |
| <b>CLOSE OF MEETING:</b>     | 7:15 pm                         |



## Ballarat Friends of Ainaro Community Committee

Section 86 Sub Committee

### MINUTES of Meeting

|                       |  |              |         |
|-----------------------|--|--------------|---------|
| <b>DATE:</b>          | 16/09/2019   | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>      | Trench Room  |              |         |
| <b>CHAIR:</b>         | Cr Belinda Coates  |              |         |
| <b>MINUTE TAKER:</b>  | Rob Gray   |              |         |
| <b>PRESENT:</b>       | Dianne McGrath, Chris Bluett                             |              |         |
| <b>OBSERVER</b>       | Rosey King expressing interest in joining the Committee. |              |         |
| <b>Guest From CoB</b> | Cameron Montgomery                                       |              |         |

|  |   |
|--|---|
| <b>APOLOGIES:</b>                          | Desley Beechey, Andrew Miller, Hemraz Bhoolah |
| <b>BFACC resolves to accept apologies.</b> |   |
| <b>Moved: Dianne McGrath</b>               |   |
| <b>Seconded: Chris Bluett</b>              |   |
| <b>CARRIED</b>                             |   |

|   |
|---|
| <b>DISCLOSURE OF CONFLICTS OF INTEREST:</b> |
| Nil   |

|  |
|--|
| <b>CONFIRMATION OF MEETING MINUTES: 19 August 2019</b> |
| <b>BFACC resolves to accept these minutes.</b>         |
| <b>Moved: Dianne McGrath</b>                           |
| <b>Seconded: Rob Gray</b>                              |
| <b>CARRIED</b>   |

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|--|
| <b>MATTERS/ACTIONS ARISING FROM THE August Meeting:</b>  |
| <ol style="list-style-type: none"> <li>1. Students from Ballarat Grammar Immersion tour to Ainaro addressed CoB Council . Favourably received report on their activities in Ainaro.</li> <li>2. Action Planning and Reporting - Feedback from Cr Coates<br/>Based on the Motion in August Minutes - re access to funding of the Operational-Administrational Budget.<br/>It is not a possibility for us to access these funds for BFACC projects/activities such as mooted in Re-engaging the Contractor for constructing a Database for the BFACC Action Plan. An alternative funding model will need to be sourced. The CoB funds are there to provide administrative support and possible catering for appropriate functions.</li> <li>3. Book Launch Event. Book by Pat Walsh that is a reflection on 20<sup>th</sup> Year of Referendum Celebration. Notes of Aug 28<sup>th</sup> Meeting below.</li> </ol> |
| <b>BFACC resolves to accept the Matters Arising.</b>   |

**Moved: Dianne McGrath**  
**Seconded: Chris Bluett**  
**CARRIED**

**CORRESPONDENCE IN:**

**Timor-Leste 20 Years on Events Notes from Meeting**

**BFACC resolves to accept Correspondence In.**

**Moved: Dianne McGrath**  
**Seconded: Chris Bluett**  
**CARRIED**

**CORRESPONDENCE OUT:** Letters of thanks to Barry Flyn

**Moved: Dianne McGrath**  
**Seconded: Chris Bluett**  
**CARRIED**

**REPORTS:**

1. **Financial Report:** See attached report. As at Dec 2018  
(a) **Trust:** \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total  
\$10,848.17

**BFACC RESOLVES TO ACCEPT THE FINANCIAL REPORT:**

**Moved: Dianne McGrath**  
**Seconded: Chris Bluett**  
**CARRIED**

2. **Action Plan and Reporting – Strategic Planning:**  
**STATUS OF NEXT STEPS**  
(a) there are a range of projects in the Implementation Plan attached that we need to urgently get moving. Setting of some priorities and allocating of Sub-tasks needs to occur.  
(b) With the MA and Deputy MA coming to Ballarat in Feb, it would be desirable to have some of the Sub-tasks completed or have their development underway. Discussions will be held re-planning whilst Rob Gray is in Ainarao
3. BACDO Inc. No meetings so far 2019
4. Teachers for Timor (T4T). 4 months of Community classes achieved this year. Happy to have achieved this but community were disappointed that the program could not run past July this year. Still a strong demand for classes. 2020 program being planned at this stage commencing in April after Easter.
5. Damascus and Grammar planning at present for June/July visits of schools groups for 2020. Grammar has also planned a Middle School trip to Ainarao in September of this year, leaving tomorrow 17 Sept.
6. AB Health Support. Continuing to support scholarships and supporting the Maubisse TB program. Film Fundraiser - "Ride Like a Girl"  
Rosey King is the new Chair-person after AGM in July
7. Ryder-Cheshire. Friends of KD Newsletter circulated.  
Compassion Ballarat – Meeting in October around volunteering.

|  |           |
|--|-----------|
| 8. Arts  | No report |
| <b>BFACC resolves to accept the reports.</b>   |           |
| <b>Moved: Dianne McGrath</b>   |           |
| <b>Seconded: Chris Bluett</b>  |           |
| <b>CARRIED</b>   |           |
| <b>GENERAL BUSINESS</b>  |           |
| <ol style="list-style-type: none"> <li>Note Eol by Rosey King of becoming a member BFACC, accepted in principle by meeting. Formal process for membership of BFACC needs to be followed through with filling out appropriate form of Eol.</li> <li><u>Briefing from Cameron Montgomery, Executive Manager, Safety, Risk and Compliance from CoB</u> <ol style="list-style-type: none"> <li>Annual Report needs to be done by BFACC.</li> <li>Membership review.. pathway</li> <li>Budgetary issues and Governance.                             <ol style="list-style-type: none"> <li>Expenditure of community funds needs to go before Council... Minuted notes identify key .projects/scope and outcomes and timeline... measurable deliverables. Appropriate acquittal processes need to be followed up on.</li> <li>Local Government, draft bill online to be finalised for end of the year - forward looking for plans of Government re-committees coming through . Other models are available for BFACC to consider. Advisory Committee status is a viable possibility. More detail will come. Where is the BFACCcommittee at present?</li> <li>Operational admin costs cannot be accessed for projects.</li> <li>What is the value of being a "Special " committee at present? At the moment non-compliant in terms of minute submission. Presently our minutes are not making it to council.</li> <li>Need to develop a Template for Projects.</li> </ol> </li> </ol> </li> <li>Follow-up on draft schedule for visitation of Ainaro delegation for Capacity Building of delegates from Ainaro Administration. Hemraz Meeting between Hemraz, Andrew Miller and Rob Gray occurred and a redraft of the program has been discussed to take to Ainaro this September for discussion with Ainaro leadership team.                             <ol style="list-style-type: none"> <li>Discussion of Draft 2 took place with agreement that consultation in Ainaro is appropriate.</li> <li>Rescheduling the visit. Looking like it will take place in February which also suits the Ainaro Leadership Team.</li> <li>Opportunities to prepare for a joint Ainaro – Ballarat project that can be budgeted for and actioned during 2020.</li> </ol> </li> <li>Action Planning and Reporting – Strategic Planning see point 2 in Reports above.<br/><br/>Cr Coates to seek more advice on accessing <b>Trust funds</b> via Council to fund the Implementation Plan Database development.</li> </ol> |           |

[Committee logo – if applicable]



5. Combined fund raiser event for Timor-Leste - Comedy for a Cause 2020/2021.  
Update To be put on hold...for 2021.
6. Book Launch/Dinner update. Two functions on 22<sup>nd</sup> Novemeber
  - a. Book Launch at library... 5:30pm ... Book signing, interview by Annie
  - b. Dinner at Oscars. After Pat will talk.  
Plaque.... At the Library.

|                              |                               |
|------------------------------|-------------------------------|
| <b>DATE OF NEXT MEETING:</b> | 5:30pm Monday 21 October 2019 |
|------------------------------|-------------------------------|

|                          |         |
|--------------------------|---------|
| <b>CLOSE OF MEETING:</b> | 7:17 pm |
|--------------------------|---------|

## Timor-Leste 20 Years on Events Notes from Meeting

**Date:** 4.30pm Wednesday 28 August      **Venue:** Ballarat Library, Creswick Road, Ballarat

**Chairpersons:** David MacPhail and Dianne McGrath

### Present:

David MacPhail, friend of Pat Walsh  
Dianne McGrath, BFACC and Ryder-Cheshire  
Lesley Morgan, Coordinator of Community Engagement & Community Partnerships C of B  
Andrew Miller, BFACC  
Rob Gray, BFACC  
Denise White, Compassion Ballarat  
Terry Warr, Amberlateral Designs

**Apology:** Frances Salengar, Coordinator Intercultural Services C of B

### Notes

1. **PURPOSE:** to advance Timor-Leste in the Ballarat Community remembering 1999 and applauding Timor-Leste's achievement 20 years on. To use the Book Launch of Pat Walsh's newest book to encourage conversation and to have dinner with him to gather the Timor-Leste fraternity to share memories and directions.
2. **MEMBERS:**  
Working Party: David MacPhail, Dianne McGrath, Lesley Morgan, Andrew Miller, Kim Butler  
Working Party Helpers: Rob Gray, Denise White, Terry Warr, Mandy Carrol  
Working Party Support: Frances Salengar
3. **HOST & PARTNERS:** City of Ballarat Library Book Launch with partners BFACC and Ballarat Ryder-Cheshire at the Ballarat Library. The dinner after the Book Launch will be hosted by BFACC and Ballarat Ryder-Cheshire at a restaurant.
4. **COMPASSION BALLARAT:** refer to attached flyer from Denise. The Book Launch would be a good fit with the Celebration of Compassion Week in Ballarat 20-27 October. The proposed date 4 October will not work as Ballarat Library is undergoing

renovation. Looking at in order of preference 22 November, 15 November, or 29 November. None of these dates will be within Compassion Week, sadly.

5. **PROCESS:** There will be two events: Pat Walsh's Book Launch in Ballarat Library and T-L 20 Years On Dinner at a Restaurant following Book Launch
6. **VENUE:** as above No 5
7. **BUDGET:**  
**To be fine tuned.**
8. **MC:** David to check in with Cr Belinda Coates
9. **INTERVIEWER FOR PAT'S BOOK LAUNCH:**  
Annie Stewart – Denise to contact for availability and cost
10. **FLYERS:**  
**BOOK LAUNCH:** David to send sample flyer to Terry. Needs to be attend to ASAP and sent to Lesley for C of B approval. Terry to design. Circulation via Lesley using RSVP Eventbrite  
**Time:** 5.30pm arrive & refreshments, 6.00pm Conversation & Launch 6.30pm Signing  
**20 YEARS ON DINNER:** Terry to design and send to WP for approval. Email to all on 20 Years On Mail Out List
11. **20 YEARS ON DINNER:**  
Time: 7.00/7.30pm  
Venue: TB Decided – Andrew checking for suitable pay as you go dinner.  
Number: 20+  
Gift: dinner for Pat and Annie from BFACC & wine form RC  
Speaker: Pat  
MC: TB Decided
12. **NOTABLE GUEST:** Samantha Macintosh Mayor Ballarat through Clare O'Connor Coordinator Civic Support P 5320 5735 [ClareOconner@ballarat.vic.gov.au](mailto:ClareOconner@ballarat.vic.gov.au)
13. **OTHER ITEMS:**  
Logos to use: Ballarat Library, BFACC, Ryder-Cheshire  
Wording: Ballarat Library in partnership with BFACC and Ballarat Ryder-Cheshire

## Ballarat Friends of Ainaro Community Committee

Section 86 Sub Committee

### NOTES of Meeting

|                      |   |              |         |
|----------------------|---|--------------|---------|
| <b>DATE:</b>         | 21/10/2019  | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room   |              |         |
| <b>CHAIR:</b>        | Desley Bluett   |              |         |
| <b>MINUTE TAKER:</b> | Rob Gray  |              |         |
| <b>PRESENT:</b>      | Andrew Miller, Hemraz Boohlah   |              |         |
| <b>OBSERVER</b>      | Rebecca Lee from City of Bendigo, Intercultural Partnerships BMCommittee. |              |         |

|                   |  |  |
|-------------------|--|--|
| <b>APOLOGIES:</b> | Dianne McGrath , Cr Belinda Coates, Chris Bluett |  |
|-------------------|--|--|

**With a lack of a quorum discussions took place to ensure on-going aspects of our work were continued. Notes have been kept.**

|   |  |
|---|--|
| <b>DISCLOSURE OF CONFLICTS OF INTEREST:</b> |  |
| Nil   |  |

#### CONFIRMATION OF MEETING MINUTES: 16 Sept 2019

|  |
|--|
| <b>MATTERS/ACTIONS ARISING FROM THE September Meeting:</b>   |
| <ol style="list-style-type: none"> <li>1. Book Launch Event. Book by Pat Walsh that is a reflection on 20<sup>th</sup> Year of Referendum Celebration. Summary of recent meeting Oct 4<sup>th</sup> below.</li> <li>2. Briefing from Cameron Montgomery non-compliance in terms of minute submission. Presently our minutes are not making it to council. A financial report also needs to be tendered for the year. Follow-up by Hemraz B and Rob G,</li> </ol> |
|  |
|  |

|  |
|--|
| <b>CORRESPONDENCE IN:</b>  |
| <ul style="list-style-type: none"> <li>• Timor-Leste 20 Years on Events Notes from Meeting See below.</li> <li>• Mailing list for Timor-Leste 20 Years on Event Invites</li> </ul> |

#### CORRESPONDENCE OUT: Nil

|   |
|---|
| <b>REPORTS:</b>   |
| <ol style="list-style-type: none"> <li>1. <b>Financial Report:</b> See report summary below. As at Dec 2018<br/>(a) <b>Trust:</b> \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total \$10,848.17</li> </ol>                                     |
| <ol style="list-style-type: none"> <li>2. <b>Action Plan and Reporting – Strategic Planning:</b><br/><b>STATUS OF NEXT STEPS</b><br/>(a) <u>there are a range of projects in the Implementation Plan attached that we need to urgently get moving.</u></li> </ol> |

Setting of some priorities and allocating of Sub-tasks needs to occur.

**Working group to meet before November meeting** and establish priorities and continue developing a format for extracting on-going actions.

(b) With the Deputy MA coming to Ballarat in Feb, it would be desirable to have some of the Sub-tasks completed or have their development underway and a joint project to evolve out of these deliberations. **Working group to identify in consultation with Ainaro Admin a few possible projects** that could fit the “joint project” theme. A timeline for development of project brief and budgeting will need strategic planning to enable delivery in 2021.

3. BACDO Inc. No meetings so far 2019
4. Teachers for Timor (T4T). October meeting this coming Saturday at BGS. 2020 program being planned at this stage commencing in April after Easter. Scholarships applications received for consideration.
5. Damascus and Grammar planning at present for June/July visits of schools groups for 2020.
6. AB Health Support
7. Ryder-Cheshire
8. Arts A written report to be delivered at November meeting.

#### GENERAL BUSINESS

1. Follow-up on draft schedule for visitation of Ainaro delegation for Capacity Building of delegates from Ainaro Administration. Hemraz Meeting between Hemraz and Rob occurred and a redraft of the program has been discussed from visit to Ainaro this past September for discussion.
  - a) Discussion of Draft 2.1 and report from Rob G on discussions with Deputy MA Sra Aguida in Ainaro. Draft circulated at the meeting.
  - b) Rescheduling the visit. February at this stage hopefully for two people. Dates to be determined by the available CoB Council Meetings in February.
  - c) Opportunities to prepare for a joint Ainaro – Ballarat project that can be budgeted for and actioned during 2020-21. (See reports above)
2. Action Planning and Reporting – Strategic Planning see point 2 in Reports above.
3. Book Launch update. All updated information attached to the agenda. Query as to whether Rae and Damien Kingsbury have been invited?
4. Collaboration with Bendigo. Rebecca Lee from City of Bendigo newly appointed to the role of Bendigo – Maubisse Intercultural Partnership officer to support the Bendigo Friends of Maubisse as well as liaison with other friendship groups such as BFACC. Hoping to instil new vigour in the relationships and offer what help she can. Happy to come to further BFACC meetings and act as a resource.

Opportunities.... Regular chats needed and plenty of contacts to share in both directions.

Comparison of models of committees.

Develop the Ballarat Committee Model to enable a follow-up that is meaningful for the population of Ainaro.

Rebecca's position is an investment in the Maubisse arrangement. Bendigo financial commitment is very worthwhile and a credit to a smaller municipality.

[Committee logo – if applicable]



Shared Portal.... Thoughts about what might work.

5. Hemraz noted that he will be handing the BFACC portfolio on to a newly employed Cultural Partnerships officer in the near future.  
We are grateful for his enthusiasm and contributions.
6. The November meeting will be an important one in terms of establishing work to be planned and achieved during 2020. The nature and structure of the committee will be a very important issue to be decided when information comes through.

|                              |                                |
|------------------------------|--------------------------------|
| <b>DATE OF NEXT MEETING:</b> | 5:30pm Monday 18 November 2019 |
|------------------------------|--------------------------------|

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| <b>CLOSE OF MEETING:</b> | 6:50 pm |
|--------------------------|---------|

### **Timor-Leste 20 Years On Book Launch Running Sheet**

**5.00pm Early arrivals ?–** Members of WP meet and greet: refreshments, book purchase and signing  
(30 mins?)

#### **5.30pm Welcome MC Cr Belinda Coates**

Welcome to Country

Thank Library as Host with Ballarat Ryder-Cheshire, BFACC and David MacPhail friend of Pat Walsh

Welcome and introduce Pat Walsh and Ann E Stewart

(15 mins)

#### **5.45pm Conversation Pat Walsh and Ann E Stewart**

Interview Pat

Invite questions and responses

Book Launch

(60 mins)

#### **6.45pm Book purchases, signing**

Refreshments

(15 mins)

#### **7.00pm Library Close**

### **20 Years On Mail Out List**

Section 86 Sub Committee Meeting Agenda



[Committee logo – if applicable]



Green means that emails and or contact have been made

City of Ballarat Councilors – individual current councilors x 9

Ex-Mayors who are T-L supportive: John Barnes, David Vendy, Frank Williams, Judy Verlin, Des Hudson, Mark Harris  
Dianne

Members of Parliament both Federal: Catherine King & Juliana Pulford and State: Michaela Settle, Julianna Addison & Jaala Pulford. Past MPs who are T-L supportive: Geoff Howard, Michael Ronaldson, etc  
Dianne & David

Intercultural Services – Frances Salengar, Jenny Fink, Hemraz & Neville Ivey  
Dianne via BFACC

Ballarat Friends of Ainaro – Cr Belinda Coates and members  
Dianne

Bendigo Friends of Maubisse  
Dianne

Ballarat Ryder-Cheshire – Dianne McGrath and members, supporters, schools & sponsors  
Dianne

Sisters of Mercy – Veronica Lawson  
David

BACDO- Rosey King and members  
Dianne via BFACC

T4T – Brian Harrison/Rob Gray and members  
Dianne via BFACC

Arte Ramelau – Andrew Miller and members  
Dianne via BFACC

Ballarat-Ainara Health Group – Rosey King/Desley Beechey and members  
Dianne via BFACC

Violence Against Women in T-L – Di Hadden and members  
Dianne via Ryder-Cheshire

Friendship Schools – Tony Haintz and school members  
Dianne via Tony

Compassion Ballarat – Denise White and members for Ballarat Compassion Week  
Dianne via Ryder-Cheshire

Damascus College – Tony Haintz & Principal  
Dianne via Ryder-Cheshire

Section 86 Sub Committee Meeting Agenda

[Committee logo – if applicable]



Loreto College – Karishma & Judy-Ann Quillian  
Dianne

Ballarat Grammar School – Principal  
Dianne and Rob

St Columbus Primary School – Kim Butler, Principal  
Dianne via Kim

St Aloysius Primary School – Michael Kennedy, Principal  
Dianne

Lumen Christi Primary School – Murray Macdonald, Principal  
Dianne

ACU – Prof Bridget Aitchison Dean  
Dianne

Federation University – VC Prof Helen Bartlett, Prof Wendy Cross, A Prof Jerry Courvisanos, A Prof Andrew Straineri  
Dianne

The Ballarat Foundation Volunteering Ballarat – Jess Frost-Camilleri, Volunteer Coordinator  
Dianne-Book Launch only

Ex-AETA members  
David

Ballarat Trades & Labour Council - Brett Edginton Secretary  
David

YCW – David  
David

Wendouree Fish & Chips Shop – Timorese family  
David will pop in to let them know what is happening

Rotary groups  
Dianne Ballarat South Rotary Desley to give other Rotary B=Groups involved with T-L

Individual community members who have been involved such as Annie Stewart & her family

Section 86 Sub Committee Meeting Agenda

## Ballarat Friends of Ainaro Community Committee

### Section 86 Sub Committee

#### MINUTES of Meeting

|                      |   |              |         |
|----------------------|---|--------------|---------|
| <b>DATE:</b>         | 18/11/2019  | <b>TIME:</b> | 5:30 pm |
| <b>LOCATION:</b>     | Trench Room   |              |         |
| <b>CHAIR:</b>        | Cr Belinda Coates   |              |         |
| <b>MINUTE TAKER:</b> | Rob Gray  |              |         |
| <b>PRESENT:</b>      | Dianne McGrath, Chris Bluett, Desley Beechey, Andrew Miller, Hemraz Bhoolah |              |         |
| <b>OBSERVER</b>      | Rebecca Lee for City of Bendigo Friends of Maubisse.                        |              |         |

|                                       |                 |
|---------------------------------------|-----------------|
| <b>APOLOGIES:</b>                     | Hemraz Bhoolah. |
| <b>Letter of thanks to be penned.</b> |                 |
| <b>Moved: Desley Beechey</b>          |                 |
| <b>Seconded: Andrew Miller</b>        |                 |
| <b>CARRIED</b>                        |                 |

|   |
|---|
| <b>DISCLOSURE OF CONFLICTS OF INTEREST:</b> |
| Nil   |

|   |
|---|
| <b>ACKNOWLEDGEMENT OF MEETING NOTES</b> Monday 21 October, 2019 <b>See below.</b> |
| <b>MATTERS/ACTIONS ARISING FROM THE NOTES:</b>                                    |
| Nil   |
| <b>Moved: A true and correct record Andrew Miller</b>                             |
| <b>Seconded: Desley Beechey</b>   |
| <b>CARRIED</b>  |

|   |
|---|
| <b>CORRESPONDENCE IN:</b>   |
| See correspondence from T-L 20 Years On, meetings and organisation in attached files. |
| <b>BFACC resolves to accept Correspondence In.</b>                                    |
| <b>Moved: Dianne McGrath</b>  |
| <b>Seconded: Andrew Miller</b>  |
| <b>CARRIED</b>  |

|  |
|--|
| <b>CORRESPONDENCE OUT: Nil</b>   |
| <b>REPORTS:</b>  |
| <b>1. Financial Report:</b> As at Dec 2018<br>(a) <b>Trust:</b> \$977.84 / Scholarships: \$3,210.30 / BETA funds: \$6,566.03 = Total \$10,848.17 |

**2. Action Plan and Reporting – Strategic Planning:**

**STATUS OF NEXT STEPS** See Gen Business.

- 3.** BACDO Inc. No meetings so far 2019
- 4.** Teachers for Timor (T4T). Annual General Meeting this coming Saturday 23 Nov at BGS. 2020 program being planned at this stage commencing in April after Easter. Scholarships applications received for consideration.
- 5.** Damascus and Grammar planning at present for June/July visits of school's groups for 2020.
- 6.** AB Health Support. Barry Flynn in Dili for nursing training. Funds sent to TB clinic at Maubisse to maintain the program. Scholarship funds channelled through Alola for two scholarship holders. Looking at infection control materials for Ainaro in 2020.
- 7.** Ryder-Cheshire. AGM on 26<sup>th</sup> November . Special guest speaker. Fund raiser on Sunday.
- 8.** Arts (Written report on last July's program coming). Commencing planning for next July. Investigating an AVI notion for future developments either District wide or Nation-wide basis.

**BFACC resolves to accept the reports.**

**Moved: Rosey King**

**Seconded: Dianne McGrath**

**CARRIED**

**GENERAL BUSINESS**

**1. Ainaro Delegation for Capacity Building**

- a) Draft 2.1 Follow-up on draft schedule for visitation of delegates from Ainaro Administration.
  - (i) Connection needed with new Intercultural Partnerships Officer Meeting organised for briefing of Lisa Collins and Frances Salenga with Rob G on Monday 25 Nov and to proceed with the planning logistics.
  - (ii) Valuable connection made through Rebecca Lee's father-in-law re Rubbish Disposal project developed in Maliana.
  - (iii) Date for Ballarat Council Meeting in February is a vital piece of the jig-saw.
  - (iv) Cr Coates happy to be involved in meeting with the Mayor (Day 1) and assisting Sra Aguida's visit where appropriate.
- b) Still waiting on advice on a second person to involve themselves in the visit. Letter to be sent from International partnerships.
- c) Opportunities to prepare for a joint Ainaro – Ballarat project that can be budgeted for and actioned during 2020-21.
- d) Briefing notes being prepared for CoB Council Officers. To be circulated prior to the delegation arriving.

**2. Action Planning and Reporting – Strategic Planning.**

Work Group to meet 1<sup>st</sup> week of December 10<sup>th</sup>. 5:30 for 1 and half hours perhaps.  
Extra-ordinary meeting to be organised through civic support.  
THIS HAS BEEN ACTIONED! Ready to go.

**3. Planning for a 2020 All-member get-together between the BMFC and BFACC.**

A joint meeting would be preferable before Aguida comes to Ballarat. So possibly this would be very early February.

Last meeting was in Castlemaine, Rebecca happy to follow up and organise similar get together. Responsibility for the Agenda? Possibly from Rebecca?

**4. Book Launch update**

There are now over 40 coming along to the Dinner and a full house from BFACC which is great. See details in attached files: 1. **Notes** from our meeting on *Monday 12 November*.

**2. Book Launch Running Sheet**

**3. RSVPs to date.**

Dianne gave a thorough briefing of running sheets and organisation.

**5. BALLARAT Ryder-Cheshire AGM covered in Reports**

**6. AOB a) Annual report needs to be produced under the guidance of Frances Salenga for submission to Council.**

|                              |  |
|------------------------------|--|
| <b>DATE OF NEXT MEETING:</b> | 5:50pm Dec 10 2019 Action Planning Meeting<br>5:30pm Feb 17 2020 First official meeting 2020 tbc |
|------------------------------|--|

|                          |         |
|--------------------------|---------|
| <b>CLOSE OF MEETING:</b> | 7:05 pm |
|--------------------------|---------|

**From:** Barry Flynn (Ballarat) <[REDACTED]>  
**Sent:** Sunday, 19 May 2019 9:51 PM  
**To:** [REDACTED] <[REDACTED]@ballarat.vic.gov.au>; [REDACTED] <[REDACTED]@ballarat.vic.gov.au>  
<[REDACTED]@ballarat.vic.gov.au>; Cr Belinda Coates <belindacoates@ballarat.vic.gov.au>  
<belindacoates@ballarat.vic.gov.au>; [REDACTED] <[REDACTED]@bgs.vic.edu.au>  
**Cc:** Barry Flynn (Ballarat) <[REDACTED]>; [REDACTED] <[REDACTED]@bigpond.com>  
<[REDACTED]@bigpond.com>  
**Subject:** Resignation of Barry Flynn from BFACC

Dear Cr Coates and members of the Ballarat Friends of Ainaro Community Committee.

It is with sadness that I tender my resignation from your committee, effectively immediately.

It has been a great pleasure and time of growth for me to be part of such an important community group supporting the people of the municipality of Ainaro, Timor-Leste over many years. Not to mention the opportunity to work with wonderful likeminded people who I call friends.

I feel that it has been unfair to BFACC that I have not been able to attend many of the meetings this past 12 months and feel that I have not been an effective contributor during this time. However, my contribution to supporting the people of Ainaro will continue through the Ballarat Friends of Ainaro Health Group and my commitment to health development programs through St John of God Health Care, International Health.

My involvement in our St John of God health development programs means that I will spend a total of 26 weeks in Timor over this year. Due to this commitment, it means I will miss many more BFACC meetings and this has brought me to my decision to resign. I will be returning to Dili again on Thursday 23/05/2019 for 8 weeks.

I have commenced discussions with Desley Beechey to recommend nomination of one of the executive of BFAHG to join BFACC should this be appropriate and considered by your committee.

Thank you for the wonderful opportunity to serve and be respected for my contributions. Every best wish to BFACC for your continuing work. You will always have a strong advocate in me for your work and the wonderful people of Timor-Leste.

May I request that my resignation will be tabled at the next committee meeting 20/05/2019, as a motion to accept the resignation needs to be moved and seconded and recorded in the minutes.

Regards,

Barry

Barry Flynn  
[REDACTED]

**11.8. CONTRACTS SPECIAL COMMITTEE OF COUNCIL MINUTES - 2 OCTOBER, 16 OCTOBER AND 20 NOVEMBER 2019**

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

**OFFICER RECOMMENDATION****Council resolves to:**

1. Note, as per the *Local Government Act 1989* Section 88(2) that this matter is designated confidential information under section 89(2) as Contractual Matters and has been considered in making this recommendation.
2. Endorse the Special Contracts Committee minutes of the meetings held on 2<sup>nd</sup> October, 16 October and 20 November 2019.

**EXECUTIVE SUMMARY**

The purpose of this report is to provide Council with copies of minutes of Council's section 86 Special Contracts Committee in accordance with the *Local Government Act 1989*. At the meeting of these Committees held on 2<sup>nd</sup> and 16<sup>th</sup> October and 20<sup>th</sup> November, 2019, ten contracts were endorsed by the Committee and variations to four contracts. This report provides a copy of these minutes of these meetings as well as detailing summary information in relation to this Contract.

**RATIONALE**

Section 92 of the *Local Government Act 1989* (the Act) requires that copies of minutes of meetings of the Special committees of Council are kept. Part 5 of the Act also lists minutes of section 86 Committees as a prescribed matter and therefore should be made available to the public. This report advises that minutes of the Special Contracts Committee (the Committee) are attached to this report for the meetings held on 2 October, 16 October and 20 November, 2019.

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

**LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

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

## LOCAL CONTENT

| Contract    | Endorsed with recommendation to Council | Value                           | Outcomes                                       | Local Content Outcome |
|-------------|---|---------------------------------|--|-----------------------|
| 2019/20-35  | Hip Pocket Workwear                     | \$330,000.00<br>(excluding GST) | Supply of Uniforms and Protective Clothing     | Yes                   |
| 2019/20-03  | Smith and Wil                           | \$574,059.40<br>(excluding GST) | Major Patch Works                              | Yes                   |
| 2019/20-13  | Butler Excavations                      | \$368,431.57<br>(excluding GST) | Albion Street Road Reconstruction              | Yes                   |
| 2019/20-16  | Pipecon Pty Ltd                         | \$746,414.56<br>(excluding GST) | Ring Road and Gregory Street Intersection      | Yes                   |
| 2019/20-25  | Butler Excavations                      | \$293,829.46<br>(excluding GST) | Birdwood Avenue Shoulder Reconstruction        | Yes                   |
| 2019/20-28  | Fulton Hogan Industries                 | \$315,237.24<br>(excluding GST) | Forest Street Road Reconstruction              | Yes                   |
| 2019/20-37  | Butler Excavations                      | \$392,158.00<br>(excluding GST) | Raglan Street Miners Rest Roadworks            | Yes                   |
| 2019/20-41  | Streebson Pty Ltd                       | \$473,592.10<br>(excluding GST) | Armstrong Street North Shoulder Reconstruction | Yes                   |
| 2015/16-63  | Variation to Contract                   | \$111,729.84<br>(excluding GST) | Ballarat Sports and Events Centre              |                       |
| 2017/18-100 | Variation to Contract                   | \$127,262.63<br>(excluding GST) | Girrabanya Construction                        |                       |
| 2017/18-246 | Variation to Contract                   | \$676,640.83<br>(excluding GST) | Her Majesty's Theatre                          |                       |
| 2019/20-86  | Panel of Suppliers                      | N/A                             | Project Management Services Panel              |                       |
| 2016/17-84  | Variation to Contract                   | \$1,943,698.07                  | Smythesdale Landfill Operations                |                       |



**REPORTING AND COMPLIANCE STATEMENTS**

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

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

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

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

**Financial** – As contained within the report.

**OFFICER' DECLARATIONS OF INTEREST**

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

**REFERENCE DOCUMENTS**

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

**ATTACHMENTS**

1. Contracts Minutes Wednesday 2 October 2019 [**11.8.1** - 4 pages]
2. Contracts Minutes Wednesday 16 October 2019 [**11.8.2** - 8 pages]
3. Contracts Minutes Wednesday 20 November 2019 [**11.8.3** - 5 pages]



## ***CONTRACTS SPECIAL COMMITTEE***

### ***MINUTES***

***2 October 2019***

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE  
OF THE BALLARAT CITY COUNCIL, HELD IN THE TRENCH ROOM,  
TOWN HALL, STURT STREET, BALLARAT  
ON WEDNESDAY 2 OCTOBER 2019 AT 4:30PM**

**Justine Linley  
(Chief Executive Officer)**

|                       |
|-----------------------|
| <b><i>MINUTES</i></b> |
|-----------------------|

**ORDER OF BUSINESS:**

PRESENT

Cr Mark Harris (Chair)  
Cr Grant Tillett

IN ATTENDANCE

Mr Stephen Bigarelli (Acting Director Business Services)  
Ms Lorraine Sendall (Minutes)

APOLOGIES

Cr Ben Taylor

**RESOLUTION:**

**That the apology from Cr Ben Taylor be received.**

Moved Cr Grant Tillett  
Seconded Cr Mark Harris

**CARRIED**

**DECLARATIONS OF INTEREST**

No declarations of interest were received.

**CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the minutes of the Contracts meeting held on 25 September, 2019 as circulated, be confirmed.**

Moved Cr Grant Tillett  
Seconded Cr Mark Harris

**CARRIED**

**SECTION 89 MATTERS**

**RESOLUTION:**

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

Moved Cr Grant Tillett  
Seconded Cr Mark Harris

**CARRIED**

## TABLE OF CONTENTS

### PAGE(S)

|     |  |   |
|-----|--|---|
| 5.1 | <b>CONTRACT 2019/20-35 ONGOING SUPPLY OF UNIFORMS AND PROTECTIVE CLOTHING</b><br>(RO GLENN KALLIO / TREVOR HARRIS) | 4 |
|-----|--|---|

**5.1 CONTRACT 2019/20-35 ONGOING SUPPLY OF UNIFORMS AND PROTECTION CLOTHING**  
(RO – Glenn Kallio / Trevor Harris)

**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the ongoing supply of uniforms and protective clothing.

Discussion took place around the six year term of the Contract and Councillors felt that this extended term disadvantages other businesses.

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Enter into Contract Number 2019/20-35 for the provision of ongoing supply of Uniforms and Protective Clothing with Hip Pocket Workwear and Safety (Ballarat) for the Schedule of Rates as outlined in Schedule One of the Tender submission; with an estimated annual spend of \$110,000 (excluding GST) or \$330,000 (excluding GST) for the life of the Contract. The contract term is for three (3) years commencing on 1<sup>st</sup> November 2019 with the provision of a further two (2) x one (1) year extensions at Council's sole discretion.**
- 2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Grant Tillett  
Seconded Cr Mark Harris

**CARRIED**

**RESOLUTION**

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

Moved Cr Grant Tillett  
Seconded Cr Mark Harris

**CARRIED**

There being no further business, the Chairperson declared the meeting closed at 4:37pm

**Confirmed this 16th day of October, 2019**

.....  
**Chairperson**



## ***CONTRACTS SPECIAL COMMITTEE***

### ***MINUTES***

***16 October 2019***

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE  
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 2,  
TOWN HALL, STURT STREET, BALLARAT  
ON WEDNESDAY 16 OCTOBER 2019 AT 4:30PM**

**Justine Linley  
(Chief Executive Officer)**

|                       |
|-----------------------|
| <b><i>MINUTES</i></b> |
|-----------------------|

**ORDER OF BUSINESS:**

PRESENT

Cr Mark Harris  
Cr Ben Taylor  
Cr Grant Tillett

IN ATTENDANCE

Glenn Kallio (Director Business Services)  
Terry Demeo (Director Infrastructure and Environment)  
Angelique Lush (Director Development and Planning)

**DECLARATIONS OF INTEREST**

No declarations of interest were received.

**CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the minutes of the Contracts meeting held on 2 October, 2019 as circulated, be confirmed.**

Moved Cr Grant Tillett  
Seconded Cr Ben Taylor

**CARRIED**

**SECTION 89 MATTERS**

**RESOLUTION:**

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

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

|  |
|--|
| <h2 style="text-align: center;">TABLE OF CONTENTS</h2> |
|--|

|   | PAGE(S) |
|---|---------|
| <b>5.1 CONTRACT 2019/20-03 MAJOR PATCH WORKS – VARIOUS LOCATIONS</b><br>(RO TERRY DEMEO / ROBIN HAND)         | 4       |
| <b>5.2 CONTRACT 2019/20-13 ALBION STREET ROAD RECONSTRUCTION</b><br>(RO TERRY DEMEO / ROBIN HAND)             | 4       |
| <b>5.3 CONTRACT 2019/20-16 RING ROAD AND GREGORY STREET INTERSECTION</b><br>(RO TERRY DEMEO / ROBIN HAND)     | 5       |
| <b>5.4 CONTRACT 2019/20-25 BIRDWOOD AVENUE SHOULDER RECONSTRUCTION</b><br>(RO TERRY DEMEO / ROBIN HAND)       | 5       |
| <b>5.5 CONTRACT 2019/20-28 FOREST STREET ROAD RECONSTRUCTION</b><br>(RO TERRY DEMEO / ROBIN HAND)             | 5       |
| <b>5.6 CONTRACT 2019/20-37 RAGLAN STREET (MINERS REST)</b><br>(RO TERRY DEMEO / ROBIN HAND)                   | 6       |
| <b>5.7 CONTRACT 2019/20-41 ARMSTRONG STREET NORTH</b><br>(RO GLENN KALLIO / TREVOR HARRIS)                    | 6       |
| <b>5.8 BSEC DESIGN SERVICES CONTRACT VARIATION REPORT</b><br>(RO ANGELIQUE LUSH / MATTHEW DENT)               | 7       |
| <b>5.9 VARIATION TO CONTRACT 2017/18-100 GIRRABANYA CONSTRUCTION</b><br>(RO ANGELIQUE LUSH / MATTHEW DENT)    | 7       |
| <b>5.10 VARIATION TO CONTRACT 2017/18-246 HER MAJESTY'S THEATRE</b><br>(RO ANGELIQUE LUSH / ROBERT SIEMENSMA) | 8       |



**5.1 CONTRACT 2019/20-03 MAJOR PATCH WORKS – VARIOUS LOCATIONS**  
(RO – Terry Demeo / Robin Hand)

**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for Council's major patching works program.

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-03 'Major Patching Works – various locations' to Smith and Wil Asphalting Pty Ltd for the total tendered price of \$574,059.40 (ex GST).**
- 2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**5.2 CONTRACT 2019/20-13 ALBION STREET ROAD RECONSTRUCTION**  
(RO – Terry Demeo / Robin Hand)

**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the reconstruction of Albion Street, Sebastopol (between Walker and Vickers Street).

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-13 'Albion Street Road Reconstruction to Butler Excavations Pty Ltd for the total tendered price of \$368,431.57 (ex GST).**
- 2. Should Butler Excavations Pty Ltd be unable to complete the works in the required timeframe, then it be awarded to Pipecon Pty Ltd for the total tendered price of \$374,014.09 (ex GST).**
- 3. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

**5.3 CONTRACT 2019/20-16 RING ROAD AND GREGORY STREET INTERSECTION**  
(RO – Terry Demeo / Robin Hand)**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the intersection reconstruction at Ring Road – Gregory Street West.

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-16 'Ring Road – Gregory Street West (Intersection Reconstruction) to Pipecon Pty Ltd for the total tendered price of \$746,414.56 (ex GST).**
- 2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Grant Tillett  
Seconded Cr Ben Taylor

**CARRIED****5.4 CONTRACT 2019/20-25 BIRDWOOD AVENUE SHOULDER RECONSTRUCTION**  
(RO – Terry Demeo / Robin Hand)**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the shoulder reconstruction in Birdwood Avenue, Sebastopol (between Grant and Albion Streets).

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-25 'Birdwood Avenue Shoulder Reconstruction' to Butler Excavations Pty Ltd for the total tendered price of \$293,829.46 (ex GST).**
- 2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED****5.5 CONTRACT 2019/20-28 FOREST STREET ROAD RECONSTRUCTION**  
(RO – Terry Demeo / Robin Hand)**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the road reconstruction of Forest Street, Buninyong (between Fisker and Lal Lal Streets).

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-28 'Road Reconstruction in Forest Street, Buninyong to Fulton Hogan Industries Pty Ltd for the total tendered price of \$315,237.24 (ex GST).**
- 2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**5.6 CONTRACT 2019/20-37 RAGLAN STREET MINERS REST ROADWORKS**  
(RO – Terry Demeo / Robin Hand)**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the roadworks of Raglan Street, Miners Rest (between Howe and Market Streets).

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-37 'Raglan Street, Miners Rest (Howe Street to Market Street) Roadworks to Butler Excavations Pty Ltd for the total tendered price of \$368,595.30 (ex GST).**
- 2. Should Butler Excavations be unable to complete the works in the required timeframe then Enoch Civil Pty Ltd be awarded the tender for the total tendered price of \$392,158.00 (ex GST).**
- 3. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

**5.7 CONTRACT 2019/20-41 ARMSTRONG STREET NORTH SHOULDER RECONSTRUCTION**  
(RO – Terry Demeo / Robin Hand)**SUMMARY**

This report recommends that the Contracts Special Committee award a Contract for the shoulder reconstruction of Armstrong Street North, Ballarat (between Landsborough and Norman Streets).

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Award Tender 2019/20-41 'Armstrong Street North Shoulder Reconstruction to Streebson Pty Ltd, trading as Ballarat Excavation and Transport for the total tendered price of \$473,592.10 (ex GST).**
- 2. Should Streebson Pty Ltd be unable to complete the works in the required timeframe then Enoch Civil Pty Ltd be awarded the tender for the total tendered price of \$523,033.62 (ex GST).**
- 3. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

**5.8 VARIATION TO CONTRACT 2015/16-63 DESIGN SERVICES  
– BALLARAT SPORTS AND EVENTS CENTRE**  
(RO – Angelique Lush / Matthew Dent)

**SUMMARY**

This report recommends that the Contracts Special Committee note variations to the Design Services at the Ballarat Sports and Events Centre

**RESOLUTION**

That the Contracts Approval Special Committee resolves to:

1. **Note variations to Contract 2015/16-63 Design Services for the Ballarat Sports and Events Centre from project start to project completion totalling \$111,729.84 (13.28% of contract value including options) (GST exclusive).**
2. **Note that the project costs including variations were within the project budget set by Council and within project timeframes.**

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

**5.9 VARIATION TO CONTRACT 2017/18-100 GIRRABANYA CONSTRUCTION**  
(RO – Angelique Lush / Matthew Dent)

**SUMMARY**

This report recommends that the Contracts Special Committee note variations to the redevelopment of Girrabanya Children's Centre.

**RESOLUTION**

That the Contracts Approval Special Committee resolves to:

1. **Note variations to Contract 2017/18-100 Redevelopment of Girrabanya Children's Centre from 1/4/2019 to project completion totalling \$127,262.63 (11.99% of contract value) (GST exclusive).**
2. **Note that the project costs including variations were within the project budget set by Council and within project timeframes.**

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

**5.10 HER MAJESTY'S THEATRE VARIATIONS REPORT 2**  
**- CONTRACT 2017/18-246**  
(RO – Angelique Lush / Robert Siemensma)

**SUMMARY**

This report recommends that the Contracts Special Committee note variations to Her Majesty's Theatre Conservation Project.

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

- 1. Note variations to Contract 2017/18-246 Her Majesty's Theatre Conservation Project from 19/12/2018 to 16/4/2019 totalling \$676,640.83 (19.98% of contract value) (GST exclusive).**
- 2. Note that the project costs including variations were within the project budget set by Council and within project timeframes.**

Moved Cr Mark Harris  
Seconded Cr Grant Tillett

**CARRIED**

**RESOLUTION**

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

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

There being no further business, the Chairperson declared the meeting closed at 5:25pm

Confirmed this                      day of                      , 2019

.....

**Chairperson**



## ***CONTRACTS SPECIAL COMMITTEE***

### ***MINUTES***

***20 November 2019***

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS COMMITTEE  
OF THE BALLARAT CITY COUNCIL, HELD IN COMMITTEE ROOM 2,  
TOWN HALL, STURT STREET, BALLARAT  
ON WEDNESDAY 20 NOVEMBER 2019 AT 4:30PM**

**Justine Linley  
(Chief Executive Officer)**

|                       |
|-----------------------|
| <b><i>MINUTES</i></b> |
|-----------------------|

**ORDER OF BUSINESS:**

PRESENT

Cr Mark Harris  
Cr Ben Taylor  
Cr Grant Tillett

IN ATTENDANCE

Glenn Kallio (Director Business Services)  
Terry Demeo (Director Infrastructure and Environment)  
Angelique Lush (Director Development and Planning)  
Ms Louise Turner (Acting Executive Manager Operations and Environment)

**DECLARATIONS OF INTEREST**

No declarations of interest were received.

**CONFIRMATION OF MINUTES**

**RESOLUTION:**

**That the minutes of the Contracts meeting held on 16 October, 2019 as circulated, be confirmed.**

Moved Cr Ben Taylor  
Seconded Cr Grant Tillett

**CARRIED**

**SECTION 89 MATTERS**

**RESOLUTION:**

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

Moved Cr Grant Tillett  
Seconded Cr Ben Taylor

**CARRIED**

|                          |
|--------------------------|
| <b>TABLE OF CONTENTS</b> |
|--------------------------|

|   | PAGE(S)  |
|---|----------|
| <b>5.1 CONTRACT 2019/20-86 PROJECT MANAGEMENT SERVICES PANEL</b><br>(RO ANGELIQUE LUSH / AMANDA WESTERN)            | <b>4</b> |
| <b>5.2 CONTRACT 2016/17-84 CONTRACT VARIATION SMYTHESDALE LANDFILL OPERATIONS</b><br>(RO TERRY DEMEO / TERRY DEMEO) | <b>4</b> |



**5.1 CONTRACT 2019/20-86 PROJECT MANAGEMENT SERVICES PANEL**  
(RO – Angelique Lush / Amanda Western)

**SUMMARY**

This report recommends that the Contracts Special Committee award a panel of approved suppliers with the expertise and resources to provide project management services.

**RESOLUTION**

**That the Contracts Approval Special Committee resolves to:**

**1. Enter into Contract Number 2019/20-86 for the provision of a “Panel of approved suppliers – project management” with the following companies:**

- Resource Co-ordination Partnership Pty Ltd
- Accuraco Pty Ltd
- TGM Group Pty Ltd
- Touch Projects Limited
- RPS AAP Consulting Pty Ltd t/a/ RPS
- Australian Project Management Group Pty Ltd t/a Building Solutions Group;
- Ontoit Unit Trust t/a/ Ontoit Global Pty Ltd;
- Videre Group Pty Ltd;
- CT Management Group Pty Ltd;
- Regional Management Group Pty Ltd;
- GHD Pty Ltd; and
- Turner and Townsend Thinc Pty Ltd.

The contract term is for an initial twelve months with the provision of two by two year extensions at Council’s sole discretion subject to evaluation score being reviewed and provided to Council.

**2. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.**

Moved Cr Grant Tillett  
Seconded Cr Ben Taylor

**CARRIED**

**5.2 CONTRACT 2016/17-84 CONTRACT VARIATION SMYTHESDALE LANDFILL OPERATIONS**

(RO – Terry Demeo)

**SUMMARY**

This report recommends that the Contracts Special Committee award a variation to the Contract for the Smythesdale Landfill Site operated by Cleanaway Solid Waste Pty Ltd.

**RESOLUTION**

That the Contracts Approval Special Committee resolves to:

1. Support the rise and fall variation request from Cleanaway Solid Waste Pty Ltd to the amount of \$1,511,698.07 as the base contract rate for 2019/20.
2. Support 'Variation 1' request in relation to the increase cost of plant and operations for a total amount of \$432,000.00 for the 2019/20 financial year for Cleanaway Solid Waste Pty Ltd in respect to the management of operations at the Smythesdale Landfill site.
3. Reject 'Variation 2' request in relation to the contingent costs estimated for failure of plant currently operating at the Smythesdale Landfill site of \$256,500.00.
4. Delegate to the Chief Executive Officer authority to execute the associated Contract on behalf of Council.

Moved Cr Grant Tillett  
Seconded Cr Ben Taylor

**CARRIED****RESOLUTION**

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

Moved Cr Grant Tillett  
Seconded Cr Ben Taylor

**CARRIED**

There being no further business, the Chairperson declared the meeting closed at 4:45 pm

**Confirmed this 19<sup>th</sup> day of December, 2019**

.....

**Chairperson**

**11.9. 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:**

**Exercise the powers conferred by s224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (the instrument), and that**

- 1. Virginia McLeod, be appointed and authorised as set out in the instrument.**
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.**
- 3. The instrument be sealed.**

**EXECUTIVE SUMMARY**

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

**RATIONALE**

Virginia McLeod holds the position of Senior Strategic Planner and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the Officer to undertake duties authorised by Council, to be effective as at 29 January 2020.

**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 legislation has been adhered to.

**OFFICERS DECLARATIONS OF INTEREST**

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

**REFERENCE DOCUMENTS**

Nil

**ATTACHMENTS**

1. S11A Virginia McLeod [11.9.1 - 2 pages]



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

**Ballarat City Council**

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

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

In this instrument "officer" means -

**Virginia McLeod**

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

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

**It is declared that** this instrument -

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

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

Date:

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

..... Mayor/Councillor

..... Chief Executive Officer

**11.10. 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:**

**Exercise the powers conferred by s98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached instrument of delegation, and that:**

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

**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:

- Delegations for the new role Senior Strategic Planner (SSP) under the *Environment Protection Act 1970*, *Planning and Environment Act 1987* and *Planning and Environment Regulations 2015* (see attachment two).
- Removal of the position Development Facilitation Administration Officer (DFAO) from the *Planning and Environment Act 1987*, *Planning and Environment Regulations 2015* and the *Road Management Act 2004* as the position is now inactive.
- Inclusion of the position Supervisor Asset Surveillance (SASU) and Coordinator Asset Management (CAM) to s120(1) and S120(2) to the *Road Management Act 2004*.
- Inclusion of the position Supervisor Asset Surveillance (SASU) to sch7 cl12(4), sch 7 cl12(5), sch7 cl19(1), sch7 cl19(2)&(3) and sch7 cl20(1) to the *Road Management Act 2004*.
- Inclusion of the position Supervisor Asset Surveillance (SASU) to r25(1) to the *Road Management (General) Regulations 2016*.

- Removal of Director Infrastructure and Environment (DIE), Executive Manager Development and Facilitation (EMDF) and Manager Statutory Planning (MSTP) from R19 in the *Planning and Environment Act 1987*.
- Removal of Director Development and Planning (DDP), Executive Manager Economic Partnerships (EMEP) and Manager Strategic Planning (MSP) from R20 in the *Planning and Environment Act 1987*.
- Inclusion of Director Infrastructure and Environment (DIE) and Executive Manager Property Services and Facilities Management (EMPSFM) to s60(1) of the *Cemeteries and Crematoria Act 2003*.
- Removal of Executive Manager Safety, Risk and Compliance Services (EMSRCS) and Coordinator Risk and Compliance (CRC) from r25(2) and r25(5) of the *Road Management (General) Regulations 2016* and r15 and r522(2) of the *Road Management (Works and Infrastructure) Regulations 2015*.
- Removal of Executive Manager Operations and Environment (EMOE) and Coordinator Parks and Gardens (CPS) and inclusion of Director Infrastructure and Environment (DIE) of r32, r33(1), r33(2), r34 and r36 in the *Cemeteries and Crematoria Regulations 2015*.
- Removal of Director Development and Planning (DDP) in s20(2) and 20(3) of the *Cemeteries and Crematoria Act 2003*.

The revised delegations have been reviewed at officer level and are considered appropriate for the ongoing administrative efficiency of Council. The draft revised Instrument is presented at Attachment 1. Attachment 2 represents the required delegations for the new role of Senior Strategic Planner (SSP).

## RATIONALE

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

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

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

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



**LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS**

- *Cemeteries and Crematoria Act 2003;*
- *Cemeteries and Crematoria Regulations 2015;*
- *Charter of Human Rights and Responsibilities Act 2006;*
- *City of Ballarat Council Plan 2017-2021;*
- *Environment Protection Act 1970;*
- *Local Government Act 1989;*
- *Local Government (General) Regulation 2015;*
- *Planning and Environment Act 1987;*
- *Planning and Environment Regulations 2015;*
- *Road Management (General) Regulations 2016; and*
- *Road Management (Works and Infrastructure) Regulations 2015.*

**REPORTING AND COMPLIANCE STATEMENTS**

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

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

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

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

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

**CONSULTATION**

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

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

## **OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

Nil

## **ATTACHMENTS**

1. S6 Instrument of Delegation - Members of Staff [**11.10.1** - 94 pages]
2. Senior Strategic Planner (SSP) [**11.10.2** - 7 pages]

***S6. Instrument of Delegation - Members of Staff***

**Ballarat City Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## **S6 Instrument of Delegation - Members of Staff**

### **Preamble**

#### **Instrument of Delegation**

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

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

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

- AOBS: Administration Officer Building Services
- AOEH: Administration Officer Environmental Health
- AOGAF: Administration Officer Growth Areas Facilitation
- AOLLT: Administration Officer Local Laws and Traffic
- AOSC: Administration Officer Statutory Compliance
- AOSTP: Administration Officer Statutory Planning
- CAM: Coordinator Asset Management
- CBS: Coordinator Building Services
- CCPE: Coordinator Compliance and Parking Enforcement
- CEH: Coordinator Environmental Health
- CGAF: Coordinator Growth Areas Facilitation
- CID: Coordinator Infrastructure Delivery
- CIT: Coordinator Integrated Transport
- CO: Compliance Officer
- CPG: Coordinator Parks and Gardens
- CRC: Coordinator Risk and Compliance
- CRM: Coordinator Road Maintenance
- CSS: Construction Site Supervisor
- CSTP: Coordinator Statutory Planning
- CSTPO: Coordinator Statutory Planning Operations
- DBS: Director Business Services
- DDP: Director Development and Planning
- DIE: Director Infrastructure and Environment
- EHO: Environmental Health Officer
- EMDF: Executive Manager Development Facilitation
- EMEP: Executive Manager Economic Partnerships
- EMI: Executive Manager Infrastructure
- EMOE: Executive Manager Operations and Environment
- EMPSFM: Executive Manager Property Services and Facilities Management
- EMRS: Executive Manager Regulatory Services
- EMSRCS: Executive Manager Safety, Risk and Compliance Services
- GAFO: Growth Areas Facilitation Officer
- HSO: Health Services Officer
- LLEO: Local Laws Events Officer
- MBS: Municipal Building Surveyor
- MED: Manager Economic Development
- MSP: Manager Strategic Planning
- MSTP: Manager Statutory Planning
- Not Applicable: Not Applicable

- Not Delegated: Not Delegated
- PMUR: Project Manager Urban Renewal
- POC: Project Officer Compliance
- PPSP: Principal Planner Strategic Projects
- PSTP: Principal Statutory Planner
- RMCS: Road Maintenance Contract Supervisor
- RMS: Road Maintenance Scheduler
- RSSO: Regulatory Services Support Officer
- SAO: Subdivision Administration Officer
- SASO: Senior Asset Surveillance Officer
- SASU: Supervisor Asset Surveillance
- SCO: Statutory Compliance Officer
- SO: Subdivision Officer
- SP: Strategic Planner
- SPAO: Strategic Planning Administration Officer
- 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
- TLSR: Team Leader Sealed Roads
- TLUR: Team Leader Unsealed Roads
- TOEH: Technical Officer Environmental Health
- TSODF: Technical Support Officer Development Facilitation

3. declares that:

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

3.2 the delegation:

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

3.2.2 remains in force until varied or revoked;

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

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

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or  
3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council; or

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

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

## **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



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

..... Mayor/Councillor

..... Councillor

..... Chief Executive Officer

## S6 Instrument of Delegation - Members of Staff

| <b>Cemeteries and Crematoria Act 2003</b><br>[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)] |   |                        |  |
|---|---|------------------------|--|
| Provision   | Item Delegated  | Delegate               | Conditions and Limitations                               |
| s 8(1)(a)(ii)   | Power to manage one or more public cemeteries   | CPG, DIE, EMOE, EMPSFM | Where Council is a Class B cemetery trust                |
| s 12(1)   | Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act | CPG, DIE, EMOE, EMPSFM | Where Council is a Class B cemetery trust                |
| s 12(2)   | Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions  | CPG, DIE, EMOE, EMPSFM | Where Council is a Class B cemetery trust                |
| s 13  | Duty to do anything necessary or convenient to enable it to carry out its functions   | CPG, DIE, EMOE, EMPSFM |  |
| s 14  | Power to manage multiple public cemeteries as if they are one cemetery.   | CPG, DIE, EMOE, EMPSFM |  |
| s 15(1) and (2)   | Power to delegate powers or functions other than those listed   | CPG, DIE, EMOE, EMPSFM |  |
| s 15(4)   | Duty to keep records of delegations   | AOSC, 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 |  |



| <b>Cemeteries and Crematoria Act 2003</b><br>[##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, DIE, EMOE, EMPSFM |   |
| s 20(3)   | Power to set aside areas for those things in paragraphs (a) - (e)  | CPG, DIE, EMOE, EMPSFM |   |
| s 24(2)   | Power to apply to the Secretary for approval to alter the existing distribution of land  | CPG, DIE, EMOE, EMPSFM |   |
| s 36  | Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36                     | CPG, DIE, EMOE, EMPSFM | Subject to the approval of the Minister                                       |
| s 37  | Power to grant leases over land in a public cemetery in accordance with s 37   | CPG, DIE, EMOE, EMPSFM | Subject to the Minister approving the purpose                                 |
| s 40  | Duty to notify Secretary of fees and charges fixed under s 39  | CPG, DIE, EMOE, EMPSFM |   |
| s 47  | Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery | DBS                    | Provided the street was constructed pursuant to the Local Government Act 1989 |
| s 57(1)   | Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act                         | CPG, DIE, EMOE, EMPSFM | Report must contain the particulars listed in s 57(2)                         |

# **Cemeteries and Crematoria Act 2003**

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

|          |   |                        |  |
|----------|---|------------------------|--|
| s 59     | Duty to keep records for each public cemetery   | CPG, DIE, EMOE, EMPSFM |  |
| s 60(1)  | Duty to make information in records available to the public for historical or research purposes                                 | DIE, EMPSFM            |  |
| s 60(2)  | Power to charge fees for providing information  | DBS                    |  |
| s 64(4)  | Duty to comply with a direction from the Secretary under s 64(3)  | CPG, DIE, EMOE, EMPSFM |  |
| s 64B(d) | Power to permit interments at a reopened cemetery   | CPG, DIE, EMOE, EMPSFM |  |
| s 66(1)  | Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park                 | CPG, DIE, EMOE, EMPSFM | The application must include the requirements listed in s 66(2)(a)-(d) |
| s 69     | Duty to take reasonable steps to notify of conversion to historic cemetery park   | DIE, EMPSFM            |  |
| s 70(1)  | Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed | CPG, DIE, EMOE, EMPSFM |  |
| s 70(2)  | Duty to make plans of existing place of interment available to the public   | CPG, DIE, EMOE, EMPSFM |  |
| s 71(1)  | Power to remove any memorials or other structures in an area to which an approval to convert applies                            | CPG, DIE, EMOE, EMPSFM |  |
| s 71(2)  | Power to dispose of any memorial or other structure removed   | CPG, DIE, EMOE, EMPSFM |  |
| s 72(2)  | Duty to comply with request received under s 72   | CPG, DIE, EMOE, EMPSFM |  |
| s 73(1)  | Power to grant a right of interment   | CPG, DIE, EMOE, EMPSFM |  |
| s 73(2)  | Power to impose conditions on the right of interment  | CPG, DIE, EMOE, EMPSFM |  |

| <b>Cemeteries and Crematoria Act 2003</b><br>[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)] |  |                        |   |
|---|--|------------------------|---|
| s 75  | Power to grant the rights of interment set out in s 75(a) and (b)  | CPG, DIE, EMOE, EMPSFM |   |
| s 76(3)   | Duty to allocate a piece of interment if an unallocated right is granted   | CPG, DIE, EMOE, EMPSFM |   |
| s 77(4)   | Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application | DIE, EMPSFM            |   |
| s 80(1)   | Function of receiving notification and payment of transfer of right of interment   | CPG, DIE, EMOE, EMPSFM |   |
| s 80(2)   | Function of recording transfer of right of interment   | CPG, DIE, EMOE, EMPSFM |   |
| s 82(2)   | Duty to pay refund on the surrender of an unexercised right of interment   | DBS                    |   |
| s 83(2)   | Duty to pay refund on the surrender of an unexercised right of interment (sole holder)   | DBS                    |   |
| s 83(3)   | Power to remove any memorial and grant another right of interment for a surrendered right of interment   | CPG, DIE, EMOE, EMPSFM |   |
| s 84(1)   | Function of receiving notice of surrendering an entitlement to a right of interment  | CPG, DIE, EMOE, EMPSFM |   |
| s.85(1)   | Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry   | CPG, DIE, EMOE, EMPSFM | The notice must be in writing and contain the requirements listed in s 85(2)      |
| s 85(2)(b)  | Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry  | CPG, DIE, EMOE, EMPSFM | Does not apply where right of interment relates to remains of a deceased veteran. |
| 85(2)(c)  | Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;              | DIE, EMPSFM            | May only be exercised where right of interment                                    |

**Cemeteries and Crematoria Act 2003**

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

|            |  |                             |  |
|------------|--|-----------------------------|--|
|            | remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location. |                             | relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment |
| s 86       | Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified                                 | DIE, EMPSFM                 |  |
| s 86(2)    | Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment   | DIE, EMPSFM                 |  |
| s 86(3)(a) | Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment                          | DIE, EMPSFM                 |  |
| s 86(3)(b) | Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)  | DIE, EMPSFM                 |  |
| s.86(4)    | power to take action under s.86(4) relating to removing and re-intering cremated human remains   | DIE, EMPSFM                 |  |
| s.86(5)    | duty to provide notification before taking action under s.86(4)  | DIE, EMPSFM                 |  |
| s 86A      | Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)  | DIE, EMPSFM                 |  |
| s 87(3)    | Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment  | DIE, EMPSFM                 |  |
| s 88       | Function to receive applications to carry out a lift and re-position procedure at a place of interment   | DIE, EMPSFM                 |  |
| s 91(1)    | Power to cancel a right of interment in accordance with s 91   | DIE, EMPSFM                 |  |
| s 91(3)    | Duty to publish notice of intention to cancel right of interment   | CPG, DIE, EMOE, EMPSFM      |  |
| s 92       | Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment                  | CPG, DBS, DIE, EMOE, EMPSFM |  |
| s 98(1)    | Function of receiving application to establish or alter a memorial or a place of interment   | CPG, DIE, EMOE, EMPSFM      |  |

**Cemeteries and Crematoria Act 2003**

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

|                |  |                        |  |
|----------------|--|------------------------|--|
| s 99           | Power to approve or refuse an application made under s 98, or to cancel an approval  | CPG, DIE, EMOE, EMPSFM |  |
| s 99(4)        | Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested  | CPG, DIE, EMOE, EMPSFM |  |
| s 100(1)       | Power to require a person to remove memorials or places of interment   | DIE, EMPSFM            |  |
| s 100(2)       | Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)  | DIE, EMPSFM            |  |
| s 100(3)       | Power to recover costs of taking action under s 100(2)   | CPG, DIE, EMOE, EMPSFM |  |
| s 101          | Function of receiving applications to establish or alter a building for ceremonies in the cemetery   | CPG, DIE, EMOE, EMPSFM |  |
| s 102(1)       | Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)  | CPG, DIE, EMOE, EMPSFM |  |
| s 102(2) & (3) | Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)  | CPG, DIE, EMOE, EMPSFM |  |
| s 103(1)       | Power to require a person to remove a building for ceremonies  | CPG, DIE, EMOE, EMPSFM |  |
| s 103(2)       | Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)   | CPG, DIE, EMOE, EMPSFM |  |
| s 103(3)       | Power to recover costs of taking action under s 103(2)   | CPG, DIE, EMOE, EMPSFM |  |
| s 106(1)       | Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs       | CPG, DIE, EMOE, EMPSFM |  |
| s 106(2)       | Power to require the holder of the right of interment to provide for an examination  | CPG, DIE, EMOE, EMPSFM |  |
| s 106(3)       | Power to open and examine the place of interment if s 106(2) not complied with   | DIE, EMPSFM            |  |
| s 106(4)       | Power to repair or - with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with | DIE, EMPSFM            |  |
| s 107(1)       | Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs   | CPG, DIE, EMOE, EMPSFM |  |

| <b>Cemeteries and Crematoria Act 2003</b><br>[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)] |  |                        |  |
|---|--|------------------------|--|
| s 107(2)  | Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with   | DIE, EMPSFM            |  |
| s 108   | Power to recover costs and expenses  | CPG, DIE, EMOE, EMPSFM |  |
| s 109(1)(a)   | Power to open, examine and repair a place of interment   | DIE, EMPSFM            | Where the holder of right of interment or responsible person cannot be found |
| s 109(1)(b)   | Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial   | DIE, EMPSFM            | Where the holder of right of interment or responsible person cannot be found |
| s 109(2)  | Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies  | CPG, DIE, EMOE, EMPSFM | Where the holder of right of interment or responsible person cannot be found |
| s 110(1)  | Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder. with consent of the Secretary                            | CPG, DIE, EMOE, EMPSFM |  |
| s 110(2)  | Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary                                     | CPG, DIE, EMOE, EMPSFM |  |
| s 110A  | Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran | DBS                    |  |
| s 111   | Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment   | CPG, DIE, EMOE, EMPSFM |  |
| s 112   | Power to sell and supply memorials   | CPG, DIE, EMOE, EMPSFM |  |

| <b>Cemeteries and Crematoria Act 2003</b><br>[##The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)] |  |                             |  |
|---|--|-----------------------------|--|
| s 116(4)  | Duty to notify the Secretary of an interment authorisation granted   | CPG, DIE, EMOE, EMPSFM      |  |
| s 116(5)  | Power to require an applicant to produce evidence of the right of interment holder's consent to application                                | CPG, DIE, EMOE, EMPSFM      |  |
| s 118   | Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met                         | CPG, DIE, EMOE, EMPSFM      |  |
| s 119   | Power to set terms and conditions for interment authorisations   | DIE, EMPSFM                 |  |
| s 131   | Function of receiving an application for cremation authorisation   | DIE, EMPSFM                 |  |
| s 133(1)  | Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with                            | CPG, DIE, EMOE, EMPSFM      | Subject to s 133(2)                      |
| s 145   | Duty to comply with an order made by the Magistrates' Court or a coroner   | CPG, DIE, EMOE, EMPSFM      |  |
| s 146   | Power to dispose of bodily remains by a method other than interment or cremation   | DIE, EMPSFM                 | Subject to the approval of the Secretary |
| s 147   | Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation                    | DIE, EMPSFM                 |  |
| s 149   | Duty to cease using method of disposal if approval revoked by the Secretary  | DIE, EMPSFM                 |  |
| s 150 & 152(1)  | Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met                           | DIE, EMPSFM                 |  |
| s 151   | Function of receiving applications to inter or cremate body parts  | DIE, EMPSFM                 |  |
| s 152(2)  | Power to impose terms and conditions on authorisation granted under s 150  | CPG, DIE, EMOE, EMPSFM      |  |
| sch 1 cl 8(3)   | Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication | CPG, DIE, EMOE, EMPSFM      |  |
| sch 1 cl 8(8)   | Power to regulate own proceedings  | CPG, CSS, DIE, EMOE, EMPSFM | Subject to cl 8                          |

| Domestic Animals Act 1994       |   |  |   |
|---------------------------------|---|--|---|
| Provision                       | Item Delegated  | Delegate   | Conditions and Limitations                                      |
| s 41A(1)                        | Power to declare a dog to be a menacing dog                       | CCPE, DIE, EMRS  | Council may delegate this power to a Council authorised officer |
| Environment Protection Act 1970 |   |  |   |
| Provision                       | Item Delegated  | Delegate   | Conditions and Limitations                                      |
| s 53M(3)                        | Power to require further information                              | CEH, CSTP, CSTPO, DDP, DIE, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP, TLEH, TOEH |   |
| s 53M(4)                        | Duty to advise applicant that application is not to be dealt with | CEH, CSTP, CSTPO, DDP, DIE, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP, TLEH, TOEH |   |
| s 53M(5)                        | Duty to approve plans, issue permit or refuse permit              | CEH, EHO, TLEH, TOEH   | Refusal must be ratified by Council or it is of no effect       |
| s 53M(6)                        | Power to refuse to issue septic tank permit                       | CEH, EHO, TLEH, TOEH   | Refusal must be ratified by                                     |



| Environment Protection Act 1970 |   |                      |   |
|---------------------------------|---|----------------------|---|
|                                 |   |                      | Council or it is of no effect   |
| s 53M(7)                        | Duty to refuse to issue a permit in circumstances in (a)-(c)  | CEH, EHO, TLEH, TOEH | Refusal must be ratified by Council or it is of no effect                                     |
| Food Act 1984                   |   |                      |   |
| Provision                       | Item Delegated  | Delegate             | Conditions and Limitations  |
| s 19(2)(a)                      | Power to direct by written order that the food premises be put into a clean and sanitary condition  | CEH, EHO, TLEH       | If s 19(1) applies  |
| s 19(2)(b)                      | Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable   | CEH, EHO, TLEH       | If s 19(1) applies  |
| s 19(3)                         | Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process | CEH, DIE, EHO, TLEH  | If s 19(1) applies<br><br>Only in relation to temporary food premises or mobile food premises |
| s 19(4)(a)                      | Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise  | DIE                  | If s 19(1) applies  |
| s 19(6)(a)                      | Duty to revoke any order under section 19 if satisfied that an order has been complied with   | CEH, EHO, TLEH       | If s 19(1) applies  |
| s 19(6)(b)                      | Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with  | CEH, EHO, TLEH       | If s 19(1) applies  |
| s 19AA(2)                       | Power to direct, by written order, that a person must take any of the actions described in (a)-(c).   | CEH, EHO, TLEH       | Where Council is the  |

| Food Act 1984     |  |                |  |
|-------------------|--|----------------|--|
|                   |  |                | registration authority   |
| s 19AA(4)(c)      | Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises | CEH, EHO, TLEH | Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution |
| s 19AA(7)         | Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with  | CEH, EHO, TLEH | Where Council is the registration authority  |
| s 19CB(4)(b)      | Power to request copy of records   | CEH, EHO, TLEH | Where Council is the registration authority  |
| s 19E(1)(d)       | Power to request a copy of the food safety program   | CEH, EHO, TLEH | Where Council is the registration authority  |
| s 19GB            | Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor                                      | CEH, EHO, TLEH | Where Council is the registration authority  |
| s 19M(4)(a) & (5) | Power to conduct a food safety audit and take actions where deficiencies are identified  | Not Delegated  | Where Council is the registration authority  |

| <b>Food Act 1984</b> |  |  |   |
|----------------------|--|--|---|
| s 19NA(1)            | Power to request food safety audit reports   | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS | Where Council is the registration authority   |
| s 19U(3)             | Power to waive and vary the costs of a food safety audit if there are special circumstances  | Not Delegated  |   |
| s 19UA               | Power to charge fees for conducting a food safety assessment or inspection   | CEH, EMRS  | Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39. |
| s 19W                | Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB   | CEH, DIE, EHO, TLEH  | Where Council is the registration authority   |
| s 19W(3)(a)          | Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction  | CEH, TLEH  | Where Council is the registration authority   |
| s 19W(3)(b)          | Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises | CEH, TLEH  | Where Council is the registration authority   |
|                      | Power to register, renew or transfer registration  | CEH, DIE, EHO, TLEH  | Where Council is the registration authority<br><br>refusal to grant/renew/transfer registration           |

| Food Act 1984 |  |  |   |
|---------------|--|--|---|
|               |  |  | must be ratified by Council or the CEO (see s 58A(2)) |
| s 38AA(5)     | Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA TS | Where Council is the registration authority           |
| s 38AB(4)     | Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)                         | CEH, EHO   | Where Council is the registration authority           |
| s 38A(4)      | Power to request a copy of a completed food safety program template  | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA TS | Where Council is the registration authority           |
| s 38B(1)(a)   | Duty to assess the application and determine which class of food premises under s 19C the food premises belongs                            | CEH, DIE, EHO, TLEH  | Where Council is the registration authority           |
| s 38B(1)(b)   | Duty to ensure proprietor has complied with requirements of s 38A  | CEH, DIE, EHO, TLEH  | Where Council is the registration authority           |
| s 38B(2)      | Duty to be satisfied of the matters in s 38B(2)(a)-(b)   | CEH, DIE, EHO, TLEH  | Where Council is the registration authority           |
| s 38D(1)      | Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39                             | CEH, DIE, EHO, TLEH  | Where Council is the registration authority           |

| <b>Food Act 1984</b> |  |   |   |
|----------------------|--|---|---|
| s 38D(2)             | Duty to be satisfied of the matters in s 38D(2)(a)-(d)                   | CEH, DIE, EHO, TLEH                                       | Where Council is the registration authority   |
| s 38D(3)             | Power to request copies of any audit reports                             | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA | Where Council is the registration authority   |
| s 38E(2)             | Power to register the food premises on a conditional basis               | CEH, DIE, EHO, TLEH                                       | Where Council is the registration authority<br><br>not exceeding the prescribed time limit defined under s 38E(5) |
| s 38E(4)             | Duty to register the food premises when conditions are satisfied         | CEH, DIE, EHO, TLEH                                       | Where Council is the registration authority   |
| s 38F(3)(b)          | Power to require proprietor to comply with requirements of this Act      | CEH, DIE, EHO, TLEH                                       | Where Council is the registration authority   |
| s 39A                | Power to register, renew or transfer food premises despite minor defects | CEH, DIE, EHO, TLEH                                       | Where Council is the registration authority<br><br>Only if satisfied of matters in s 39A(2)(a)-(c)                |

| <b>Food Act 1984</b>     |   |                     |  |
|--------------------------|---|---------------------|--|
| s 40(2)                  | Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008  | CEH, DIE, EHO, TLEH |  |
| s 40C(2)                 | Power to grant or renew the registration of food premises for a period of less than 1 year  | CEH, TLEH           | Where Council is the registration authority  |
| s 40D(1)                 | Power to suspend or revoke the registration of food premises  | CEH, TLEH           | Where Council is the registration authority  |
| s 43F(6)                 | Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business  | CEH, EHO, TLEH      | Where Council is the registration authority  |
| s 43F(7)                 | Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements   | CEH, EHO, TLEH      | Where Council is the registration authority  |
| s 46(5)                  | Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged | CEH, DIE, EHO, TLEH | Where Council is the registration authority  |
| <b>Heritage Act 2017</b> |   |                     |  |
| Provision                | Item Delegated  | Delegate            | Conditions and Limitations   |
| s 116                    | Power to sub-delegate Executive Director's functions, duties or powers  | DDP, DIE            | Must first obtain Executive Director's written consent<br><br>Council can only sub-delegate if the Instrument of |

| Heritage Act 2017                 |  |  |  |
|-----------------------------------|--|--|--|
|                                   |  |  | Delegation from the Executive Director authorises sub-delegation |
| Local Government Act 1989         |  |  |  |
| Provision                         | Item Delegated   | Delegate   | Conditions and Limitations                                       |
| s 181H                            | Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge | DIE, EMDF  |  |
| s 185L(4)                         | Power to declare and levy a cladding rectification charge  | Not Delegated  |  |
| Planning and Environment Act 1987 |  |  |  |
| Provision                         | Item Delegated   | Delegate   | Conditions and Limitations                                       |
| s 4B                              | Power to prepare an amendment to the Victorian Planning Provisions   | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP                                 | If authorised by the Minister                                    |
| s 4G                              | Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister                     | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP                                 |  |
| s 4H                              | Duty to make amendment to Victoria Planning Provisions available   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |  |
| s 4I                              | Duty to keep Victorian Planning Provisions and other documents available   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP,  |  |

| Planning and Environment Act 1987 |  |   |  |
|-----------------------------------|--|---|--|
|                                   |  | PMUR, PPSP,<br>PSTP, SP, SPAO,<br>SSP, SSTP, STP            |  |
| s 8A(2)                           | Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>EMEP, MSP,<br>MSTP, PSTP |  |
| s 8A(3)                           | Power to apply to Minister to prepare an amendment to the planning scheme  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>EMEP, MSP,<br>MSTP, PSTP |  |
| s 8A(5)                           | Function of receiving notice of the Minister's decision  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>EMEP, MSP,<br>MSTP, PSTP |  |
| s 8A(7)                           | Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days                                    | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>EMEP, MSP,<br>MSTP, PSTP |  |
| s 8B(2)                           | Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district   | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PSTP       |  |
| s 12(3)                           | Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons                 | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PSTP       |  |
| s 12A(1)                          | Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996) | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PSTP       |  |
| s 12B(1)                          | Duty to review planning scheme   | CSTP, CSTPO,<br>DDP, DIE, EMDF,                             |  |



| Planning and Environment Act 1987 |  |   |  |
|-----------------------------------|--|---|--|
|                                   |  | EMEP, MSP, MSTP, PSTP   |  |
| s 12B(2)                          | Duty to review planning scheme at direction of Minister  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP                            |  |
| s.12B(5)                          | duty to report findings of review of planning scheme to Minister without delay                                   | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP                            |  |
| s 14                              | duties of a Responsible Authority as set out in s 14(a) to (d)   | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP                            |  |
| s 17(1)                           | Duty of giving copy amendment to the planning scheme   | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP |  |
| s 17(2)                           | Duty of giving copy s 173 agreement  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP |  |
| s 18                              | Duty to make amendment etc. available  | CSTP, CSTPO, DDP, DIE, EMDF,  |  |

| Planning and Environment Act 1987 |   |   |  |
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|                                   |   | EMEP, MSP, MSTP, PMUR, PPSP, 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 s 19 to a planning scheme | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP |  |
| s 19                              | Function of receiving notice of preparation of an amendment to a planning scheme  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP | Where Council is not the planning authority and the amendment affects land within Council's municipal district; or<br><br>Where the amendment will amend the planning scheme to designate Council as an acquiring authority. |
| s 20(1)                           | Power to apply to Minister for exemption from the requirements of s 19  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP                            |  |
| s 21(2)                           | Duty to make submissions available  | CSTP, CSTPO, DDP, DIE, EMDF,  |  |

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

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

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

| Planning and Environment Act 1987 |   |  |  |
|-----------------------------------|---|--|--|
|                                   |   | MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP  |  |
| s 41                              | Duty to make approved amendment available   | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP            |  |
| s 42                              | Duty to make copy of planning scheme available  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, 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<br><br>Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils |

| Planning and Environment Act 1987 |  |   |   |
|-----------------------------------|--|---|---|
| s 46AW                            | Function of being consulted by the Minister  | DDP, DIE, EMDF, EMEP  | Where Council is a responsible public entity  |
| s 46AX                            | Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy<br><br>Power to endorse the draft Statement of Planning Policy             | DDP, DIE, EMDF, EMEP  | Where Council is a responsible public entity  |
| s 46AZC(2)                        | Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity                  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, 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  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO   | Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency |
| s 46GJ(1)                         | Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans  | DIE, EMDF   |   |
| s 46GK                            | Duty to comply with a Minister's direction that applies to Council as the planning authority   | DIE, EMDF   |   |

| Planning and Environment Act 1987 |   |                                    |  |
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| s 46GN(1)                         | Duty to arrange for estimates of values of inner public purpose land  | AOGAF, CGAF,<br>DIE, EMDF,<br>GAFO |  |
| s 46GO(1)                         | Duty to give notice to owners of certain inner public purpose land  | DIE, EMDF                          |  |
| s 46GP                            | Function of receiving a notice under s 46GO   | DIE, EMDF                          | Where Council<br>is the collecting<br>agency |
| s 46GQ                            | Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land  | AOGAF, CGAF,<br>DIE, EMDF,<br>GAFO |  |
| s 46GR(1)                         | Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO  | AOGAF, CGAF,<br>DIE, EMDF,<br>GAFO |  |
| s 46GR(2)                         | Power to consider a late submission<br><br>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,<br>DIE, EMDF,<br>GAFO |  |
| s 46GT(6)                         | Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)   | AOGAF, CGAF,<br>DIE, EMDF,<br>GAFO |  |
| s 46GU                            | Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met | AOGAF, CGAF,<br>DIE, EMDF,<br>GAFO |  |
| s 46GV(3)                         | Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution<br><br>Power to specify the manner in which the payment is to be made  | DBS, DIE, EMDF                     | Where Council<br>is the collecting<br>agency |



| Planning and Environment Act 1987 |  |                                   |   |
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| s 46GV(3)(b)                      | Power to enter into an agreement with the applicant  | DIE, EMDF                         | Where Council is the collecting agency  |
| s 46GV(4)(a)                      | Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)   | DIE, EMDF                         | Where Council is the development agency   |
| s 46GV(4)(b)                      | Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)   | DIE, EMDF                         | Where Council is the collecting agency  |
| s 46GV(7)                         | Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area   | DIE, EMDF                         |   |
| s 46GV(9)                         | Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction  | DIE, EMDF                         | Where Council is the collecting agency  |
| s 46GX(1)                         | Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable   | AOGAF, CGAF, DIE, EMDF, GAFO      | Where Council is the collecting agency  |
| s 46GX(2)                         | Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan | DIE, EMDF                         | Where Council is the collecting agency  |
| s 46GY(1)                         | Duty to keep proper and separate accounts and records  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency  |
| s 46GY(2)                         | Duty to keep the accounts and records in accordance with the Local Government Act 1989   | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency  |
| s 46GZ(2)(a)                      | Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency under an approved infrastructure contributions |

| Planning and Environment Act 1987 |   |                                   |   |
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|                                   |   |                                   | plan<br><br>This duty does not apply where Council is that planning authority   |
| s 46GZ(2)(a)                      | Function of receiving the monetary component  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where the Council is the planning authority<br><br>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, DIE, EMDF, GAFO      | Where Council is the collecting agency under an approved infrastructure contributions plan<br><br>This provision does not apply where Council is also the relevant development agency |
| s 46GZ(2)(b)                      | Function of receiving the monetary component  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the development  |

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

| Planning and Environment Act 1987 |   |                                   |  |
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| s 46GZ(5)                         | Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the development agency specified in the approved infrastructure contributions plan<br><br>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, GAFO | Where Council is the collecting agency under an approved infrastructure contributions plan   |
| s 46GZ(9)                         | Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land | AOGAF, CGAF, DIE, EMDF, GAFO      | 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) |

| Planning and Environment Act 1987 |   |                                   |  |
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|                                   |   |                                   | <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, GAFO | <p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p> |
| s 46GZA(1)                        | Duty to keep proper and separate accounts and records | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | <p>Where Council is the development agency under an approved infrastructure contributions plan</p>   |

| <b>Planning and Environment Act 1987</b> |  |   |  |
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| s 46GZA(2)                               | Duty to keep the accounts and records in accordance with the Local Government Act 1989   | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP | Where Council is a development agency under an approved infrastructure contributions plan  |
| s 46GZB(3)                               | Duty to follow the steps set out in s 46GZB(3)(a) – (c)  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO                               | Where Council is a development agency under an approved infrastructure contributions plan  |
| s 46GZB(4)                               | Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP | If the VPA is the collecting agency under an approved infrastructure contributions plan<br><br>Where Council is a development agency under an approved infrastructure contributions plan |
| s 46GZD(2)                               | Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)   | AOGAF, CGAF, DIE, EMDF, GAFO                                    | Where Council is the development agency under an   |

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

| Planning and Environment Act 1987 |   |                                   |   |
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| s 46GZE(2)                        | Function of receiving the unexpended land equalisation amount   | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency under an approved infrastructure contributions plan<br><br>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, GAFO | Where Council is the collecting agency under an approved infrastructure contributions plan  |
| s 46GZF(2)                        | Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the development agency under an approved infrastructure contributions plan   |
| s.46GZF(3)                        | Duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)   | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the development agency under an approved infrastructure contributions plan   |



| Planning and Environment Act 1987 |  |                                   |  |
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| s 46GZF(3)                        | s 46GZF(3)(a) function of receiving proceeds of sale   | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collection agency under an approved infrastructure contributions plan<br><br>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) | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency under an approved infrastructure contributions plan   |
| s 46GZF(6)                        | Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency under an approved infrastructure contributions plan   |
| s 46GZH                           | Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction  | AOGAF, CGAF, DBS, DIE, EMDF, GAFO | Where Council is the collecting agency under an approved infrastructure contributions plan   |

| Planning and Environment Act 1987 |  |   |  |
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| s 46GZI                           | Duty to prepare and give a report to the Minister at the times required by the Minister  | AOGAF, CGAF, DIE, EMDF, GAFO  | Where Council is a collecting agency or development agency |
| s 46GZK                           | Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council   | AOGAF, CGAF, DBS, DIE, EMDF, GAFO                                     | Where Council is a collecting agency or development agency |
| s 46LB(3)                         | Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2) | AOGAF, CGAF, DBS, DIE, EMDF, GAFO                                     |  |
| s 46N(1)                          | Duty to include condition in permit regarding payment of development infrastructure levy   | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP, SSTP, STP |  |
| s 46N(2)(c)                       | Function of determining time and manner for receipt of development contributions levy  | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP            |  |
| s 46N(2)(d)                       | Power to enter into an agreement with the applicant regarding payment of development infrastructure levy   | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP            |  |
| s 46O(1)(a) & (2)(a)              | Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit   | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP            |  |

| <b>Planning and Environment Act 1987</b> |  |   |  |
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| s 46O(1)(d) & (2)(d)                     | Power to enter into agreement with the applicant regarding payment of community infrastructure levy  | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP      |  |
| s 46P(1)                                 | Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured   | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP      |  |
| s 46P(2)                                 | Power to accept provision of land, works, services or facilities in part or full payment of levy payable   | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP      |  |
| s 46Q(1)                                 | Duty to keep proper accounts of levies paid  | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP |  |
| s 46Q(1A)                                | Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP |  |
| s 46Q(2)                                 | Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc  | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP      |  |
| s 46Q(3)                                 | Power to refund any amount of levy paid if it is satisfied the development is not to proceed   | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP | Only applies when levy is paid to Council as a |

| Planning and Environment Act 1987 |   |   |   |
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|                                   |   |   | 'development agency'  |
| s 46Q(4)(c)                       | Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a) | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP | Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister |
| s 46Q(4)(d)                       | Duty to submit to the Minister an amendment to the approved development contributions plan  | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP                         | Must be done in accordance with Part 3  |
| s46Q(4)(e)                        | Duty to expend that amount on other works etc.  | AOGAF, CGAF, CSTP, CSTPO, DDP, DIE, EMDF, GAFO, MSTP, PSTP      | With the consent of, and in the manner approved by, the Minister  |
| s 46QC                            | Power to recover any amount of levy payable under Part 3B   | AOGAF, CGAF, CSTP, CSTPO, DBS, DDP, DIE, EMDF, GAFO, MSTP, PSTP |   |
| s 46QD                            | Duty to prepare report and give a report to the Minister  | CGAF, DIE, EMDF, GAFO   | Where Council is a collecting agency or   |

| Planning and Environment Act 1987 |  |   |                    |
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|                                   |  |   | development agency |
| s 46Y                             | Duty to carry out works in conformity with the approved strategy plan                          | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP                         |                    |
| s 47                              | Power to decide that an application for a planning permit does not comply with that Act        | CO, CSTP, CSTPO, DIE, EMDF, MSTP, POC, PSTP                     |                    |
| s 49(1)                           | Duty to keep a register of all applications for permits and determinations relating to permits | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |                    |
| s 49(2)                           | Duty to make register available for inspection   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |                    |
| s 50(4)                           | Duty to amend application  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |                    |
| s 50(45)                          | Power to refuse to amend application   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP                   |                    |
| s 50(6)                           | Duty to make note of amendment to application in register                                      | AOSC, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, STP, TSODF        |                    |

| Planning and Environment Act 1987 |   |   |  |
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| s 50A(1)                          | Power to make amendment to application  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSP, SSTP, STP, TSODF |  |
| s 50A(3)                          | Power to require applicant to notify owner and make a declaration that notice has been given  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSP, SSTP, STP, TSODF |  |
| s 50A(4)                          | Duty to note amendment to application in register   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF                                       |  |
| s 51                              | Duty to make copy of application available for inspection   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF                                       |  |
| s 52(1)(a)                        | Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP  |  |
| s 52(1)(b)                        | Duty to give notice of the application to other municipal council where appropriate   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP  |  |

| Planning and Environment Act 1987 |  |   |  |
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| s 52(1)(c)                        | Duty to give notice of the application to all persons required by the planning scheme  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP            |  |
| s 52(1)(ca)                       | Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant              | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |  |
| s 52(1)(cb)                       | Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |  |
| s 52(1)(d)                        | Duty to give notice of the application to other persons who may be detrimentally effected  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP            |  |
| s.52(1AA)                         | Duty to give notice of an application to remove or vary a registered restrictive covenant  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |  |
| s 52(3)                           | Power to give any further notice of an application where appropriate   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |  |
| s 53(1)                           | Power to require the applicant to give notice under s 52(1) to persons specified by it   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |  |

| Planning and Environment Act 1987 |   |  |  |
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| s 53(1A)                          | Power to require the applicant to give the notice under s 52(1AA)   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 54(1)                           | Power to require the applicant to provide more information  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 54(1A)                          | Duty to give notice in writing of information required under s 54(1)  | CSTP, CSTPO, DIE, EMDF, MSTP, PMUR, PPSP, PSTP, SO, SSTP, STP, TSODF |  |
| s 54(1B)                          | Duty to specify the lapse date for an application   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 54A(3)                          | Power to decide to extend time or refuse to extend time to give required information  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF             |  |
| s 54A(4)                          | Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 55(1)                           | Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP                 |  |



| Planning and Environment Act 1987 |  |  |  |
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| s 57(2A)                          | Power to reject objections considered made primarily for commercial advantage for the objector | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                        |  |
| s 57(3)                           | Function of receiving name and address of persons to whom notice of decision is to go          | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF |  |
| s 57(5)                           | Duty to make available for inspection copy of all objections                                   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF |  |
| s 57A(4)                          | Duty to amend application in accordance with applicant's request, subject to s 57A(5)          | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF        |  |
| s 57A(5)                          | Power to refuse to amend application   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF             |  |
| s 57A(6)                          | Duty to note amendments to application in register   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 57B(1)                          | Duty to determine whether and to whom notice should be given                                   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO,                              |  |

| Planning and Environment Act 1987 |   |   |  |
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|                                   |   | SSTP, STP,<br>TSODF   |  |
| s 57B(2)                          | Duty to consider certain matters in determining whether notice should be given                                    | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>SSTP, STP,<br>TSODF                |  |
| s 57C(1)                          | Duty to give copy of amended application to referral authority  | AOSTP, CSTP,<br>CSTPO, DIE,<br>EMDF, MSTP,<br>PSTP, SAO, SO,<br>SSTP, STP,<br>TSODF |  |
| s 58                              | Duty to consider every application for a permit   | AOSTP, CSTP,<br>CSTPO, DIE,<br>EMDF, MSTP,<br>PSTP, SO, SSTP,<br>STP, TSODF         |  |
| s 58A                             | Power to request advice from the Planning Application Committee   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP  |  |
| s 60                              | Duty to consider certain matters  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP,<br>SSTP, STP                              |  |
| s 60(1A)                          | Duty to consider certain matters  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP,<br>SSTP, STP                              |  |
| s 60(1B)                          | Duty to consider number of objectors in considering whether use or development may have significant social effect | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>SSTP, STP,<br>TSODF                |  |

| Planning and Environment Act 1987 |  |  |   |
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| s 61(1)                           | Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF | The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006 |
| s 61(2)                           | Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit                                       | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |   |
| s 61(2A)                          | Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit                                 | CSTP, DIE, EMDF, MSTP, PSTP, SSTP, STP                   |   |
| s 61(3)(a)                        | Duty not to decide to grant a permit to use coastal Crown land without Minister's consent  | Not Delegated  |   |
| s 61(3)(b)                        | Duty to refuse to grant the permit without the Minister's consent  | Not Delegated  |   |
| s 61(4)                           | Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |   |
| s 62(1)                           | Duty to include certain conditions in deciding to grant a permit   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |   |
| s 62(2)                           | Power to include other conditions  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO,                  |   |

| Planning and Environment Act 1987 |  |   |                                  |
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|                                   |  | SSTP, STP, TSODF  |                                  |
| s 62(4)                           | Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |                                  |
| s 62(5)(a)                        | Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                   |                                  |
| s 62(5)(b)                        | Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                   |                                  |
| s 62(5)(c)                        | Power to include a permit condition that specified works be provided or paid for by the applicant  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                   |                                  |
| s 62(6)(a)                        | Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                   |                                  |
| s 62(6)(b)                        | Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a) | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                   |                                  |
| s 63                              | Duty to issue the permit where made a decision in favour of the application (if no one has objected)   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |                                  |
| s 64(1)                           | Duty to give notice of decision to grant a permit to applicant and objectors   | AOSTP, CSTP, CSTPO, DIE,  | This provision applies also to a |

| Planning and Environment Act 1987 |   |  |   |
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|                                   |   | EMDF, MSTP, PSTP, SSTP, STP  | decision to grant an amendment to a permit - see s 75                                   |
| s 64(3)                           | Duty not to issue a permit until after the specified period   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP                 | This provision applies also to a decision to grant an amendment to a permit - see s 75  |
| s 64(5)                           | Duty to give each objector a copy of an exempt decision   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      | This provision applies also to a decision to grant an amendment to a permit - see s 75  |
| s 64A                             | Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      | This provision applies also to a decision to grant an amendment to a permit - see s 75A |
| s 65(1)                           | Duty to give notice of refusal to grant permit to applicant and person who objected under s 57  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |   |
| s 66(1)                           | Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF |   |
| s 66(2)                           | Duty to give a recommending referral authority notice of its decision to grant a permit   | AOSTP, CSTP, CSTPO, DIE,   | If the recommending   |

| Planning and Environment Act 1987 |  |   |   |
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|                                   |  | EMDF, MSTP, PSTP, SSTP, STP                               | referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority |
| s 66(4)                           | Duty to give a recommending referral authority notice of its decision to refuse a permit   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SSTP, STP      | If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit         |
| s 66(6)                           | Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65 | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP | If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not   |

| Planning and Environment Act 1987 |   |  |   |
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|                                   |   |  | recommend a condition be included on the permit |
| s 69(1)                           | Function of receiving application for extension of time of permit               | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF |   |
| s 69(1A)                          | Function of receiving application for extension of time to complete development | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |   |
| s 69(2)                           | Power to extend time  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |   |
| s 70                              | Duty to make copy permit available for inspection                               | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF |   |
| s 71(1)                           | Power to correct certain mistakes   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |   |
| s 71(2)                           | Duty to note corrections in register  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP,                                 |   |

| Planning and Environment Act 1987 |   |  |  |
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|                                   |   | PSTP, SO, SSTP, STP, TSODF   |  |
| s 73                              | Power to decide to grant amendment subject to conditions  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 74                              | Duty to issue amended permit to applicant if no objectors   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 76                              | Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit          | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF      |  |
| s 76A(1)                          | Duty to give relevant determining referral authorities copy of amended permit and copy of notice        | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF |  |
| s 76A(2)                          | Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP            | If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit |



| Planning and Environment Act 1987 |  |   |   |
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|                                   |  |   | recommended by the recommending referral authority  |
| s 76A(4)                          | Duty to give a recommending referral authority notice of its decision to refuse a permit   | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP       | If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit |
| s 76A(6)                          | Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76 | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP       | If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit |
| s 76D                             | Duty to comply with direction of Minister to issue amended permit  | AOSTP, CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF |   |

| Planning and Environment Act 1987 |   |  |  |
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| s 83                              | Function of being respondent to an appeal   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>SSTP, STP,<br>TSODF |  |
| s 83B                             | Duty to give or publish notice of application for review  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>SSTP, STP,<br>TSODF |  |
| s 84(1)                           | Power to decide on an application at any time after an appeal is lodged against failure to grant a permit                             | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>TSODF               |  |
| s 84(2)                           | Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit    | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>TSODF               |  |
| s 84(3)                           | Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>SSTP, STP,<br>TSODF |  |
| s 84(6)                           | Duty to issue permit on receipt of advice within 3 working days   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP, SO,<br>SSTP, STP,<br>TSODF |  |
| s 84AB                            | Power to agree to confining a review by the Tribunal  | AOGAF, CGAF,<br>DBS, DIE, EMDF,<br>GAFO, SO,<br>TSODF                |  |
| s 86                              | Duty to issue a permit at order of Tribunal within 3 working days   | CSTP, CSTPO,<br>DIE, EMDF,   |  |

| Planning and Environment Act 1987 |  |  |  |
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|                                   |  | MSTP, PSTP, SO, SSTP, STP, TSODF                                     |  |
| s 87(3)                           | Power to apply to VCAT for the cancellation or amendment of a permit                                       | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, TSODF                        |  |
| s 90(1)                           | Function of being heard at hearing of request for cancellation or amendment of a permit                    | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF             |  |
| s 91(2)                           | Duty to comply with the directions of VCAT   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF             |  |
| s 91(2A)                          | Duty to issue amended permit to owner if Tribunal so directs   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF             |  |
| s 92                              | Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90 | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF             |  |
| s 93(2)                           | Duty to give notice of VCAT order to stop development  | CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP, SO, SSTP, STP, TSODF |  |

| Planning and Environment Act 1987 |  |  |  |
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| s 95(3)                           | Function of referring certain applications to the Minister   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 95(4)                           | Duty to comply with an order or direction  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP,<br>SSTP, STP |  |
| s 96(1)                           | Duty to obtain a permit from the Minister to use and develop its land  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 96(2)                           | Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 96A(2)                          | Power to agree to consider an application for permit concurrently with preparation of proposed amendment   | CSTP, CSTPO,<br>DIE, EMDF, MSP,<br>MSTP, PSTP          |  |
| s 96C                             | Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 96F                             | Duty to consider the panel's report under s 96E  | Not Delegated  |  |
| s 96G(1)                          | Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996) | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 96H(3)                          | Power to give notice in compliance with Minister's direction   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 96J                             | Power to issue permit as directed by the Minister  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |
| s 96K                             | Duty to comply with direction of the Minister to give notice of refusal  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP               |  |

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

| <b>Planning and Environment Act 1987</b> |  |   |  |
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| s 97Q(2)                                 | Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP,<br>SSTP, STP      |  |
| s 97Q(4)                                 | Duty to comply with directions of VCAT   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP,<br>SSTP, STP      |  |
| s 97R                                    | Duty to keep register of all applications for certificate of compliance and related decisions      | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP,<br>SAO, SSTP, STP |  |
| s 98(1)&(2)                              | Function of receiving claim for compensation in certain circumstances                              | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP                    |  |
| s 98(4)                                  | Duty to inform any person of the name of the person from whom compensation can be claimed          | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP                    |  |
| s 101                                    | Function of receiving claim for expenses in conjunction with claim                                 | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP                    |  |
| s 103                                    | Power to reject a claim for compensation in certain circumstances                                  | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP                    |  |
| s.107(1)                                 | function of receiving claim for compensation   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP                    |  |
| s 107(3)                                 | Power to agree to extend time for making claim   | CSTP, CSTPO,<br>DIE, EMDF,<br>MSTP, PSTP                    |  |
| s 114(1)                                 | Power to apply to the VCAT for an enforcement order  | CCPE, CSTP,<br>CSTPO, DIE,<br>EMDF, EMRS,<br>MSTP, PSTP     |  |

| Planning and Environment Act 1987 |  |   |                   |
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| s 117(1)(a)                       | Function of making a submission to the VCAT where objections are received                                    | CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP      |                   |
| s 120(1)                          | Power to apply for an interim enforcement order where s 114 application has been made                        | CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP      |                   |
| s 123(1)                          | Power to carry out work required by enforcement order and recover costs                                      | CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP      |                   |
| s 123(2)                          | Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)                         | CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP        | Except Crown Land |
| s 129                             | Function of recovering penalties   | CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP        |                   |
| s 130(5)                          | Power to allow person served with an infringement notice further time  | CCPE, CSTP, CSTPO, DBS, DIE, EMDF, EMRS, MSTP, PSTP |                   |
| s 149A(1)                         | Power to refer a matter to the VCAT for determination  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP                  |                   |
| s 149A(1A)                        | power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement | CCPE, CSTP, CSTPO, DIE, EMDF, EMRS, MSTP, PSTP      |                   |

| Planning and Environment Act 1987 |   |   |  |
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| s 156                             | Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4) | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP      | Where Council is the relevant planning authority   |
| s 171(2)(f)                       | Power to carry out studies and commission reports   | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP      |  |
| s 171(2)(g)                       | Power to grant and reserve easements  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP, STP |  |
| s 172C                            | Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan   | DBS, DIE, EMDF                          | Where Council is a development agency specified in an approved infrastructure contributions plan   |
| s 172D(1)                         | Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)   | DBS, DIE, EMDF                          | Where Council is a collecting agency specified in an approved infrastructure contributions plan    |
| s 172D(2)                         | Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)   | DBS, DIE, EMDF                          | Where Council is the development agency specified in an approved infrastructure contributions plan |



| Planning and Environment Act 1987 |  |  |   |
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| s 173(1)                          | Power to enter into agreement covering matters set out in s 174  | CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP                                       |   |
| s 173(1A)                         | Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing  | DBS, DDP, DIE, MED   | Where Council is the relevant responsible authority |
|                                   | Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority | CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP                                       |   |
|                                   | Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority           | CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSP, MSTP, PSTP                                  |   |
| s 177(2)                          | Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9   | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP  |   |
| s 178                             | power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9   | CSTP, CSTPO, DBS, DDP, DIE, EMDF, MSTP, PSTP                                       |   |
| s 178A(1)                         | Function of receiving application to amend or end an agreement   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP,  |   |

| Planning and Environment Act 1987 |   |   |  |
|-----------------------------------|---|---|--|
|                                   |   | PMUR, PPSP,<br>PSTP, SP, SPAO,<br>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, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PMUR, PPSP,<br>PSTP, SP, SPAO,<br>SSP, SSTP, STP |  |
| s 178A(5)                         | Power to propose to amend or end an agreement   | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PMUR, PPSP,<br>PSTP, SP, SSP,<br>SSTP, STP       |  |
| s 178B(1)                         | Duty to consider certain matters when considering proposal to amend an agreement  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PMUR, PPSP,<br>PSTP, SP, SSP,<br>SSTP, STP       |  |
| s 178B(2)                         | Duty to consider certain matters when considering proposal to end an agreement  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PMUR, PPSP,<br>PSTP, SP, SSP,<br>SSTP, STP       |  |
| s 178C(2)                         | Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PMUR, PPSP,<br>PSTP, SP, SPAO,<br>SSP, SSTP, STP |  |

| Planning and Environment Act 1987 |   |  |   |
|-----------------------------------|---|--|---|
| s 178C(4)                         | Function of determining how to give notice under s 178C(2)  | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP   |   |
| s 178E(1)                         | Duty not to make decision until after 14 days after notice has been given                             | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP |   |
| s.178E(2)(a)                      | Power to amend or end the agreement in accordance with the proposal                                   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP | If no objections are made under s 178D<br><br>Must consider matters in s 178B |
| s 178E(2)(b)                      | Power to amend or end the agreement in a manner that is not substantively different from the proposal | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP | If no objections are made under s 178D<br><br>Must consider matters in s 178B |
| s 178E(2)(c)                      | Power to refuse to amend or end the agreement   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP | If no objections are made under s 178D<br><br>Must consider matters in s 178B |
| s 178E(3)(a)                      | Power to amend or end the agreement in accordance with the proposal                                   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP,                          | After considering objections, submissions and                                 |

| Planning and Environment Act 1987 |  |  |   |
|-----------------------------------|--|--|---|
|                                   |  | PSTP, SP, SSP, SSTP, STP   | matters in s 178B   |
| s 178E(3)(b)                      | Power to amend or end the agreement in a manner that is not substantively different from the proposal  | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP,  |   |

| Planning and Environment Act 1987 |   |  |  |
|-----------------------------------|---|--|--|
|                                   |   | PMUR, PPSP,<br>PSTP, SP, SPAO,<br>SSP, SSTP, STP   |  |
| s 178G                            | Duty to sign amended agreement and give copy to each other party to the agreement   | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PSTP  |  |
| s 178H                            | Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSP, MSTP,<br>PMUR, PPSP,<br>PSTP, SP, SPAO,<br>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, CSTPO,<br>DDP, DIE, EMDF,<br>EMPSFM, MSP,<br>MSTP, PMUR,<br>PPSP, PSTP, SP,<br>SPAO, SSP,<br>SSTP, STP |  |
| s 179(2)                          | Duty to make available for inspection copy agreement  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSTP, PSTP  |  |
| s 181                             | Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General                           | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSTP, PSTP  |  |
| s 181(1A)(a)                      | Power to apply to the Registrar of Titles to record the agreement   | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSTP, PSTP  |  |
| s 181(1A)(b)                      | Duty to apply to the Registrar of Titles, without delay, to record the agreement  | CSTP, CSTPO,<br>DDP, DIE, EMDF,<br>MSTP, PSTP  |  |
| s 182                             | Power to enforce an agreement   | CSTP, CSTPO,<br>DDP, DIE, EMDF,  |  |

| Planning and Environment Act 1987 |   |  |  |
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|                                   |   | EMRS, MSTP, PSTP   |  |
| s 183                             | Duty to tell Registrar of Titles of ending/amendment of agreement   | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP  |  |
| s 184F(1)                         | Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, 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, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP       |  |
| s 184G(2)                         | Duty to comply with a direction of the Tribunal   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |  |

| Planning and Environment Act 1987 |  |  |  |
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| s 184G(3)                         | Duty to give notice as directed by the Tribunal  | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |  |
| s 198(1)                          | Function to receive application for planning certificate   | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP, SAO, SSTP, STP                            |  |
| s 199(1)                          | Duty to give planning certificate to applicant   | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP, SPAO, SSTP, STP                           |  |
| s 201(1)                          | Function of receiving application for declaration of underlying zoning   | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP, SSTP, STP                                 |  |
| s 201(3)                          | Duty to make declaration   | CSTP, CSTPO, DDP, DIE, EMDF, MSTP, PSTP  |  |
|                                   | Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council        | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, 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, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PPSP, PSTP                           |  |

| Planning and Environment Act 1987       |   |                                    |  |
|---|---|------------------------------------|--|
|   | Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit | CSTP, CSTPO, DIE, EMDF, MSTP, PSTP |  |
|   | Power to give written authorisation in accordance with a provision of a planning scheme   | CSTP, CSTPO, DIE, MSTP, PSTP       |  |
| s 201UAB(1)                             | Function of providing the Victoria Planning Authority with information relating to any land within municipal district                               | DDP, EMEP, MSP, PMUR, PPSP         |  |
| s 201UAB(2)                             | Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible                                    | DDP, EMEP, MSP, PMUR, PPSP         |  |
| Rail Safety (Local Operations) Act 2006 |   |                                    |  |
| Provision                               | Item Delegated  | Delegate                           | Conditions and Limitations   |
| s 33                                    | Duty to comply with a direction of the Safety Director under s 33   | DIE, EMI, EMOE                     | Where Council is a utility under s 3                                   |
| s 33A                                   | Duty to comply with a direction of the Safety Director to give effect to arrangements under s 33A   | DIE, EMI, EMOE                     | Duty of Council as a road authority under the Road Management Act 2004 |
| s 34                                    | Duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under s 33(1)      | DIE, EMI, EMOE                     | Where Council is a utility under s 3                                   |
| s 34C(2)                                | Function of entering into safety interface agreements with rail infrastructure manager  | DIE, EMI, EMOE                     | Where Council is the relevant road authority                           |
| s 34D(1)                                | Function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed                       | CRM, DIE, EMI, EMOE                | Where Council is the relevant road authority                           |



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

| <b>Rail Safety (Local Operations) Act 2006</b> |  |  |  |
|--|--|--|--|
| s 34J(7)                                       | Duty to comply with a direction of the Safety Director given under s 34J(5)  | DIE, EMI, EMOE   | Where Council is the relevant road authority |
| s 34K(2)                                       | Duty to maintain a register of items set out in s 34K(a)-(b)   | DIE, EMI   | Where Council is the relevant road authority |
| <b>Residential Tenancies Act 1997</b>          |  |  |  |
| <b>Provision</b>                               | <b>Item Delegated</b>  | <b>Delegate</b>  | <b>Conditions and Limitations</b>            |
| s 142D   | Function of receiving notice regarding an unregistered rooming house   | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA TS, TOEH |  |
| s 142G(1)                                      | Duty to enter required information in Rooming House Register for each rooming house in municipal district          | CEH, EMRS, TLEH  |  |
| s 142G(2)                                      | Power to enter certain information in the Rooming House Register   | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA TS, TOEH |  |
| s 142I(2)                                      | Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry | AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRSA TS, TOEH |  |
| s 252  | Power to give tenant a notice to vacate rented premises if s 252(1) applies  | DIE, EMPSFM  | Where Council is the landlord                |
| s 262(1)                                       | Power to give tenant a notice to vacate rented premises  | DIE, EMPSFM  | Where Council is the landlord                |
| s 262(3)                                       | Power to publish its criteria for eligibility for the provision of housing by Council                              | DIE, EMOE, EMPSFM  |  |

| <b>Residential Tenancies Act 1997</b> |   |  |  |
|---------------------------------------|---|--|--|
| s 518F                                | Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements | CEH, EHO, EMPSFM, EMRS, TLEH, TOEH           |  |
| s 522(1)                              | Power to give a compliance notice to a person   | CBS, CEH, EHO, EMRS, MBS, TLEH, TOEH         |  |
| s 525(2)                              | Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)  | DIE  |  |
| s 525(4)                              | Duty to issue identity card to authorised officers  | AOSC, CRC, EMSRCS                            |  |
| s 526(5)                              | Duty to keep record of entry by authorised officer under s 526  | CBS, CEH, EHO, EMPSFM, EMRS, MBS, TLEH, TOEH |  |
| s 526A(3)                             | Function of receiving report of inspection  | AOEH, CEH, EHO, HSO, TLEH, TLRATS, TOEH      |  |
| s 527                                 | Power to authorise a person to institute proceedings (either generally or in a particular case)   | CBS, CEH, EHO, EMPSFM, EMRS, MBS, TLEH, TOEH |  |
| <b>Road Management Act 2004</b>       |   |  |  |
| Provision                             | Item Delegated  | Delegate                                     | Conditions and Limitations                           |
| s 11(1)                               | Power to declare a road by publishing a notice in the Government Gazette  | DIE, EMDF, EMI, EMOE                         | Obtain consent in circumstances specified in s 11(2) |
| s 11(8)                               | Power to name a road or change the name of a road by publishing notice in Government Gazette  | DIE, EMDF, EMI, EMOE                         |  |
| s 11(9)(b)                            | Duty to advise Registrar  | DIE, EMDF, EMI, EMOE                         |  |

| Road Management Act 2004 |   |                      |   |
|--------------------------|---|----------------------|---|
| s 11(10)                 | Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc. | DIE, EMDF, EMI, EMOE | Subject to s 11(10A)  |
| s 11(10A)                | Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person | DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority  |
| s 12(2)                  | Power to discontinue road or part of a road   | DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority  |
| s 12(4)                  | Power to publish, and provide copy, notice of proposed discontinuance                               | DIE, EMDF, EMI, EMOE | Power of coordinating road authority where it is the discontinuing body<br><br>Unless s 12(11) applies    |
| s 12(5)                  | Duty to consider written submissions received within 28 days of notice                              | DIE, EMDF, EMI, EMOE | Duty of coordinating road authority where it is the discontinuing body<br><br>Unless s 12(11) applies     |
| s 12(6)                  | Function of hearing a person in support of their written submission                                 | DIE, EMDF, EMI, EMOE | Function of coordinating road authority where it is the discontinuing body<br><br>Unless s 12(11) applies |

| Road Management Act 2004 |  |                           |  |
|--------------------------|--|---------------------------|--|
| s 12(7)                  | Duty to fix day, time and place of meeting under s 12(6) and to give notice  | DIE, EMDF, EMI, EMOE      | Duty of coordinating road authority where it is the discontinuing body<br><br>Unless s 12(11) applies  |
| s 12(10)                 | Duty to notify of decision made  | DIE, EMDF, EMI, EMOE      | Duty of coordinating road authority where it is the discontinuing body<br><br>Does not apply where an exemption is specified by the regulations or given by the Minister |
| s 13(1)                  | Power to fix a boundary of a road by publishing notice in Government Gazette | DIE, EMDF, EMI, EMOE      | Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate   |
| s 14(4)                  | Function of receiving notice from VicRoads                                   | CIT, DIE, EMDF, EMI, EMOE |  |

| Road Management Act 2004 |  |                                |   |
|--------------------------|--|--------------------------------|---|
| s 14(7)                  | Power to appeal against decision of VicRoads   | CAM, CIT, DIE, EMDF, EMI, EMOE |   |
| s 15(1)                  | Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport | CAM, DIE, EMDF, EMI, EMOE      |   |
| s 15(1A)                 | Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority   | CAM, DIE, EMDF, EMI            |   |
| s 15(2)                  | Duty to include details of arrangement in public roads register  | CAM, DIE, EMDF, EMI            |   |
| s 16(7)                  | Power to enter into an arrangement under s 15  | CAM, DIE, EMDF, EMI            |   |
| s 16(8)                  | Duty to enter details of determination in public roads register  | CAM, DIE, EMDF, EMI            |   |
| s 17(2)                  | Duty to register public road in public roads register  | CAM, 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, 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, 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 |

| Road Management Act 2004 |  |  |  |
|--------------------------|--|--|--|
|                          |  |  | circumstances specified in s 18(2)                   |
| s 18(3)                  | Duty to record designation in public roads register  | CAM, 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, DIE, EMDF, EMI  |  |
| s 19(4)                  | Duty to specify details of discontinuance in public roads register                                       | CAM, DIE, EMDF, EMI  |  |
| s 19(5)                  | Duty to ensure public roads register is available for public inspection                                  | CAM, DIE, EMDF, EMI  |  |
| s 21                     | Function of replying to request for information or advice  | CAM, DIE, EMDF, EMI  | Obtain consent in circumstances specified in s 11(2) |
| s 22(2)                  | Function of commenting on proposed direction   | CAM, DIE, EMDF, EMI  |  |
| s 22(4)                  | Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report. | DIE, EMOE  |  |
| s 22(5)                  | Duty to give effect to a direction under s 22  | DIE, EMOE  |  |
| s 40(1)                  | Duty to inspect, maintain and repair a public road.  | CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR |  |
| s 40(5)                  | Power to inspect, maintain and repair a road which is not a public road                                  | CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR |  |
| s 41(1)                  | Power to determine the standard of construction, inspection, maintenance and repair                      | CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS,                        |  |

| Road Management Act 2004 |  |                                   |  |
|--------------------------|--|-----------------------------------|--|
|                          |  | RMS, SASU, TLPD, TLRS, TLSR, TLUR |  |
| s 42(1)                  | Power to declare a public road as a controlled access road   | CAM, DIE, EMDF, EMI               | Power of coordinating road authority and sch 2 also applies  |
| s 42(2)                  | Power to amend or revoke declaration by notice published in Government Gazette   | CAM, DIE, EMDF, EMI               | Power of coordinating road authority and sch 2 also applies  |
| s 42A(3)                 | Duty to consult with VicRoads before road is specified   | CAM, DIE, EMDF, EMI, EMOE         | Where Council is the coordinating road authority<br><br>If road is a municipal road or part thereof  |
| s 42A(4)                 | Power to approve Minister's decision to specify a road as a specified freight road   | CIT, DIE, EMDF, EMI, EMOE         | Where Council is the coordinating road authority<br><br>If road is a municipal road or part thereof and where road is to be specified a freight road |
| s 48EA                   | Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport) | DIE, EMDF, EMI, EMOE              | Where Council is the responsible road authority, infrastructure  |



| Road Management Act 2004 |  |  |  |
|--------------------------|--|--|--|
|                          |  |  | manager or works manager                         |
| s 48M(3)                 | Function of consulting with the relevant authority for purposes of developing guidelines under s 48M             | DIE, EMDF, EMI, EMOE   |  |
| s 49                     | Power to develop and publish a road management plan  | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 51                     | Power to determine standards by incorporating the standards in a road management plan                            | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 53(2)                  | Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 54(2)                  | Duty to give notice of proposal to make a road management plan   | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 54(5)                  | Duty to conduct a review of road management plan at prescribed intervals   | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 54(6)                  | Power to amend road management plan  | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 54(7)                  | Duty to incorporate the amendments into the road management plan   | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 55(1)                  | Duty to cause notice of road management plan to be published in Government Gazette and newspaper                 | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS                       |  |
| s 63(1)                  | Power to consent to conduct of works on road   | CAM, CRM, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLRs, TLSR, TLUR | Where Council is the coordinating road authority |

| Road Management Act 2004 |  |  |  |
|--------------------------|--|--|--|
| s 63(2)(e)               | Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency   | CAM, CEH, CRM, EMI, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR                              | Where Council is the infrastructure manager                  |
| s 64(1)                  | Duty to comply with cl 13 of sch 7   | CAM, DIE, EMDF, EMI  | Where Council is the infrastructure manager or works manager |
| s 66(1)                  | Power to consent to structure etc  | CAM, DIE, EMDF, EMI  | Where Council is the coordinating road authority             |
| s 67(2)                  | Function of receiving the name & address of the person responsible for distributing the sign or bill | CAM, DIE, EMDF, EMI  | Where Council is the coordinating road authority             |
| s 67(3)                  | Power to request information   | CAM, DIE, EMDF, EMI  | Where Council is the coordinating road authority             |
| s 68(2)                  | Power to request information   | CAM, DIE, EMDF, EMI  | Where Council is the coordinating road authority             |
| s 71(3)                  | Power to appoint an authorised officer   | CAM, CID, CIT, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLPSE, TLRS, TLSR, TLUR |  |
| s 72                     | Duty to issue an identity card to each authorised officer  | AOSC, CRC, DBS, EMSRCS, SCO  |  |
| s 85                     | Function of receiving report from authorised officer   | DIE, EMDF, EMI   |  |
| s 86                     | Duty to keep register re s 85 matters  | DIE, EMDF, EMI   |  |

| Road Management Act 2004 |  |   |  |
|--------------------------|--|---|--|
| s 87(1)                  | Function of receiving complaints   | CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR            |  |
| s 87(2)                  | Duty to investigate complaint and provide report   | CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR       |  |
| s 112(2)                 | Power to recover damages in court  | DIE, EMDF, EMI, EMOE  |  |
| s 116                    | Power to cause or carry out inspection   | CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR            |  |
| s 119(2)                 | Function of consulting with VicRoads   | DIE, EMDF, EMI, EMOE  |  |
| s 120(1)                 | Power to exercise road management functions on an arterial road (with the consent of VicRoads)             | CAM, DIE, EMDF, EMI, EMOE, SASU   |  |
| s 120(2)                 | Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1) | CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR |  |
| s 121(1)                 | Power to enter into an agreement in respect of works   | CAM, DIE, EMDF, EMI, EMOE   |  |
| s 122(1)                 | Power to charge and recover fees   | CAM, DIE, EMDF, EMI, EMOE   |  |

| Road Management Act 2004 |  |   |  |
|--------------------------|--|---|--|
| s 123(1)                 | Power to charge for any service  | CRM, DBS, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR |  |
| sch 2 cl 2(1)            | Power to make a decision in respect of controlled access roads   | CAM, DIE, EMDF, EMI   |  |
| sch 2 cl 3(1)            | Duty to make policy about controlled access roads  | Not Delegated   |  |
| sch 2 cl 3(2)            | Power to amend, revoke or substitute policy about controlled access roads  | Not Delegated   |  |
| sch 2 cl 4               | Function of receiving details of proposal from VicRoads  | CAM, DIE, EMDF, EMI   |  |
| sch 2 cl 5               | Duty to publish notice of declaration  | CAM, DIE, EMDF, EMI   |  |
| sch 7 cl 7(1)            | Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve   | CAM, DIE, EMDF, EMI   | Where Council is the infrastructure manager or works manager   |
| sch 7 cl 8(1)            | Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road                                     | CAM, DIE, EMDF, EMI   | Where Council is the infrastructure manager or works manager   |
| sch 7 cl 9(1)            | Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works | CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, TLPD, TLRS, TLSR, TLUR | Where Council is the infrastructure manager or works manager responsible for non-road infrastructure |
| sch 7 cl 9(2)            | Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance  | CAM, DIE, EMDF, EMI   | Where Council is the infrastructure  |

| Road Management Act 2004 |  |   |  |
|--------------------------|--|---|--|
|                          |  |   | manager or works manager                                     |
| sch 7 cl 10(2)           | Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected | CAM, DIE, EMDF, EMI   | Where Council is the infrastructure manager or works manager |
| sch 7 cl 12(2)           | Power to direct infrastructure manager or works manager to conduct reinstatement works   | CAM, DIE, EMDF, EMI, SASU   | Where Council is the coordinating road authority             |
| sch 7 cl 12(3)           | Power to take measures to ensure reinstatement works are completed   | CAM, DIE, EMDF, EMI, SASU   | Where Council is the coordinating road authority             |
| sch 7 cl 12(4)           | Duty to ensure that works are conducted by an appropriately qualified person   | CAM, CRM, DIE, EMDF, EMI, EMOE, RMCS, RMS, SASU, TLPD, TLRs, TLSR, TLUR | Where Council is the coordinating road authority             |
| sch 7 cl 12(5)           | Power to recover costs   | CAM, DIE, EMDF, EMI, SASU   | Where Council is the coordinating road authority             |
| sch 7 cl 13(1)           | Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)              | CAM, DIE, EMDF, EMI   | Where Council is the works manager                           |
| sch 7 cl 13(2)           | Power to vary notice period  | CAM, DIE, EMDF, EMI   | Where Council is the coordinating road authority             |
| sch 7 cl 13(3)           | Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)  | CAM, DIE, EMDF, EMI   | Where Council is the infrastructure manager                  |
| sch 7 cl 16(1)           | Power to consent to proposed works   | CAM, DIE, EMDF, EMI   | Where Council is the coordinating road authority             |

| Road Management Act 2004 |  |                           |   |
|--------------------------|--|---------------------------|---|
| sch 7 cl 16(4)           | Duty to consult  | CAM, DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority, responsible authority or infrastructure manager |
| sch 7 cl 16(5)           | Power to consent to proposed works   | CAM, DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority  |
| sch 7 cl 16(6)           | Power to set reasonable conditions on consent  | CAM, DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority  |
| sch 7 cl 16(8)           | Power to include consents and conditions   | CAM, DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority  |
| sch 7 cl 17(2)           | Power to refuse to give consent and duty to give reasons for refusal   | CAM, DIE, EMDF, EMI       | Where Council is the coordinating road authority  |
| sch 7 cl 18(1)           | Power to enter into an agreement   | CAM, DIE, EMDF, EMI       | Where Council is the coordinating road authority  |
| sch 7 cl 19(1)           | Power to give notice requiring rectification of works  | CAM, DIE, EMDF, EMI, SASU | Where Council is the coordinating road authority  |
| sch 7 cl 19(2) & (3)     | Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred | CAM, DIE, EMDF, EMI, SASU | Where Council is the coordinating road authority  |
| sch 7 cl 20(1)           | Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure                                   | CAM, DIE, EMDF, EMI, SASU | Where Council is the coordinating road authority  |
| sch 7A cl 2              | Power to cause street lights to be installed on roads  | DIE, EMDF, EMI            | Power of responsible road authority where   |

| Road Management Act 2004  |   |                |   |
|---|---|----------------|---|
|   |   |                | it is the coordinating road authority or responsible road authority in respect of the road  |
| sch 7 cl 3(1)(d)  | Duty to pay installation and operation costs of street lighting - where road is not an arterial road                                  | DIE, EMDF, EMI | Where Council is the responsible road authority   |
| sch 7A cl 3(1)(e)   | Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas | DIE, EMDF, EMI | Where Council is the responsible road authority   |
| sch 7A cl 3(1)(f)   | Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4  | DIE, EMDF, EMI | Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs) |
| Cemeteries and Crematoria Regulations 2015  |   |                |   |
| [##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |                |   |
| Provision   | Item Delegated  | Delegate       | Conditions and Limitations  |
| r 24  | Duty to ensure that cemetery complies with depth of burial requirements   | DIE, EMPSFM    |   |
| r 25  | Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves                                | DIE, EMPSFM    |   |
| r 27  | Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)                      | DIE, EMPSFM    |   |

| <b>Cemeteries and Crematoria Regulations 2015</b><br>[##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 28(1)   | Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator | DIE, EMPSFM            |                                 |
| r 28(2)   | Duty to ensure any fittings removed of are disposed in an appropriate manner  | DIE, EMPSFM            |                                 |
| r 29  | Power to dispose of any metal substance or non-human substance recovered from a cremator  | DIE, EMPSFM            |                                 |
| r 30(2)   | Power to release cremated human remains to certain persons  | DIE, EMPSFM            | Subject to any order of a court |
| r 31(1)   | Duty to make cremated human remains available for collection within 2 working days after the cremation  | DIE, EMPSFM            |                                 |
| r 31(2)   | Duty to hold cremated human remains for at least 12 months from the date of cremation   | DIE, EMPSFM            |                                 |
| 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)   | DIE, EMPSFM            |                                 |
| r 33(1)   | Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)                               | DIE, EMPSFM            |                                 |
| r 33(2)   | Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)  | DIE, EMPSFM            |                                 |
| r 34  | Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)   | DIE, EMPSFM            |                                 |
| r 36  | Duty to provide statement that alternative vendors or supplier of monuments exist   | DIE, EMPSFM            |                                 |
| r 40  | Power to approve a person to play sport within a public cemetery  | DIE, EMPSFM            |                                 |
| r 41(1)   | Power to approve fishing and bathing within a public cemetery   | DIE, EMPSFM            |                                 |
| r 42(1)   | Power to approve hunting within a public cemetery   | DIE, EMPSFM            |                                 |
| r 43  | Power to approve camping within a public cemetery   | DIE, EMPSFM            |                                 |
| r 45(1)   | Power to approve the removal of plants within a public cemetery   | CPG, DIE, EMPSFM       |                                 |
| r 46  | Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)   | CPG, DIE, EMOE, EMPSFM |                                 |
| r 47(3)   | Power to approve the use of fire in a public cemetery   | DIE, EMPSFM            |                                 |
| r 48(2)   | Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area                                 | CPG, DIE, EMOE, EMPSFM |                                 |
|   | Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules                           | CPG, DIE, EMOE, EMPSFM |                                 |



| <b>Cemeteries and Crematoria Regulations 2015</b><br>[##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)] |  |                        |                                      |
|---|--|------------------------|--------------------------------------|
| sch 2 cl 4  | Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2  | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 5(1)   | Duty to display the hours during which pedestrian access is available to the cemetery  | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 5(2)   | Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 6(1)   | Power to give directions regarding the manner in which a funeral is to be conducted  | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 7(1)   | Power to give directions regarding the dressing of places of interment and memorials   | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 8  | Power to approve certain mementos on a memorial  | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 11(1)  | Power to remove objects from a memorial or place of interment  | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 11(2)  | Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner   | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 12   | Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies                                     | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |
| sch 2 cl 14   | Power to approve an animal to enter into or remain in a cemetery   | CPG, DIE, EMOE, EMPSFM | See note above regarding model rules |

| <b>Cemeteries and Crematoria Regulations 2015</b>   |   |   |   |
|---|---|---|---|
| [##These provisions apply to Councils appointed as a cemetery trust under section 5 of the Cemeteries and Crematoria Act 2003, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53) |   |   |   |
| sch 2 cl 16(1)  | Power to approve construction and building within a cemetery  | CPG, DIE, EMOE, EMPSFM                  | See note above regarding model rules  |
| sch 2 cl 17(1)  | Power to approve action to disturb or demolish property of the cemetery trust   | CPG, DIE, EMOE, EMPSFM                  | See note above regarding model rules  |
| sch 2 cl 18(1)  | Power to approve digging or planting within a cemetery  | CPG, DIE, EMOE, EMPSFM                  | See note above regarding model rules  |
| <b>Planning and Environment Regulations 2015</b>  |   |   |   |
| Provision   | Item Delegated  | Delegate                                | Conditions and Limitations  |
| r.6   | function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme  | DDP, DIE, EMDF, EMEP, MSP, MSTP         | where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority. |
| r.21  | power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, |   |

| Planning and Environment Regulations 2015        |   |   |   |
|--|---|---|---|
|  |   | PSTP, SAO, SP, SSP, SSTP, STP   |   |
| r.25(a)  | duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge  | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSP, SSTP, STP       | where Council is the responsible authority  |
| r.25(b)  | function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge                              | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SAO, SP, SSP, 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  |
| r 19   | Power to waive or rebate a fee relating to an amendment of a planning scheme  | DDP, EMEP, MSP  |   |

| Planning and Environment (Fees) Regulations 2016  |  |  |                            |
|---|--|--|----------------------------|
| r 20  | Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme                                | DIE, EMDF, MSTP  |                            |
| r 21  | Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20 | DDP, DIE, EMDF, EMEP, MSP, MSTP  |                            |
| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010 |  |  |                            |
| Provision   | Item Delegated   | Delegate   | Conditions and Limitations |
| r 7   | Function of entering into a written agreement with a caravan park owner  | CEH, EHO, EMPSFM, TLEH, TOEH   |                            |
| r 11  | Function of receiving application for registration   | AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, RSSO, TLEH, TLRATS, TOEH |                            |
| r 13(1)   | Duty to grant the registration if satisfied that the caravan park complies with these regulations                            | CEH, EHO, TLEH, TOEH   |                            |
| r 13(2)   | Duty to renew the registration if satisfied that the caravan park complies with these regulations                            | CEH, EHO, TLEH, TOEH   |                            |
| r.13(2)   | power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations             | CEH, EHO, TLEH   |                            |
| r 13(4) & (5)   | Duty to issue certificate of registration  | CEH, EHO, TLEH, TOEH   |                            |
| r 15(1)   | Function of receiving notice of transfer of ownership  | AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, RSSO, TLEH, TLRATS, TOEH |                            |
| r 15(3)   | Power to determine where notice of transfer is displayed   | CEH, EHO, TLEH, TOEH   |                            |

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

| <b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2010</b> |  |  |  |
|--|--|--|--|
| r 39(b)  | Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe  | CBS, DIE, EMPSFM, EMRS, MBS            |  |
| r 40(4)  | Function of receiving installation certificate   | CBS, DIE, EMPSFM, EMRS, MBS            |  |
| r 42   | Power to approve use of a non-habitable structure as a dwelling or part of a dwelling  | CBS, DIE, EMPSFM, EMRS, MBS            |  |
| sch 3 cl4(3)   | Power to approve the removal of wheels and axles from unregistrable movable dwelling   | DIE, EMRS                              |  |
| <b>Road Management (General) Regulations 2016</b>  |  |  |  |
| <b>Provision</b>   | <b>Item Delegated</b>  | <b>Delegate</b>                        | <b>Conditions and Limitations</b>                |
| r 8(1)   | Duty to conduct reviews of road management plan  | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS |  |
| r 9(2)   | Duty to produce written report of review of road management plan and make report available   | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS |  |
| r 9(3)   | Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required) | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS | Where Council is the coordinating road authority |
| r.10   | Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act          | CAM, CRC, DIE, EMDF, EMI, EMOE, EMSRCS |  |
| 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 |  |

| <b>Road Management (General) Regulations 2016</b>   |   |                                 |   |
|---|---|---------------------------------|---|
| r 16(3)   | Power to issue permit   | CAM, DIE, EMDF, EMI, EMOE       | Where Council is the coordinating road authority  |
| r 18(1)   | Power to give written consent re damage to road   | CAM, DIE, EMDF, EMI, EMOE       | Where Council is the coordinating road authority  |
| r 23(2)   | Power to make submission to Tribunal  | CAM, DIE, EMDF, EMI, EMOE       | Where Council is the coordinating road authority  |
| r 23(4)   | Power to charge a fee for application under s 66(1) Road Management Act   | CAM, DIE, EMDF, EMI, EMOE       | Where Council is the coordinating road authority  |
| r 25(1)   | Power to remove objects, refuse, rubbish or other material deposited or left on road  | CAM, DIE, EMDF, EMI, EMOE, SASU | 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, DIE, EMDF, EMI, EMOE       | Where Council is the responsible road authority   |
| r 25(5)   | Power to recover in the Magistrates' Court, expenses from person responsible  | CAM, DIE, EMDF, EMI, EMOE       |   |
| <b>Road Management (Works and Infrastructure) Regulations 2015</b><br>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 cl 13(1) of sch 7 of the Act to give notice as to the completion of those works | DIE, EMDF, EMI, EMOE            | Where Council is the coordinating road authority and where consent given under s 63(1) of the Act |

**Road Management (Works and Infrastructure) Regulations 2015**

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

|         |  |                      |  |
|---------|--|----------------------|--|
| r 22(2) | Power to waive whole or part of fee in certain circumstances | DIE, EMDF, EMI, EMOE | Where Council is the coordinating road authority |
|---------|--|----------------------|--|

Page |

94



## Provisions for

- Senior Strategic Planner (SSP)

| Section  | Delegation Source                 | Item Delegated / Authorisation   | Conditions and Limitations | Delegate / Authorised Officer  |
|----------|-----------------------------------|--|----------------------------|--|
| s 53M(3) | Environment Protection Act 1970   | Power to require further information   |                            | CEH, CSTP, CSTPO, DDP, DIE, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP, TLEH, TOEH |
| s 53M(4) | Environment Protection Act 1970   | Duty to advise applicant that application is not to be dealt with  |                            | CEH, CSTP, CSTPO, DDP, DIE, EHO, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP, TLEH, TOEH |
| s 4H     | Planning and Environment Act 1987 | Duty to make amendment to Victoria Planning Provisions available   |                            | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP                 |
| s 4I     | Planning and Environment Act 1987 | Duty to keep Victorian Planning Provisions and other documents available   |                            | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP                 |
| s 17(1)  | Planning and Environment Act 1987 | Duty of giving copy amendment to the planning scheme   |                            | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                            |
| s 17(2)  | Planning and Environment Act 1987 | Duty of giving copy s 173 agreement  |                            | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                            |
| s 17(3)  | Planning and Environment Act 1987 | Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days |                            | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                            |
| s 18     | Planning and Environment Act 1987 | Duty to make amendment etc. available  |                            | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                      |

|            |                                   |   |  |   |
|------------|-----------------------------------|---|--|---|
| s 19       | Planning and Environment Act 1987 | Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP             |
| s 19       | Planning and Environment Act 1987 | Function of receiving notice of preparation of an amendment to a planning scheme  | Where Council is not the planning authority and the amendment affects land within Council's municipal district; or<br><br>Where the amendment will amend the planning scheme to designate Council as an acquiring authority. | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP             |
| s 21(2)    | Planning and Environment Act 1987 | Duty to make submissions available  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP             |
| s 21A(4)   | Planning and Environment Act 1987 | Duty to publish notice  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP       |
| s 22       | Planning and Environment Act 1987 | Duty to consider all submissions  | Except submissions which request a change to the items in s 22(5)(a) and (b)   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, EMOE, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP |
| s 23(1)(b) | Planning and Environment Act 1987 | Duty to refer submissions which request a change to the amendment to a panel  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP       |
| s 23(2)    | Planning and Environment Act 1987 | Power to refer to a panel submissions which do not require a change to the amendment  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP       |
| s 24       | Planning and Environment Act 1987 | Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)  |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP                   |
| s 26(1)    | Planning and Environment Act 1987 | Power to make report available for inspection   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP             |

|            |                                   |  |  |  |
|------------|-----------------------------------|--|--|--|
| s 26(2)    | Planning and Environment Act 1987 | Duty to keep report of panel available for inspection  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |
| s 30(4)(a) | Planning and Environment Act 1987 | Duty to say if amendment has lapsed  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSP, SSTP, STP             |
| s 30(4)(b) | Planning and Environment Act 1987 | Duty to provide information in writing upon request  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SP, SPAO, SSP, SSTP, STP             |
| s 32(2)    | Planning and Environment Act 1987 | Duty to give more notice if required   |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP                        |
| s 33(1)    | Planning and Environment Act 1987 | Duty to give more notice of changes to an amendment  |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP                        |
| s 36(2)    | Planning and Environment Act 1987 | Duty to give notice of approval of amendment   |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                  |
| s 38(5)    | Planning and Environment Act 1987 | Duty to give notice of revocation of an amendment  |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                  |
| s 39       | Planning and Environment Act 1987 | Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT |  | CSTP, CSTPO, DDP, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP                        |
| s 40(1)    | Planning and Environment Act 1987 | Function of lodging copy of approved amendment   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP            |
| s 41       | Planning and Environment Act 1987 | Duty to make approved amendment available  |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP            |
| s 42       | Planning and Environment Act 1987 | Duty to make copy of planning scheme available   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP,  |

|            |                                   |  |  |   |
|------------|-----------------------------------|--|--|---|
|            |                                   |  |  | PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP  |
| s 46AZC(2) | Planning and Environment Act 1987 | 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                  | Where Council is a responsible public entity | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                       |
| s 46AZK    | Planning and Environment Act 1987 | 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 | Where Council is a responsible public entity | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP                       |
| s 50A(1)   | Planning and Environment Act 1987 | Power to make amendment to application   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSTP, PMUR, PPSP, PSTP, SAO, SO, SP, SPAO, SSP, SSTP, STP, TSODF |
| s 50A(3)   | Planning and Environment Act 1987 | Power to require applicant to notify owner and make a declaration that notice has been given   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PMUR, PPSP, PSTP, SO, SP, SPAO, SSP, SSTP, STP, TSODF |
| s 178A(1)  | Planning and Environment Act 1987 | Function of receiving application to amend or end an agreement   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP                  |
| s 178A(3)  | Planning and Environment Act 1987 | Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP                  |
| s 178A(4)  | Planning and Environment Act 1987 | Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal   |  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP                  |
| s 178A(5)  | Planning and Environment Act 1987 | Power to propose to amend or end an agreement  |  | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP                              |
| s 178B(1)  | Planning and Environment Act 1987 | Duty to consider certain matters when considering proposal to amend an agreement   |  | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP                              |

|              |                                   |   |   |  |
|--------------|-----------------------------------|---|---|--|
| s 178B(2)    | Planning and Environment Act 1987 | Duty to consider certain matters when considering proposal to end an agreement  |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s 178C(2)    | Planning and Environment Act 1987 | Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |
| s 178E(1)    | Planning and Environment Act 1987 | Duty not to make decision until after 14 days after notice has been given   |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s.178E(2)(a) | Planning and Environment Act 1987 | Power to amend or end the agreement in accordance with the proposal   | If no objections are made under s 178D<br><br>Must consider matters in s 178B | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s 178E(2)(b) | Planning and Environment Act 1987 | Power to amend or end the agreement in a manner that is not substantively different from the proposal   | If no objections are made under s 178D<br><br>Must consider matters in s 178B | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s 178E(2)(c) | Planning and Environment Act 1987 | Power to refuse to amend or end the agreement   | If no objections are made under s 178D<br><br>Must consider matters in s 178B | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s 178E(3)(a) | Planning and Environment Act 1987 | Power to amend or end the agreement in accordance with the proposal   | After considering objections, submissions and matters in s 178B               | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s 178E(3)(b) | Planning and Environment Act 1987 | Power to amend or end the agreement in a manner that is not substantively different from the proposal   | After considering objections, submissions and matters in s 178B               | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| s.178E(3)(c) | Planning and Environment Act 1987 | power to amend or end the agreement in a manner that is substantively different from the proposal   | After considering objections, submissions and matters in s.178B               | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |

|              |                                   |  |   |  |
|--------------|-----------------------------------|--|---|--|
| s 178E(3)(d) | Planning and Environment Act 1987 | Power to refuse to amend or end the agreement  | After considering objections, submissions and matters in s 178B | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP                     |
| s 178F(1)    | Planning and Environment Act 1987 | Duty to give notice of its decision under s 178E(3)(a) or (b)  |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP         |
| s 178F(2)    | Planning and Environment Act 1987 | Duty to give notice of its decision under s 178E(2)(c) or (3)(d)   |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP         |
| s 178F(4)    | Planning and Environment Act 1987 | Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP         |
| s 178H       | Planning and Environment Act 1987 | Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement  |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP               |
| s 178I(3)    | Planning and Environment Act 1987 | Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land  |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMPSFM, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |
| s 184F(1)    | Planning and Environment Act 1987 | Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision  |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP                     |
| s 184F(2)    | Planning and Environment Act 1987 | Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement                                      |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP               |
| s 184F(3)    | Planning and Environment Act 1987 | Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement    |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP               |
| s 184F(5)    | Planning and Environment Act 1987 | Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision   |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP                     |

|           |   |   |   |  |
|-----------|---|---|---|--|
| s 184G(2) | Planning and Environment Act 1987         | Duty to comply with a direction of the Tribunal   |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |
| s 184G(3) | Planning and Environment Act 1987         | Duty to give notice as directed by the Tribunal   |   | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP |
|           | Planning and Environment Act 1987         | Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council   |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP             |
| r.21      | Planning and Environment Regulations 2015 | power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act |   | CSTP, CSTPO, DDP, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSP, SSTP, STP                    |
| r.25(a)   | Planning and Environment Regulations 2015 | duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge  | where Council is the responsible authority  | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, MSP, MSTP, PSTP, SAO, SP, SSP, SSTP, STP              |
| r.25(b)   | Planning and Environment Regulations 2015 | 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  | where Council is not the responsible authority but the relevant land is within Council's municipal district | CSTP, CSTPO, DDP, DFAO, DIE, EMDF, EMEP, MSP, MSTP, PSTP, SAO, SP, SSP, SSTP, STP        |

### **11.11. OUTSTANDING QUESTION TIME ITEMS**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Christian Dymock -Administration Officer – Statutory Compliance

#### **OFFICER RECOMMENDATION**

**Council resolves to:**

**Endorse the Outstanding Question Time report.**

#### **EXECUTIVE SUMMARY**

This report provides Council with an update of responses to questions taken on notice and outstanding unanswered questions from public question time.

As of 28 January 2020 there are no outstanding questions.

#### **RATIONALE**

The City of Ballarat Meeting Procedure Local Law, Division 8, calls for a standard agenda item at each Council Meeting that reflects unanswered questions from public question time.

#### **LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS**

- City of Ballarat Meeting Procedure Local Law

#### **CONSULTATION**

Nil

#### **OFFICERS DECLARATION OF INTERESTS**

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

#### **REFERENCE DOCUMENTS**

Nil

#### **ATTACHMENTS**

1. Outstanding Question Time Items [11.11.1 - 1 page]
2. QT35/19 - Ms Lorice Jenkin [11.11.2 - 1 page]
3. QT37/19 - Mr Matt Briody [11.11.3 - 1 page]
4. QT39/19 - Mr John Barnes [11.11.4 - 3 pages]



| Outstanding Question Time Items |        |                             |  |   |  |
|---------------------------------|--------|-----------------------------|--|---|--|
| Meeting                         | Status | Requested                   | Question   | Officer Responsible   | Response   |
| 20/11/2019                      | Closed | QT35/19<br>Ms Lorice Jenkin | Ms Jenkin asked when driving into carpark from Greville / Little Channel Street it is very difficult to see if anything is coming.   | Mr Terry Demeo, Director<br>Infrastructure and Environment                  | Director Terry Demeo has provided a written response (see attached)    |
| 11/12/2019                      | Closed | QT39/19<br>Mr John Barnes   | Mr Barnes asked under the accountability goal in the Council Plan, of the 80 or so distinct successes provided by Councillors, what percentage have been reviewed so far (2017-2019), and what percentage will be done by 2021 (end of Council Plan) and how and when do Councillors sign off these reviews? | Mr Cameron Cahill, Director<br>Innovation and Organisational<br>Improvement | Director Cameron Cahill has provided a written response (see attached) |
| 11/12/2019                      | Closed | QT37/19<br>Mr Matt Briody   | Mr Brody asked if Council was happy with the Regional Roads Victoria project in Mair street and asked if it aligns with the Cycling Action Plan.   | Mr Terry Demeo, Director<br>Infrastructure and Environment                  | Director Terry Demeo has provided a written response (see attached)    |

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Date: 17 December 2019

Our Ref: TD:bk

Your Ref: QT35/19

Enquiries: 03 5320 5500

Email: [info@ballarat.vic.gov.au](mailto:info@ballarat.vic.gov.au)

Ms Lorice Jenkin  
[REDACTED]

Dear Ms Jenkin

**RE: PUBLIC QUESTION ASKED AT COUNCIL MEETING**

I refer to your public question asked at the Council meeting held on 20 November 2019 in regard to the sight lines in the carpark from Grenville Street / Little Channel Street and provide the following response.

Having reviewed the car park and the intersections within it, I agree that there is potential to enhance the layout for both vehicular and pedestrian safety. This project is now progressing as part of the broader Bakery Hill Redevelopment Project.

I appreciate you bringing this matter to Council's attention.

Please feel free to contact me directly on [REDACTED] if you wish to discuss the matter further.

Yours sincerely

A handwritten signature in blue ink, appearing to be "TJ" or "Terry".

Terry Demeo  
Director Infrastructure and Environment

CC: Mayor and Councillors  
Agenda Review

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Date: 18 December 2019  
Our Ref: TD:vn:bk  
Your Ref: D-19-162757  
Enquiries: (61) 03 5320 5500  
Email: [info@ballarat.vic.gov.au](mailto:info@ballarat.vic.gov.au)

Mr Matt Briody  
[REDACTED]

Dear Mr Briody

**RE: MAIR STREET BIKE LANES**

Thank you for your email addressed to Justine Linley, Chief Executive Officer, received 10 December 2019 in regard to the abovementioned. This has been forwarded to me for my response.

I further refer to the question which you put to the Council meeting on 11 December in relation to the above-mentioned matter.

As Councillors and Officers agreed at the meeting the outcome in relation to the Mair Street Project as it has been implemented between Humphrey Street and Victoria Street is less than optimal.

Councillors agreed with the submission that you put that the outcome of no dedicated bicycle lanes in this section of Mair Street was inappropriate and requested that Council advocate strongly to Regional Roads Victoria (RRV) for this to be addressed in future stages and to retrospectively address the issue in relation to this section of Mair Street.

In light of your question, and the discussion at the Council meeting Mayor, Cr Ben Taylor, will write to the Regional Director of Regional Roads Victoria and further to the Minister for Roads articulating Council's concerns in relation to this matter and requesting that the additional design of Mair Street is undertaken to deliver dedicated cycle lanes, and as I've said that this section of the project be retrospectively refitted in order to deliver bicycle lanes for the future.

I trust that this gives you comfort of Council's commitment to cycling throughout the city ongoing.

Please feel free to contact Vaughn Notting, Council's Executive Manager Infrastructure, if you wish to discuss your concerns further by phoning [REDACTED].

Yours sincerely

A handwritten signature in blue ink, appearing to be "Terry Demeo".

Terry Demeo  
Director Infrastructure and Environment

CC: CEO, Justine Linley  
Mayor and Councillors  
Agenda Preparation

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



28 January 2019

John Barnes  
[REDACTED]

Dear Mr Barnes,

**Question Taken on Notice - QT39/19**

I refer to your question of the Council on 11 December 2019.

You asked;

*"Under the accountability goal in the Council Plan, of the 80 or so distinct services provided by Council, what percentage have been reviewed so far, and what percentage will be done by 2021 and how and when do Councillors sign off these reviews?"*

The Council provides the following response;

All services have undergone an initial service review by management. All services, which require a more detailed review will be conducted by 2021.

As previously explained, the Council does not sign off on all these reviews as the outcomes of the reviews may not require a decision of Council. When a service review requires a decision of Council they are usually conducted in camera, due to their commercial in confidence nature or implications for Council's workforce, however this is not always the case.

Discussions with Council on service reviews and their progress is had on an ongoing and continuous basis.

The Council has conducted 75 percent of the detailed reviews of services.

The attached report has been prepared in response to your question.

Regards.

A handwritten signature in blue ink, appearing to read "C. Cahill".

**CAMERON CAHILL**  
Director Innovation and Organisational Improvement

| SERVICE                              | INITIAL<br>SERVICE<br>REVIEW<br>CONDUCTED | DETAILED<br>REVIEW<br>CONDUCTED | REVIEW<br>OUTCOME                     | DECISION BY<br>COUNCIL |
|--------------------------------------|---|---------------------------------|---------------------------------------|------------------------|
| ACCESS AND INCLUSION                 | Completed                                 | Completed                       | Funding Changes                       | No                     |
| ADVOCACY AND LOBBYING                | Completed                                 | Completed                       | Strategic Changes                     | Yes                    |
| ANIMAL CONTROL                       | Completed                                 | Completed                       | Funding Changes                       | Yes (Contract)         |
| ARTS AND CULTURE                     | Completed                                 | Completed                       | Governance<br>Review                  | Planned                |
| ASSESSMENT                           | Completed                                 | Completed                       | Funding Changes                       | No                     |
| ASSET MANAGEMENT                     | Completed                                 | Planned                         | -                                     | -                      |
| BALLARAT AERODROME                   | Completed                                 | Completed                       | Structure Changes                     | No                     |
| BEST SAFE START                      | Completed                                 | Not Required                    | Externally Funded                     | No                     |
| BUILDING AND FACILITIES MANAGEMENT   | Completed                                 | Completed                       | Structure Changes                     | No                     |
| BUILDING CONTROL                     | Completed                                 | Completed                       | Structure and<br>Process Changes      | No                     |
| BUSINESS IMPROVEMENT                 | Completed                                 | Completed                       | Structure Changes                     | No                     |
| CEO OFFICE                           | Completed                                 | Completed                       | Structure Changes                     | No                     |
| CHILD CARE CENTRES                   | Completed                                 | Completed                       | Operational<br>Changes                | No                     |
| CIVIC SUPPORT                        | Completed                                 | Completed                       | Structure Changes                     | No                     |
| COMMUNICATIONS                       | Completed                                 | Completed                       | Structure Changes                     | No                     |
| COMMUNITY CONNECTIONS                | Completed                                 | Planned                         | -                                     | -                      |
| COMMUNITY SAFETY                     | Completed                                 | Planned                         | -                                     | -                      |
| CONTRACT SUPERVISION                 | Completed                                 | Planned                         | -                                     | -                      |
| CULTURAL DIVERSITY                   | Completed                                 | Planned                         | -                                     | -                      |
| CUSTOMER SERVICE                     | Completed                                 | Planned                         | -                                     | -                      |
| DESIGN AND SURVEY                    | Completed                                 | Planned                         | -                                     | -                      |
| DEVELOPMENT FACILITATION             | Completed                                 | Completed                       | Structure Changes                     | No                     |
| ECONOMIC DEVELOPMENT                 | Completed                                 | Completed                       | Structure Changes                     | No                     |
| EMERGENCY MANAGEMENT AND<br>RECOVERY | Completed                                 | Completed                       | Audited Against<br>External Standards | Yes                    |
| ENVIRONMENTAL HEALTH                 | Completed                                 | Completed                       | Structure and<br>Process Changes      | No                     |
| FAMILY DAY CARE                      | Completed                                 | Completed                       | Operational<br>Changes                | No                     |
| FESTIVALS AND EVENTS                 | Completed                                 | Completed                       | Funding Changes                       | Yes (Contract)         |
| FINANCIAL MANAGEMENT                 | Completed                                 | Completed                       | Systems Review                        | Yes (Tender)           |
| FINANCIAL SERVICES                   | Completed                                 | Completed                       | Systems Review                        | Yes (Tender)           |
| FLEET MANAGEMENT                     | Completed                                 | Not Required                    | Minor Changes                         | No                     |
| HALL KEEPERS                         | Completed                                 | Completed                       | Structure Changes                     | No                     |
| HUMAN RESOURCES                      | Completed                                 | Completed                       | Structure Changes                     | No                     |
| IMMUNISATION                         | Completed                                 | Completed                       | Operational<br>Changes                | No                     |
| INFORMATION SERVICES                 | Completed                                 | Completed                       | Structure Changes                     | No                     |
| INFRASTRUCTURE CONSTRUCTION          | Completed                                 | Completed                       | Structure Changes                     | No                     |
| IN-HOME SUPPORT SERVICES             | Completed                                 | Continuing                      | Audited Against<br>External Standards | Planned                |

|                                 |           |              |                                    |                |
|---------------------------------|-----------|--------------|------------------------------------|----------------|
| LIBRARY SERVICES                | Completed | Completed    | Operational Changes                | No             |
| MAINTENANCE                     | Completed | Completed    | Structure Changes                  | No             |
| MAJOR PROJECTS                  | Completed | Completed    | Restructure and System Change      | No             |
| MAJOR SPORTS FACILITIES         | Completed | Completed    | Operational Changes                | No             |
| MAJOR VENUES                    | Completed | Completed    | Funding Changes                    | Yes (Contract) |
| MATERNAL AND CHILD HEALTH       | Completed | Completed    | Audited Against External Standards | No             |
| MAYOR AND COUNCILLOR SUPPORT    | Completed | Completed    | Structure Changes                  | No             |
| MEALS ON WHEELS                 | Completed | Completed    | Audited Against External Standards | Yes (Contract) |
| ORGANISATION DEVELOPMENT        | Completed | Completed    | Structure Changes                  | No             |
| PARENT PLACE                    | Completed | Not Required | -                                  | -              |
| PARKING MANAGEMENT              | Completed | Completed    | Structure and System Change        | Yes (Contract) |
| PARKS & ENVIRONMENT             | Completed | Continuing   | Structure Changes                  | No             |
| PAYROLL                         | Completed | Completed    | Systems Review                     | Yes (Tender)   |
| POSITIVE AGEING                 | Completed | Completed    | Audited Against External Standards | No             |
| PROCUREMENT                     | Completed | Continuing   | Process and Policy Review          | Yes (Policy)   |
| PROPERTY MANAGEMENT             | Completed | Completed    | Structure and Policy Change        | Yes            |
| RECORDS MANAGEMENT              | Completed | Completed    | Structure Changes                  | No             |
| REGULATORY SERVICES             | Completed | Completed    | Process Changes                    | No             |
| REVENUE                         | Completed | Completed    | Systems Review                     | Yes (Tender)   |
| RISK                            | Completed | Completed    | Structure Changes                  | No             |
| SAFETY                          | Completed | Completed    | Structure Changes                  | No             |
| SCHOOL CROSSINGS                | Completed | Completed    | Structure Changes                  | No             |
| SOCIAL RESEARCH AND PLANNING    | Completed | Planned      | -                                  | -              |
| SPORT AND RECREATIONAL PROJECTS | Completed | Completed    | Structure Changes                  | No             |
| STATUTORY COMPLIANCE            | Completed | Completed    | Structure Changes                  | No             |
| STATUTORY PLANNING              | Completed | Continuing   | Process and System Change          | No             |
| STRATEGIC PLANNING              | Completed | Planned      | -                                  | -              |
| SUPPORTED PLAYGROUPS            | Completed | Not Required | External funding                   | No             |
| TOURISM                         | Completed | Completed    | Funding Changes                    | Yes (Contract) |
| TRAFFIC MANAGEMENT              | Completed | Completed    | Structure Changes                  | No             |
| WASTE                           | Completed | Completed    | Service Changes                    | Yes (Contract) |
| YOUTH SERVICES                  | Completed | Completed    | Operational Changes                | No             |

**12. NOTICE OF MOTION**

**13. URGENT BUSINESS**

**14. SECTION 89 (IN CAMERA)**

**11.2. 2020 NATIONAL POLOCROSSE CHAMPIONSHIPS - TOURISM EVENT GRANT SUBMISSION CONFIDENTIAL DOCUMENTS**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Kate Joss - Community Events Officer

(Contractual matters)

**11.3. 2020 BALLARAT GIFT - TOURISM EVENT GRANT SUBMISSION CONFIDENTIAL DOCUMENTS**

**Division:** Development and Planning  
**Director:** Angelique Lush  
**Author/Position:** Kate Joss - Community Events Officer

(Contractual matters)

**11.8. CONTRACTS SPECIAL COMMITTEE OF COUNCIL - 2 OCTOBER, 16 OCTOBER AND 20 NOVEMBER 2019**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Lorraine Sendall – Executive Assistant Director Business Services

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

**14.1. DEED OF VARIATION GORDON BUILDING LEASE**

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

(contractual matters)

**14.2. SUPPLY OF NATURAL GAS - SMALL AND LARGE MARKET FOR COUNCIL SITES**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Lorraine Sendall – Executive Assistant Director Business Services

(contractual matters)

**14.3. AUDIT ADVISORY COMMITTEE - 4 SEPTEMBER 2019**

**Division:** Business Services  
**Director:** Glenn Kallio  
**Author/Position:** Lorraine Sendall – Executive Assistant Director Business Services

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

**14.4. APPOINTMENT OF ELECTRICITY BRIDGING CONTRACT POST JUNE 2020**

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

(contractual matters)

**14.5. TENDER 2019/20-176 RING ROAD RECONSTRUCTION, STAGE 3**

**Division:** Infrastructure and Environment  
**Director:** Terry Demeo  
**Author/Position:** Robin Hand – Contracts Administration Officer

(contractual matters)

**15. CLOSE**