



**Ordinary Council Meeting**

**16 September 2020**

Virtual Meeting

**AGENDA**

**Public Copy**

**NOTICE IS HEREBY GIVEN THAT A MEETING OF BALLARAT CITY COUNCIL WILL BE HELD AS A VIRTUAL MEETING ON WEDNESDAY 16 SEPTEMBER 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.

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>7</b>
<b>8. Chief Executive Officer Report.....</b>	<b>7</b>
8.1. Chief Executive Officer Report.....	7
<b>9. Assemblies Of Councillors .....</b>	<b>12</b>
9.1. Assemblies of Councillors.....	12
<b>10. Officer Reports.....</b>	<b>26</b>
10.1. Community Infrastructure Guidelines.....	26
10.2. Ballarat West Growth Area Update.....	61
10.3. Greenfield Growth Areas .....	71
10.4. Annual Report .....	76
10.5. Adoption of Annual Accounts for 2019/2020.....	79
10.6. Asset Management Policy .....	148
10.7. Tender 2020/21-7 Construction of three (3) Soccer Pitches at Wendouree West Recreation Reserve .....	153

10.8. Councillor Role Statements .....	154
10.9. S6 Instrument of Delegation .....	166
10.10. Outstanding Question Time Items .....	296
<b>11. Notice Of Motion .....</b>	<b>303</b>
<b>12. Urgent Business .....</b>	<b>303</b>
<b>13. Section 66 (In Camera) .....</b>	<b>303</b>
<b>14. Close .....</b>	<b>303</b>

**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 has been altered for the City of Ballarat's September 16 2020 Council meeting due to the COVID-19 Stage 3 restrictions.
- To ensure the public can still participate in question time, they are asked to now submit their questions in writing.
- However, no person may submit more than two questions at the September 16 2020 meeting.
- The questions must be in English, must be 75 words or less and not include a preamble, other additional material, or multiple parts.
- Questions must be submitted via email to [agendapreparation@ballarat.vic.gov.au](mailto:agendapreparation@ballarat.vic.gov.au) by no later than 4:30pm on the day of the Ordinary meeting.
- 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.
  - Relates to matters that would normally be subject to a Freedom of Information request.
  - Has previously been asked by the same person
  - Has already been put in writing to a Councillor or a member of Council staff; and received a written response.
- The name of the person who submitted a question must be read out, along with the question which may then be directed to the Chief Executive Officer or a nominated officer.
- All questions and answers must be as brief as possible.
- A Councillor or the Chief Executive Officer may require a question to be put on notice which is then recorded in the Council minutes. A written copy of the answer must be sent to the person who asked the question. Minutes will reflect responses until the matter is completed.

## **PUBLIC SUBMISSIONS**

- Due to COVID-19 Stage 3 restrictions around public gatherings being limited to two people the following has been put in place.
- Public representations may be made on any items listed on the agenda in an Ordinary Meeting apart from those listed in the confidential section. Submissions must also be submitted in writing to [agendapreparation@ballarat.vic.gov.au](mailto:agendapreparation@ballarat.vic.gov.au) by no later than 4.30pm on the day of Council meeting; and limited to no more than 200 words that will be read out by the Chief Executive Officer or her nominated delegate at the meeting prior to the matter being considered by Council.
- If you prefer to dial into the Council Meeting and read your submission personally, please contact [agendapreparation@ballarat.vic.gov.au](mailto:agendapreparation@ballarat.vic.gov.au) to arrange this.

**7. REPORTS FROM COMMITTEES/COUNCILLORS****8. CHIEF EXECUTIVE OFFICER REPORT****8.1. CHIEF EXECUTIVE OFFICER REPORT**

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Janet Dore – Chief Executive Officer

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Receive and note the CEO's Operational Report.**
- 2. Receive and note the Chief Executive Officer will implement the required improvements as identified within the independent review.**

**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.

**Independent review**

There are several pointers to improvement from the independent review undertaken by Pitcher Partners:

1. Proper project management discipline is needed which requires a business case including whole of life costing, staged approval processes and verification for all projects over an identified value.
2. Expenses for Mayoral duties need clarification within the Councillor expenses policy.
3. Purchasing of all goods, services and materials must follow the appropriate procurement processes through an authorised officer.
4. A policy for acquisition of gifts and special assets should be developed.
5. Training for staff in record keeping requirements should be implemented.

Gatekeepers Cottage*Conclusions*

- Record keeping regarding this special acquisition is lacking and therefore cannot support the application of an appropriate acquisition process, particularly given the unique nature of this asset.
- A full business case, commensurate with the nature and risk associated with the asset was not produced.
- The asset acceptance appears to have been agreed based on a cost analysis that did not adequately contemplate the full extent of costs.
- There are no approved variations to the planned \$300k.
- The acceptance of the asset does not seem to have received explicit council approval.
- There was no policy or procedure in place, to specifically address this type of asset, which possibly should have required additional steps to be undertaken, such as the involvement of restoration specialists to provide their process and costs estimates etc.
- While there is no specific supporting information, it appears that this asset was incorporated into the normal capital development process associated with the fernery re-development. In the absence of any policy guidance with regards to gifted and special assets this may be considered, without the benefit of hindsight, to have been an appropriate approach at the time.

Fernery*Conclusions*

- Council had clear line of site of this project and the general reasoning for it being undertaken.
- The process was conducted over several years with various assessment steps being undertaken.
- There was no relevant business case and reasoning, final scope or budget provided to support the approval.
- Costs have exceeded the approved budget and subsequent variations were approved by the Contracts Approval Special Committee.
- It is unclear from the way in which the delegations are phrased if the Contracts Approval Special Committee had the ability to approve the larger variations.
- In the absence of a project scope, it is unclear what would constitute full completion.

Chandelier*Conclusions*

- The acquisition met the relevant policy and procedural requirements.
- It is unusual for capital acquisitions to be paid for by credit card, but understandable given the circumstance.
- It is unclear why staff coded the cost of the item to the Councillor expense code.
- The lack of the broader town hall refurbishment project scope and budget, results in there being no documented support for this specific acquisition.
- The absence of a gifted assets and special acquisitions policy makes it difficult to determine if the acquisition would be considered unnecessary or have required a special procedure of approval or acquisition.
- The expenditure was incurred for Council purpose and the item is on display in the town hall.

*Recommendations*

Resulting from this work we offer the following recommendations for management to consider:

- Development of full scope, business case and budget before approval of acquisition.
- Recording and retention of relevant approvals and considerations.
- Appropriate gatekeeper steps through larger projects and acquisitions, to ensure appropriate approvals and consideration of changes and next steps.

- Development of a policy and procedure with regards to gifted and special assets.
- Clarifying the delegations with respect to the financial value of variations that can be approved by delegated positions.

#### Other transactions

##### *Conclusions*

In relation to the additional transactions, based on discussions with staff and documentation received, it appears that there was involvement from the Mayor in relation to a number of these purchases and activities some of which appear to have been made without pre-approval or involvement of Council officers.

Within the purchasing policy and procedures, it would be expected that all intended purchases and commitments made by Councillors on behalf of Council would be requested through, approved by and procured by council officers. In addition, greater guidance with regards to the extent of involvement by Councillors in directing Council officers to procure items and services on behalf of City of Ballarat would be helpful.

##### *Recommendations*

Assess and where possible strengthen various policies that relate to Councillor activities and expenditures as well as addressing the procurement policy and procedure followed by management when dealing with Councillor requests and expenditures.

#### **Key achievements, projects and events delivered:**

##### Little Bridge Street beautification works

An early works beautification program in Ballarat's Little Bridge Street to deliver a more vibrant gateway into the Bridge Mall began in August. The series of works, made possible through the support of the Safer Communities Program (Department of Justice and Community Safety), will complement overall improvements as part of Council's \$15 million Bakery Hill Urban Renewal Plan. The works include upgraded seating, improved pedestrian access, fencing, garden beds and tree plantings to bring a fresh, bold, and vibrant aesthetic to the location. Much of the existing bus stop hardstand area will be demolished, new kerbs and pavements installed along with bluestone banding and drainage. The early improvements are in direct response to feedback from traders and shoppers.

##### Prince of Wales Park Hockey Field Lighting project

A major lighting upgrade for hockey facilities at Prince of Wales Park was unveiled in August. The \$420,000 project was fully funded by the City of Ballarat. The eight-pole system will provide greater versatility for training, matches and public events.

##### Platform to connect musicians during lockdown

Lockdown Lab, a new social music platform from the City of Ballarat, was launched in August. Delivered by Sonika, the City of Ballarat Youth Services FReeZA committee, the project's aim is to break down technical, creative, and pandemic barriers so musicians can use their time in isolation to collaborate and be creative.

##### New Governance Rules and Transparency Policy adopted

In August, Council adopted a new and comprehensive Governance Rules and a Public Transparency Policy which came into effect on 1 September. Both are mandated as part of the Local Government Act 2020 requirements. The Governance Rules were drafted based on Local Government Victoria guidance, as well as the existing Council Meeting Procedure Local Law 2018. The Public Transparency Policy was prepared drawing on Local Government Victoria's best practice model and understanding of Council's existing practices.

**Ongoing community consultation**Lake Wendouree and Victoria Park Lighting

Community feedback was sought on preferred lighting options identified for the Lake Wendouree and Victoria Park lighting project. Approximately 220 lights will be installed around the Lake Wendouree foreshore in a project that will increase the lake's accessibility and deliver a safe environment for people and groups who use the lake precinct.

Community Infrastructure Policy

A draft Community Infrastructure planning Policy was released for public feedback in August. The aim of the policy is to improve the planning, management, and delivery of community infrastructure across the municipality. Information and feedback from the consultation will inform the final Community Infrastructure Planning Policy, to be presented to Council. The City of Ballarat is also working on new processes to help identify current and future community infrastructure needs and to pinpoint any gaps.

Bridge Mall rejuvenation

Public feedback was sought in August for design options for the Bridge Mall, as part of the City of Ballarat's \$15 million project to re-position the Bakery Hill precinct. The vision for the renewal of the Bridge Mall is based on two extensive rounds of public consultation that revealed a strong desire for change in the site and has brought the project to this point. This is one of the first steps in a suite of initiatives to be delivered as part of the Bridge Mall rejuvenation.

**Ongoing projects, initiatives and works**City of Ballarat Active Women and Girls Ambassadorship program

Applications were invited for the City of Ballarat's Active Women and Girls Ambassadorship Program in August. The Ambassadors' role will be to inspire, motivate and support other Ballarat Active Women and Girls to get physically active. The role also will allow Ambassadors to step up to a leadership role in their sport club or active group, empower fair participation and champion positive role modelling. The program is a key outcome of the City of Ballarat Active Women and Girls Strategy.

Ballarat Central Library redevelopment

The project to refurbish the Ballarat Central Library is progressing, with the appointment of a design firm to lead the project following a thorough and transparent tender process. Designers will work with several local contractors to transform the Doveton Street site and make it a showpiece building for the region. Changes will include a new, improved library entrance, a new children's section and opening of the first floor as public space. Planning and community engagement for the project is likely to begin later this year. The Ballarat Library of the Future project is jointly funded by the City of Ballarat (\$1.9 million) and the Victorian Government Living Libraries Infrastructure Program (\$500,000).

Fernery redevelopment

Works to restore the Ballarat fernery continued to progress in August. With foundations complete, the structure of the building is taking shape and visible on site. The new fernery will be a replica of the original timber building, with the project expected to be completed later this year.

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

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

**REPORTING AND COMPLIANCE STATEMENTS**

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

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

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

**OFFICERS DECLARATIONS OF INTEREST**

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

**ATTACHMENTS**

Nil

## 9. ASSEMBLIES OF COUNCILLORS

### 9.1. ASSEMBLIES OF COUNCILLORS

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

### OFFICER RECOMMENDATION

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

- 22 July 2020 Infrastructure and Environment Portfolio Meeting
- 12 August 2020 Infrastructure and Environment Portfolio Meeting
- 19 August 2020 Mayor, Councillor and CEO Meeting
- 26 August 2020 Strategic Briefing
- 26 August 2020 Mayor, Councillor and CEO Meeting
- 28 August 2020 Prosperity Portfolio Meeting
- 2 September 2020 Mayor, Councillor and CEO Meeting
- 3 September 2020 Ballarat Airport Advisory Committee Meeting
- 9 September 2020 Strategic Briefing

### EXECUTIVE SUMMARY

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

### RATIONALE

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

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

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

### REPORTING AND COMPLIANCE STATEMENTS

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



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

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

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

## 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. 22 July 2020 Infrastructure and Environment Portfolio Meeting [9.1.1 - 1 page]
2. 12 August 2020 Infrastructure and Environment Portfolio Meeting [9.1.2 - 1 page]
3. 19 August 2020 Mayor Councillor and CEO Meeting [9.1.3 - 1 page]
4. 26 August 2020 Strategic Briefing [9.1.4 - 2 pages]
5. 26 August 2020 Mayor Councillor and CEO Meeting [9.1.5 - 1 page]
6. 28 August 2020 Prosperity Portfolio Meeting [9.1.6 - 1 page]
7. 2 September 2020 Mayor Councillor and CEO Meeting [9.1.7 - 1 page]
8. 3 September 2020 Ballarat Airport Advisory Committee Meeting [9.1.8 - 2 pages]
9. 9 September 2020 Strategic Briefing [9.1.9 - 2 pages]




### ASSEMBLY OF COUNCILLORS RECORD

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

<b>Description of meeting:</b>	Infrastructure and Environment Portfolio Meeting No 220
<b>Date of meeting:</b>	Wednesday 22 July 2020
<b>Start time:</b>	7:30am
<b>Finish time</b>	8.26am

<b>Councillors present:</b>
Mayor Cr Ben Taylor, Cr Grant Tillett, Cr Mark Harris
<b>Apologies:</b>
<b>Council staff present:</b>
Darren Sadler – Acting Director Infrastructure and Environment, Janet Dore – Chief Executive Officer, Natalie Robertson – Executive Manager Development Facilitation, Belinda Kent – Executive Assistant to Director Infrastructure and Environment (Minute Taker)
<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. 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>• Car Parking Update</li><li>• Fernery Update</li><li>• Planning Mater / Statutory Planning – what additional information do Councillors require?</li><li>• Farm Outbuildings – Planning Exemption Achieved in the ESO3</li></ul>	
<b>Reports</b> <ul style="list-style-type: none"><li>• Discuss Future Council Reports</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>• Subdivision Standards</li></ul>	
<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position:</b> Acting Director Infrastructure and Environment
<b>Name:</b> Darren Sadler	<b>Date:</b> 29 July 2020




### 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 221
<b>Date of meeting:</b>	Wednesday 12 August 2020
<b>Start time:</b>	7:30am
<b>Finish time:</b>	8:33am

<b>Councillors present:</b>
Mayor Cr Ben Taylor, Cr Grant Tillett, Cr Mark Harris
<b>Apologies:</b>
<b>Council staff present:</b>
Darren Sadler – Acting Director Infrastructure and Environment, Natalie Robertson – Acting Director Development and Growth, Amy Boyd – Program Director Strategy and Implementation, Lisa Kendal – Acting Executive Manager Environment, Darren Whitford – Acting Executive Manager Property Management and Facilities Maintenance, Belinda Kent – Executive Assistant to Director Infrastructure and Environment (Minute Taker)
<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. 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>• Introduction</li><li>• Property sales Update</li><li>• Statutory Planning Update</li><li>• Strategy and Implementation Introduction</li><li>• Acting Executive Manager Environment Introduction</li><li>• Acting Executive Manager Property Management and Facilities Maintenance</li></ul> <b>Reports</b> <ul style="list-style-type: none"><li>• Discuss Future Council Reports</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>• Soho Road</li></ul>	
<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position:</b> Acting Director Infrastructure and Environment
<b>Name:</b> Darren Sadler	<b>Date:</b> 25 August 2020



## 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
<b>Date of meeting:</b>	13/08/2020
<b>Start time:</b>	6.00pm
<b>Finish time:</b>	6:30pm

<b>Councillors present:</b>
Cr Taylor, Cr Coates, Cr Rinaldi, Cr Tillett, Cr Johnson, Cr Moloney, Cr McIntosh, Cr Harris, Cr Hudson
<b>Apologies:</b>
<b>Council staff present:</b>
Janet Dore, 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.				
Nil	Nil	N/A	N/A	N/A

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> <li>• Council Elections</li> <li>• RCTP Update</li> <li>• Short Term Engagement of Tourism Expert</li> <li>• Meeting with MAV</li> </ul>

<b>Record completed by:</b>	
<b>Signed:</b> <i>Janet Dore</i>	<b>Position:</b> Chief Executive Officer
<b>Name:</b> Janet Dore	<b>Date:</b> 19/08/2020



## 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>	26 August 2020
<b>Start time:</b>	7.28pm
<b>Finish time:</b>	10.00pm

<b>Councillors present:</b>
Cr Grant Tillett Cr Des Hudson Cr Mark Harris Cr Belinda Coates Cr Ben Taylor Cr Jim Rinaldi Cr Samantha McIntosh Cr Amy Johnson Cr Daniel Moloney
<b>Apologies:</b>
Nil
<b>Council staff present:</b>
Janet Dore – Chief Executive Officer Sean Portelli – Acting Director Corporate Services Darren Sadler – Acting Director Infrastructure and Environment Pete Appleton - Acting Director Community Wellbeing Natalie Robertson – Acting Director Development and Growth Cameron Montgomery – Executive Manager Governance and Risk James Guy – Executive Manager Economic Partnerships Tim Goddard – Project Manager – Bakery Hill Jenny Fink – Executive Manager Learning and Community Hubs Nikki Foy – Aboriginal Liaison Officer Frances Salenga – Coordinator Intercultural Services
<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.				
Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned


<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<b>Strategic Matters Raised by Councillors</b>
<b>Portfolio Updates</b>



**Planning Committee – Agenda Review**  
**Section B - Strategic Briefing Reports**

- Bakery Hill Master Plan
- RAP Update
- Intercultural Cities Update
- Governance Rules Implementation
- Car Parking for Health Care Workers

**Record completed by:**

<b>Signed:</b> 	<b>Position:</b> Executive Manager Governance and Risk
<b>Name:</b> Cameron Montgomery	<b>Date:</b> 26 August 2020



## 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
<b>Date of meeting:</b>	26/08/2020
<b>Start time:</b>	6.00pm
<b>Finish time:</b>	6:30pm

<b>Councillors present:</b>
Cr Taylor, Cr Coates, Cr Rinaldi, Cr Tillett, Cr Johnson, Cr Moloney, Cr McIntosh, Cr Harris, Cr Hudson
<b>Apologies:</b>
<b>Council staff present:</b>
Janet Dore, 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.				
Nil	Nil	N/A	N/A	N/A

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> <li>• EOI For CEO Recruitment</li> <li>• Library Tender</li> <li>• Meeting With The Local Government Minister</li> <li>• Information On Tenders</li> <li>• Media Corrections</li> <li>• Local Expenditure On Goods And Services</li> <li>• Annual Report Information</li> <li>• Lake Weed Cutting Contract</li> </ul>

Record completed by:	
Signed: 	Position: Chief Executive Officer
Name: Janet Dore	Date: 26/08/2020



## 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>	Prosperity Portfolio Meeting – Economic Growth
<b>Date of meeting:</b>	28 August 2020
<b>Start time:</b>	7.37am
<b>Finish time:</b>	8.41am

<b>Councillors present:</b>
Cr Moloney, Cr Rinaldi, Cr McIntosh, Mayor - Cr Taylor
<b>Apologies:</b>
Janet Dore – CEO
<b>Council staff present:</b>
Natalie Robertson - Acting Director Development & Growth, James Guy – Executive Manager Economic Partnership
<b>Other attendees present:</b>

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

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<b>Economic Development</b> <ul style="list-style-type: none"> <li>Latest Building Approvals and SpendMapp Data</li> <li>ACM – Printing Facility Opportunities</li> <li>COVID-19 – Small Business and Hospitality Support Opportunities</li> </ul> <b>Strategic Planning</b> <ul style="list-style-type: none"> <li>Growth Areas – Way Forward</li> </ul> <b>City Design</b> <ul style="list-style-type: none"> <li>Ballarat Connections Project – Ballarat Station to Wendouree Station</li> <li>Windermere Street Parkland</li> <li>COVID Garden – Mair Street Update</li> </ul>

<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position:</b> Acting Director Development & Growth
<b>Name:</b> Natalie Robertson	<b>Date:</b> 31 August 2020





## 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
<b>Date of meeting:</b>	02/09/2020
<b>Start time:</b>	6.00pm
<b>Finish time:</b>	6:30pm

<b>Councillors present:</b>
Cr Taylor, Cr Coates, Cr Rinaldi, Cr Tillett, Cr Johnson, Cr Moloney, Cr McIntosh, Cr Hudson, Cr Harris
<b>Apologies:</b>
<b>Council staff present:</b>
Janet Dore, 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.				
Nil	Nil	N/A	N/A	N/A

<b>Matters Considered:</b> <i>*Provide dots points of matters discussed.</i>
<ul style="list-style-type: none"> <li>Letter Regarding Black Hill Trees</li> <li>Contacting Directors</li> <li>Recruitment Update</li> </ul>

Record completed by:	
Signed: 	Position: Chief Executive Officer
Name: Janet Dore	Date: 02/09/2020

**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:	3 September 2020
Start time:	8.00 am
Finish time:	9.20 am
Councillors present:	Cr Tillett and Cr Moloney
Apologies:	Nil
Council Staff present:	Darren Sadler, John Hartigan, Natalie Robertson, Donna Johnson and Roland Wade
Other people present:	Daryl Chibnall, Peter Mackay, Sandy Gray, Peter Mackay, Gordon Cornell, James Ronan and Warwick Kinscher
Any conflict of interest disclosed? <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>• Funding for runway upgrade – Natalie Robertson</li> <li>• Naming the streets around Airport precinct – John Hartigan</li> <li>• 2020/21 firefighting season – Daryl Chibnall</li> <li>• Terminal Building – Darren Sadler</li> <li>• Australian Airline Pilot Academy (AAPA) – James Ronan</li> <li>• The advisory committee thanked Councillors Sam McIntosh, Grant Tillett and Daniel Moloney for their support and contribution to the committee over the last 4 years.</li> </ul>
<p>Signed: <i>J. Hartigan</i></p>	<p>Position: Airport Manager</p>
<p>Name: John Hartigan</p>	<p>Date: 3 September 2020</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>	Strategic Briefing
<b>Date of meeting:</b>	9 September 2020
<b>Start time:</b>	8.25 pm
<b>Finish time:</b>	10.43pm

### Councillors present:

Cr Grant Tillett  
 Cr Des Hudson  
 Cr Mark Harris  
 Cr Belinda Coates  
 Cr Ben Taylor  
 Cr Jim Rinaldi  
 Cr Samantha McIntosh  
 Cr Amy Johnson  
 Cr Daniel Moloney

### Apologies:

### Council staff present:

Janet Dore – Chief Executive Officer  
 Sean Portelli – Director Corporate Services  
 Darren Sadler – Acting Director Infrastructure and Environment  
 Pete Appleton - Acting Director Community Wellbeing  
 Natalie Robertson – Acting Director Development and Growth  
 Cameron Montgomery – Executive Manager Governance and Risk  
 Lisa Kendall - Acting Executive Manager Environment  
 Jeff Johnson – Executive Manager Events and the Arts  
 Tara Poole – Coordinator Creative Cities  
 Kate Gerritson – Public Art Coordinator

### Other attendees present:

### Conflict of Interests:

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

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

Name of person(s) declaring the conflict	Type & details declared	Left Meeting Yes/No	Time left	Time returned

### Matters Considered: *\*Provide dots points of matters discussed.*


**External Presentations**  
**Strategic Matters Raised by Councillors**  
**Portfolio Updates**  
**Planning Committee – Agenda Review**


**Section B - Strategic Briefing Reports**

- Landfill Gas Turbines Update
- Public Art Activity (Including Boer War Monument)
- Land Acquisition
- COVID-19 Rate Relief Options
- Economic Stimulus

**Black Hill Petition**
**Review Draft 16 September 2020 Council Meeting Agenda**

- Chief Executive Officer Report
- Assemblies of Councillors
- Community Infrastructure Guidelines
- Ballarat West Growth Area Update
- Greenfield Growth Areas
- Annual Report
- Adoption of Annual Accounts for 2019/2020
- Asset Management Policy
- Tender No. 2020/21 - 23 Mars Stadium Gate 2 Entry and Public Amenities
- Tender 2020/21-7 Construction of three (3) Soccer Pitches at Wendouree West Recreation Reserve
- Councillor Role Statements
- S6 Instrument of Delegation
- Outstanding Question Time Items

<b>Record completed by:</b>	
<b>Signed:</b> 	<b>Position:</b> Executive Manager Governance and Risk
<b>Name:</b> Cameron Montgomery	<b>Date:</b> 9 September 2020

## **10. OFFICER REPORTS**

### **10.1. COMMUNITY INFRASTRUCTURE GUIDELINES**

**Division:** Community Wellbeing  
**Director:** Pete Appleton  
**Author/Position:** Breanna Doody – Coordinator Health and Social Planning  
Belinda Hynes – Social Planning and Engagement Officer

### **OFFICER RECOMMENDATION**

**Council resolves to:**

**Adopt the Community Infrastructure Planning Policy.**

### **EXECUTIVE SUMMARY**

This report recommends Council adoption of the Community Infrastructure Planning Policy. The Community Infrastructure Planning Policy seeks to inform an integrated and strategic planning process for the delivery of community infrastructure across the City through the application of an agreed set of planning principles. The new policy will guide fair, transparent and equitable decision making and provides the community with a clear understanding of how decisions are made.

The policy will underpin an evidence-based process that enables Council to clearly identify current and future community infrastructure needs for the municipality, and prioritise investment based on clear and consistent rationale. The policy and the subsequent process to be developed will assist Council to be prepared and to quickly respond to external funding opportunities which may arise and to plan to meet community needs now and into the future. Following internal and community consultation, attempts to include and/or respond to all constructive feedback provided has resulted in the following changes to the draft Community Infrastructure Planning Policy:

- Improved clarity and focus through suggested wording changes and added detail;
- Addition of key considerations in the principles of 'Sustainability', 'Access, inclusion and equity' and 'Innovation and adaptability';
- Additional dot point articulating purpose following strong feedback about community input;
- Reordering of principles to ensure those that were perceived as higher in importance were listed earlier in the document;
- Additional references to other key strategic documents and legislation; and
- More terms and explanations included in definitions.

Responses to all community members comments have been provided in the attached consultation report and will be emailed to participants, and will also be made available on Council's mySay page.

**RATIONALE**

There are several existing plans and strategies which guide the planning and development of community infrastructure at the City of Ballarat across a range of departments. However, currently there is not a consistent policy or integrated process which details the organisational commitment to community infrastructure, or which specifies agreed guidelines about how Council prioritises, plans, designs and operates infrastructure across the many departments who are involved.

Following an extensive review of community infrastructure planning best practice and policies across local governments, a series of meetings, presentations and workshops were held providing opportunities for engagement with a broad range of internal teams including Sport and Active Living, Major Projects, Property and Facilities Management, Economic Partnerships, Strategic Planning, Places and Renewal, Arts and Culture, Active Ageing, Family and Children's Services, Development Facilitation, and Growth and Development Contributions. The draft Community Infrastructure Planning Policy was placed on public exhibition from 12 August 2020 to 26 August 2020 with a known reach of over 10,000 stakeholders. These activities have informed the development of the Community Infrastructure Planning Policy and guiding principles.

The proposed Community Infrastructure Guiding Principles include:

- Strategic and integrated planning;
- Sustainability;
- People first approach;
- Innovation and adaptability;
- Access, inclusion and equity; and
- Multi-purpose, flexibility and safety.

The attached policy document provides further detail about how each of these principles are intended to be considered and applied to Community Infrastructure planning.

The adopted policy will provide the foundation and key directions for the planning and delivery of community infrastructure and inform the next stage of the project which includes the development of a flexible and dynamic evidence database, and the integration of the planning process within and across departments.

Once complete, Council will be enabled to:

- Identify infrastructure priorities across all directorates based on robust evidence of community need and consistent principles;
- Inform business cases for community infrastructure projects;
- Inform service plans and reviews, planning studies, masterplans and other Council business;
- Provide evidence for Infrastructure Contributions Plan / Development Contributions Plans, applications for grant funding, and advocacy to external service providers about required infrastructure for our community;
- Provide transparency and clear direction regarding the planning, provision and investment in Council owned community infrastructure; and
- Set expectations for the type, number, size and location of community infrastructure throughout the municipality.

The recommendation of this report is to adopt the Community Infrastructure Planning Policy.

## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- Disability Access and Inclusion Plan 2019-2022
- Health and Wellbeing Plan 2017-2021
- Carbon Neutrality and 100% Renewables Action Plan 2019 – 2025
- Social Policy Framework
- Community Engagement Framework
- Master Plans and recreation strategies
- *Local Government Act 2020*

## 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>	No	No
<b>Evaluation and Review</b>	Yes	Yes

**Human Rights** – The Community Infrastructure Planning Policy considers human rights and proposes a specific principle to ensure equity, access and inclusion, and directs consideration of social justice and fairness.

**Social/Cultural** –The Community Infrastructure Planning Policy proposes six guiding principles of which four build social capital, and encourage social inclusion and community cohesion. It also fits within the Social Policy Framework.

**Environmental/Sustainability** – The Community Infrastructure Planning Policy ensures consideration for environmental sustainability with the inclusion of sustainability as one of the guiding principles.

**Economic** – The intent of Council’s Community Infrastructure Planning Policy is to stimulate further investment in the Ballarat economy through the attraction of funding using evidence-based project proposals, based on clearly articulated community need. It will support the prioritised allocation of available capital funds to projects which have been identified as providing the best community outcomes.

**Financial/Resources** – A number of departments have an annual budget for capital works and infrastructure upgrades/improvements. The Community Infrastructure Planning Policy will provide evidence to inform budget allocation in the most effective way possible to ensure best value is achieved for the community. It will also assist with the generation of funding revenue through high quality and timely funding applications. The ongoing subscription costs for the evidence database CASIMO are being incorporated within existing community infrastructure budget allocation.

**Risk Management** – The proposed policy has positive risk management implications for both the organisation and the environment as it not only ensures that decision making and budget



prioritisation will be made based on strong and documented evidence but also that sustainability is a key focus of planning and decision making. The policy supports transparent and accountable allocation of resources and compliance with relevant legislation including public safety standards.

**Evaluation and Review** – Community feedback has been considered and incorporated wherever possible and the full consultation report will be made available to the community. The Community Infrastructure Planning Policy will be reviewed at least every four years to ensure that it remains relevant and incorporates best practice.

## CONSULTATION

Following an extensive review of community infrastructure planning best practice across local governments, a series of meetings, presentations and workshops were held across a broad range of internal teams to inform the development of the Community Infrastructure Planning guiding principles and the integrated planning process which will follow the adoption of the policy.

The draft Community Infrastructure Planning Policy was placed on public exhibition from 12 August 2020 to 26 August 2020. Due to the stage three restrictions consultation activities were undertaken online. This included:

- Online information and survey provision on City of Ballarat's mySay portal;
- Direct email with information and survey links to 16 staff from 9 internal teams to share with their networks and partner organisations;
- Direct email with information and survey links to external partners to share in their newsletters;
- Social media posts directing people to the online survey; and
- Media release directing people to the online survey.

The known reach of these activities was over 10,000 people/groups/organisations/clubs.

There were 36 survey respondents from 21 different suburbs with representation from across the municipality.

Attempts to include and/or respond to all constructive feedback provided (as is detailed in the body of the attached consultation report) has resulted in the following changes to the Community Infrastructure Planning Policy:

- Improved clarity and focus through suggested wording changes and added detail;
- Addition of key considerations in the principles of 'Sustainability', 'Access, inclusion and equity' and 'Innovation and adaptability';
- Additional dot point articulating purpose following strong feedback about community input: 'To demonstrate commitment to community and stakeholder engagement when planning for community infrastructure';
- Reordering of principles to ensure those that were perceived as higher in importance were listed earlier in the document;
- Additional references to other key strategic documents and legislation; and
- More terms and explanations included in definitions.

This Consultation Report will be made available to the community on the mySay project page and emails with this consultation report will be sent to respondents of the survey who provided their email address.

A number of suggestions provided will be better placed to inform the process development that will follow this policy. This feedback included elements relating to:

- Community consultation and feedback processes that should be included;
- Ensuring that current procurement practices which are weighted to support local content continue;
- Evaluation and continuous improvement should be detailed along with how and when this information will be shared with the community;
- Ensuring transparency of decision making;
- Considering the application of humanistic design;
- Determining how best to gather evidence from facilities including governance structures and usage to inform decision making; and
- Ensuring cultural and heritage principles and values are considered within the planning process.

## **OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

## **ATTACHMENTS**

1. CIP Consultation Report August 2020 [**10.1.1** - 23 pages]
2. Community infrastructure planning policy August 2020 v4 [**10.1.2** - 7 pages]



## CONSULTATION REPORT

### Community Infrastructure Planning Policy

#### [Abstract](#)

A summary of methodology and feedback from consultation undertaken on the Draft Community Infrastructure Planning Policy in August 2020. Also includes detailed responses and information about how feedback has been utilised in the development of the policy.

Belinda Hynes and Breanna Doody  
Health and Social Planning Team



## SUMMARY

The Community Infrastructure Planning Policy was placed on public exhibition from 12 August 2020 to 26 August 2020.

Due to the stage three restrictions consultation activities were undertaken online. This included:

- Online information and survey provision on City of Ballarat's MySay portal.
- Direct email with information and survey links to 16 staff from 9 internal teams to share with their networks and partner organisations.
- Direct email with information and survey links to external partners to share in their newsletters.
- Social media posts directing people to the online survey.
- Media release directing people to the online survey.

The known reach of these activities was over 330 people/groups/organisations/clubs.

Survey respondents were from 21 different suburbs with representation from across the municipality.

Attempts to include and/or respond to all constructive feedback provided (as is detailed in the body of this report) has resulted in the following changes to the Community Infrastructure Planning Policy:

- Improved clarity and focus through suggested wording changes and added detail;
- Addition of key considerations in the principles of 'Sustainability', 'Access, inclusion and equity' and 'Innovation and adaptability';
- Additional dot point articulating purpose included following strong feedback about community input: 'To demonstrate commitment to community and stakeholder engagement when planning for community infrastructure';
- Reordering of principles to ensure those that were perceived as higher in importance were listed earlier in the document;
- Additional references to other key strategic documents and legislation; and,
- More terms and explanations included in definitions.

This Consultation Report will be made available to the community on the My Say project page and emails with this consultation report will be sent to respondents of the survey who provided their email address.

A number of suggestions provided will be better placed to inform the process development that will follow this policy. This feedback included elements relating to:

- Community consultation and feedback processes that should be included;
- Ensuring that current procurement practices which are weighted to support local content continue;
- Evaluation and continuous improvement should be detailed along with how and when this information will be shared with the community;
- Ensuring transparency of decision making;
- Considering the application of humanistic design;
- Determine how best to gather evidence from facilities including governance structures and usage to inform decision making.
- Ensuring cultural and heritage principles and values are considered within the planning process.

## CONSULTATION PROCESS

Between the 12 August and 26 August 2021, the following consultation activities were conducted to gather community and stakeholder feedback on the draft Social Policy Framework.

- Online information and survey made available on MySay  
<https://mysay.ballarat.vic.gov.au/community-infrastructure-planning-policy>
- Emails with information about the policy and the invitation to provide feedback via online survey sent to 16 staff from 9 different internal teams to share with their networks.
- Key partner organisations included in this email distribution included:
  - Community groups
  - Sporting networks
  - Regular users of library meeting rooms
  - Community Asset Committees
  - Central Highlands Primary Care Partnership
  - YMCA Ballarat
  - Sports Central
  - Ballarat Community Health
  - Ballarat Health Services
  - Women's Health Grampians
  - Department Health Human Services
  - Western Victoria Primary Health Network
  - Community newsletter contacts

NB. A number of these partner organisations shared the opportunity to provide feedback through their networks.

- Social media post 12 August 2020 directing people to the My Say consultation
- Media release published on the City of Ballarat MyNews page 13 August  
<https://www.ballarat.vic.gov.au/news/city-seeks-feedback-community-infrastructure-policy>

## RESULTS

### KNOWN REACH

Communication channels	Reach
My Say page visits providing information and feedback opportunities	234
Facebook post views promoting the project and consultation opportunities	10024 reached 522 engagements
Direct emails to organisations and community groups requesting feedback	330
Number of surveys completed	36
<b>TOTAL</b>	10624

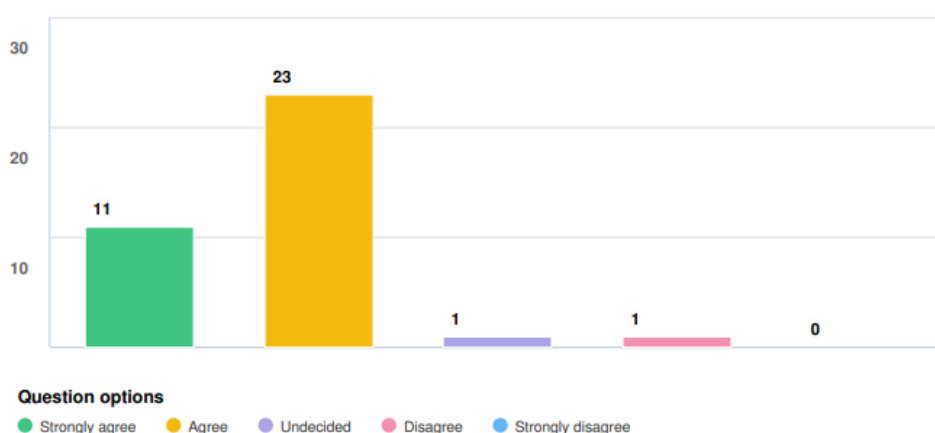
## COLLATED FEEDBACK AND RESPONSE

Six guiding principles are identified in the draft Community Infrastructure Planning Policy. These principles will provide the overall direction to decision-making for community infrastructure planning.

Community feedback was sought to identify if people agreed with the principles, had suggestions for improvement or had feedback on the policy document.

### Principle: Strategic and Integrated Planning

#### LEVEL OF AGREEANCE WITH PRINCIPLE



#### SUGGESTED IMPROVEMENTS/ FEEDBACK

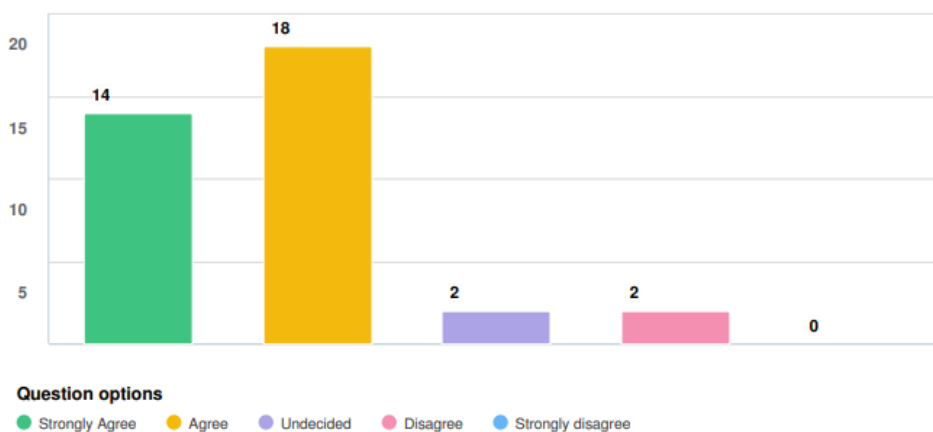
Suggestion	Response and/or how feedback has been used
Decision making should be needs based and include community input.	Detail added to the second key consideration of the principle. The need to strengthen the wording around community collaboration has been acknowledged and we have tried to incorporate additional reference points to community consultation such as the additional of the key consideration: "Implementation of the Community Engagement Principles (see 4.3), will ensure that community input is valued and respected, with clear information provided about how the contributions will be utilised," within the 'People first approach' principle and reordered the principles so that it is clear that a 'People-first approach' is front of mind.
Forward planning for all infrastructure not just sporting	The wide range of infrastructure types considered within the policy are included in policy draft under 'Scope'.
Transparency is vital.	Reference to transparency included in 3.1 'Statement' of draft policy and in the key considerations of this principle. Will also consider within process planning about how we most effectively

	share information about community infrastructure with the community.
Consistency across Council owned facilities, clear usage arrangements and financial governance.	More detail of management arrangements will be included in future work that follows the adoption of this policy. Lease, licence and hire agreements exist for a number of community infrastructure types. There are variances with agreements and hire fees due to the different hierarchy of facilities, access and allocation agreements, commercial, not for profit or community group hirers. Future fees and charges work will provide greater understanding and transparency.
Planning needs to include cultural considerations, include reference to Aboriginal community and cultural principles and protocols.	Referenced within 'Access, inclusion and equity' principle. Additional key consideration recognising the traditional owners of the land also included in that principle.
Need to take into account the needs of smaller/ niche groups.	This has been clarified within the principle 'Multi-purpose, flexible and safe' with the addition of wording: "...the accommodation of special interest groups."
Clarification of 'pipeline'	'Pipeline' added to 4.3- Definitions.
Established hierarchy and provision standards	Added to 4.3- Definitions
A collaborative and whole of community approach is taken, not just organisational. Understand community needs and priorities.	One of the key purposes of this policy is to align organisational approaches to community infrastructure planning as it is currently done across many different business units and so we think that as an organisational policy it is important to be quite specific about that. However, we do agree with the need to strengthen the wording around community collaboration and we have tried to incorporate additional reference points to community consultation (including in the second key consideration of this principle) and reordered the principles so that it is clear that a 'People-first approach' is front of mind.
Defining of greatest benefit.	Added clarification that 'greatest benefit' is in reference to 'community health and wellbeing'.
Clarification of what constitutes 'evidence' in decision making and having a focus on community health and wellbeing.	Rewording of second key consideration within this principle to incorporate this feedback.
I like the collaborative approach suggested including community input during pre-planning stage where the decision making is consistent, transparent and based on evidence.	Commendation acknowledged.
More consideration of non-preferred suppliers, this would assist in making quotes from all suppliers more competitive. There is no point in obtaining	Approved suppliers are appointed after a formal tender process. Any business is able to be part of these tender process which are publicly advertised.

quotes if the winner is already decided before they come in.	
There seems to be a significant investment in planning North of the city as compared to South of the city. For example, someone in Buninyong to have their child play Basketball, there is one association and it is on the opposite side of the city adding over an hour to their commitment.	The setting of provision standards through the forthcoming process development will ensure transparency and clear decision making on this issue.

## Principle: Sustainability

### LEVEL OF AGREEANCE WITH PRINCIPLE



### SUGGESTED IMPROVEMENTS/ FEEDBACK

Suggestion	Response and/or how feedback has been used
Forward planning for both new and existing facilities.	Reference to 'constructed/upgraded' in second consideration and within 'Scope' of the policy.
Council buildings should consider environmentally friendly energy use, recycling and ensuring community groups using facilities are also encouraged to do so.	Added key consideration: 'Users of community infrastructure are encouraged to contribute to environmentally friendly energy use and practices.' The second consideration within the principle references the need for Council to be working towards carbon neutrality using ecologically sustainable design features.
Provide an electronic register of required maintenance for all facilities to improve current annual inspection process.	Will consider within process planning and pass feedback on to appropriate areas of Council.

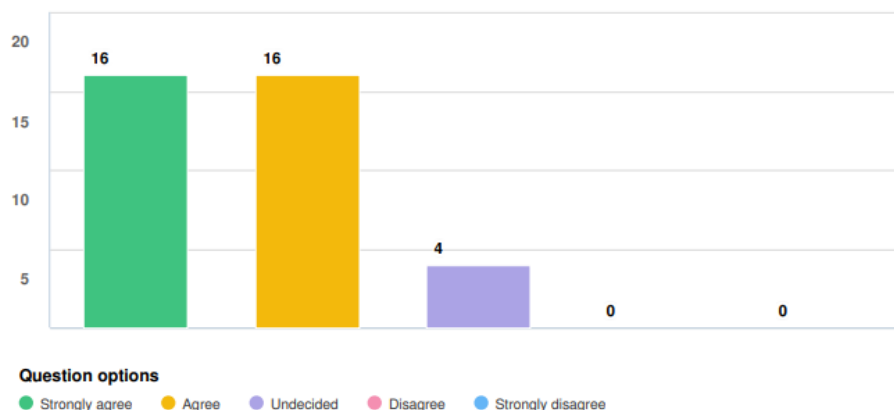


Move "Community infrastructure responds to and is integrated with the surrounding area, encouraging social connection, building a sense of place and contributing to developing social capital and capacity building" to the People First approach principle.	This key consideration was moved to the People First Principle as suggested.
Should include commitment to local suppliers and creatives.	Added "Local expertise, creativity and innovation is valued and prioritised through planning and procurement systems," as a key consideration within 'Innovation and adaptability' principle.
Always consider environmental and community needs over economics please.	Reworded first key consideration within the principle to read: "focuses on environmental and social outcomes and balances economic considerations."
Clarification on which is meant by 'appropriate.'	Added 'site-specific' to acknowledge that while there needs to be strong governance models in place, the most appropriate model might be quite different depending on the facility and or user groups.
Aboriginal cultural principles, protocols and values should be core business for any community organisation.	Referenced within 'Access, inclusion and equity' principle. Additional key consideration recognising the traditional owners of the land also included in that principle. Will also ensure that this is considered in process development.
Infrastructure fees to new estates should not be charged until the facilities are put in place.	Community infrastructure levies are required to fund projects involving the construction of community buildings or facilities in newly developed areas. This levy is a one-off payment that must be paid before a building permit can be issued, as specified in the Victorian <i>Planning and Environment Act 1987</i> and is mandated under Section 24(5) of the <i>Building Act 1993</i> .
Ensure that there is diversity in funding of community infrastructure to encourage growth and diversity in activities.	This is covered within the principle 'Multi-purpose, flexible and safe' and strengthened with the addition of wording: "...the accommodation of special interest groups." It is one of the reasons why multipurpose and flexible spaces are so important as it is not possible/feasible from a whole of population perspective to allocate large investments for small number of participants.
Proposed community facilities should be planned with an exit strategy. Council should be aiming for community to be self-sustaining and not need funding in the long term.	Added: 'self-sufficient and site-specific management and governance models....' into fifth key consideration.
You need to monitor the governance of facilities more closely to reflect the actual usage of them. Participation use may be under reported due to poor reporting.	Will ensure that this is considered in the development of the planning process which will include the how we best gather evidence from facilities to inform decision making.

The historical integrity of the architecture of Ballarat should be protected.	This will be referred to the planning process to ensure that heritage advice is identified within the process.
I commend the second point where design and construction should comply with ecologically sustainable design principles	Commendation acknowledged.
The second dot point should not be qualified with “whenever possible”.	Feedback is noted. While all possible attempts to ensure that we do comply with ecologically sustainable design principles, in some cases when working with some of our older buildings we are not able to fully achieve this outcome and have therefore decided to leave current wording.
Do the council actually follow this principal. There is a massive amount of money being poured into Royal Park for one sport, making the Little Athletics club homeless. Why would such a facility not be looked at as multi-sport?	One of the purposes of the policy is: ‘To assist with a coordinated approach within Council to undertake this work.’ ‘Multipurpose, flexible and safe’ has been included as a principle in its own right to facilitate this. There are a number of community groups who will also be based at the Royal Park facility. Concept planning is occurring for Little Athletics at their relocated site.
I think there needs to be some words around the historical/heritage nature of some community assets and the need to include that consideration when talking about the ongoing maintenance activity and useful life of the facility.	Reference to considering heritage has been added to first key consideration in the ‘Sustainability’ principle.

## Principle: People First Approach

### LEVEL OF AGREANCE WITH PRINCIPLE



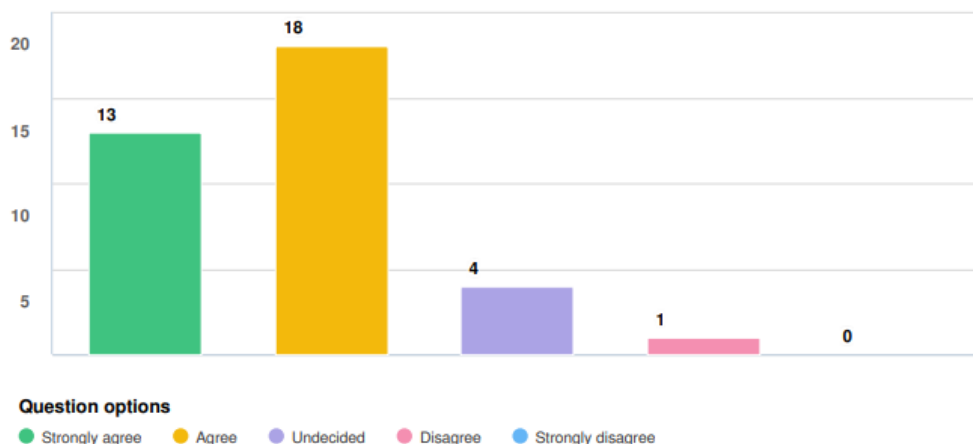
**SUGGESTED IMPROVEMENTS/ FEEDBACK**

<b>Suggestion</b>	<b>Response and/or how feedback has been used</b>
Community hubs should foster and celebrate environmental/ecological aspects.	Added 'environmental' to fifth key consideration.
Equity across all kinds of facilities – sporting facilities get preference in Ballarat.	The wide range of infrastructure types considered within the policy are included in policy draft under 'Scope'. The guiding principles will assist in creating greater equity in this area, although it should be noted that one of the reasons for higher levels of delivery of sporting facilities is that historically external funding opportunities for sporting facilities are more common. This will also be considered in the process development.
Ensure clear reporting mechanisms.	Reference to transparency included in 3.1 'Statement' of draft policy and in the key considerations of the 'Strategic and integrated planning' principle. Will also consider within process planning about how we most effectively report back on community infrastructure to the community.
Respect and acknowledge volunteers.	Additional consideration added: "Community input is valued and respected, with clear information provided about how the contributions will be utilised."
Empowerment and support for common sense approaches and confident decision making.	It is intended that the consistent and evidence-based process that we are soon to develop will enable this.
Remove the use of the word 'Vibrant'	'Vibrant' removed from fifth key consideration.
Clarification of who decides the profile and priorities as mentioned in the third key consideration.	'Community profile' changed to 'demographic profile' to provide clarity. Community Engagement Principles will ensure community priorities are also considered as per last consideration within the principle.
Need to outline what the Community Engagement Principles are. Commitment to community consultation should be evidenced.	Information and link added to 4.3 definitions. Inclusion of consultation evidence provision to be included within process development.
People first approach is best approach – please take people's views into account. Survey people in affected areas as to what they would like to see provided and developed.	The need to strengthen the wording around community collaboration has been acknowledged and we have tried to incorporate additional reference points to community consultation such as the additional of the consideration: "Community input is valued and respected, with clear information provided about how the contributions will be utilised," and reordered the principles so that it is clear that a 'People-first approach' is front of mind.
Sometimes a good idea might not have a self-funding model. Can/Should Council support a 'good' idea which cannot self-fund.	It is hoped that this is addressed within the principle 'Multi-purpose, flexible and safe' and strengthened with the addition of wording: "...the accommodation of special interest groups." It is one of the reasons why multipurpose and flexible spaces are so important as it is not possible/feasible from a whole of

	population perspective to allocate large investments for small number of participants. It is not something that can be replicated for all the 'good' ideas within a finite budget.
Questionnaires and surveys should be made more public like advertisement so more diverse communities can be involved in having a voice.	Acknowledged. A link to Council's Community Engagement Framework and Principles has been provided in Section 4.3 of the policy and outlines the ways in which Council needs to ensure this.
Look at what is happening in other areas and make timely decisions	Ensuring that evidence based best practice along with innovation and adaptability have been referenced within the draft Policy.
Consider connections to external communities as well.	The draft policy acknowledges the need to have consideration to surrounding communities which may utilise City of Ballarat facilities in Section 3.3 (Application of principles) and to consider opportunities for shared infrastructure provision with other surrounding local governments.
Once infrastructure is in place there should also be a plan for encouraging community involvement and a strategy to increase usage. Have campaigns to encourage participation. What are the benefits for community or participants?	Key considerations within the 'Sustainability' principle pertain to this point including: 'Community services and facilities are designed and governed using site specific management and governance models to meet their full capacity, making best use of existing community facilities where appropriate.' Access to and activation of community facilities will be included in future work following the adoption of this policy.
Aim for local community without adversarial parochialism.	As above, it is hoped that the development of appropriate management models can act as a risk mitigation strategy to this issue.
Undecided about the naming of this principle on the basis that people can't survive in an environment which is depleted of its resources – therefore I would argue that the environment is 'first', people are 'second.'	The focus of this principle is to make sure community input is valued in the planning process, and to recognise the role that community infrastructure can play in the health and wellbeing of residents.
People first approach where feedback is sought from prospective users of the facilities including wider community.	Acknowledged and deemed to be covered in draft policy.
Once again this is good in principal but needs to actually happen on all occasions and the community voice to be heard.	Acknowledged. A link to Council's Community Engagement Framework and Principles has been provided in Section 4.3 of the policy and outlines the ways in which Council needs to ensure this.

## Principle: Innovation and adaptability

### LEVEL OF AGREEMENT WITH PRINCIPLE



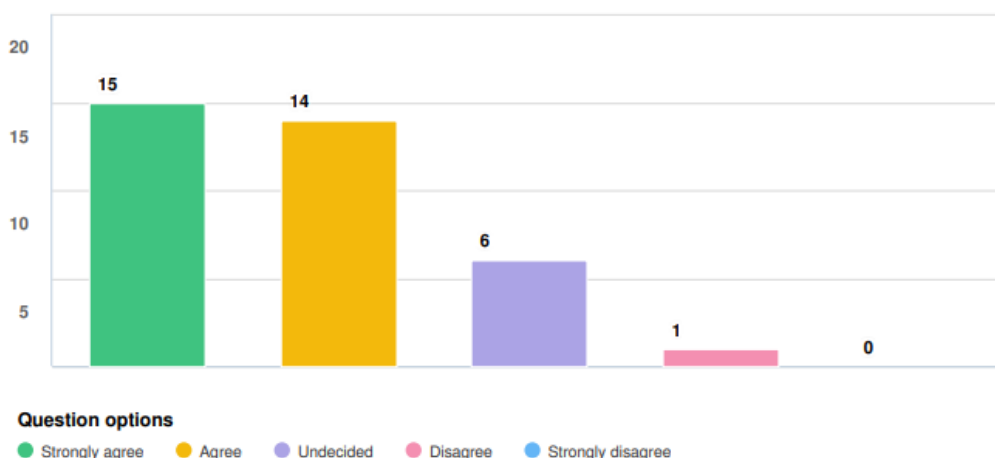
### SUGGESTED IMPROVEMENTS/ FEEDBACK

Suggestion	Response and/or how feedback has been used
Use innovative architecture.	While architecture has not been mentioned specifically it is reasoned that this is covered within the 'design processes' highlighted in the first key consideration.
Capitalise on the creativity and innovation within the Ballarat community and collaborate for better outcomes. Explore ways to include Ballarat creatives in the design process.	Key consideration added: 'Local expertise, creativity and innovation is valued and prioritised through planning and procurement systems.' This is already done partially through increased weighting of local content in procurement policies but thought that it would be worth reiterating in this new statement.
Use the humanistic design process.	Will consider within process development.
Clarify who provides leadership within second key consideration.	Reworded to be: 'Council displays leadership....'
Community supported/socially accepted/legal/ethical governance structures adhered to for project delivery.	Added: 'Robust and ethical...governance structures are adhered to.' Also added: 'and meets the requirements of the Local Government Act 2020,' into the Strategic and Integrated planning principle.
Could Council supply free or highly subsidised internet access to its tenants in the 'aim to achieve innovative and adaptable facilities' consideration?	Will be considered in planning process and feedback passed on to appropriate Council teams, however recent investigations into this issue have found this would not be possible for all facilities for financial and monitoring reasons. Specific circumstances, (for example where buildings are used as emergency relief centres) may be considered.
Design processes that reflect ecologically sustainable design	Added 'are ecologically sustainable' to first consideration point.

alongside innovation and adaptability.	
I would like to see the second point above to also allow for innovation and flexibility re governance structures.	This point is addressed under the 'Sustainability' principle within the key consideration which has been reworded to be: 'Community services and facilities are designed and governed using self-sufficient and site-specific management and governance models to meet their full capacity, making best use of existing community facilities where appropriate.'

## Principle: Access, inclusion and equity

### LEVEL OF AGREEANCE WITH PRINCIPLE



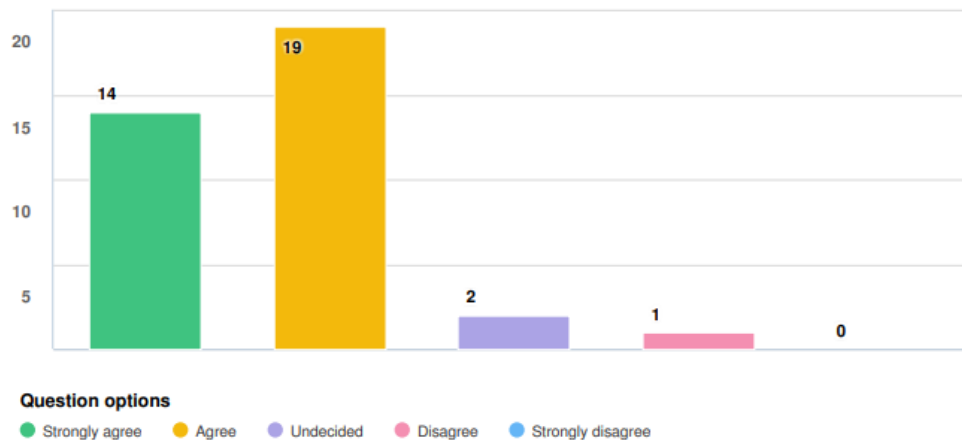
### SUGGESTED IMPROVEMENTS/ FEEDBACK

Suggestion	Response and/or how feedback has been used
'Gender sexuality preferences' – change the word preference to diversity.	Acknowledged that in trying to get the wording right in this area, we ended up getting it very wrong and are grateful for the feedback. Have reworded to read 'gender diverse.'
Doesn't need to be within 10 minutes.	Reference to '10 Minute City' has been included in 4.3 Definitions. This is one of the key platforms for the Ballarat Strategy 2040, which is why it has been specifically included.
Consider our ageing community.	'Age Friendly' and Universal design' have been referenced in first key consideration of this principle.
Ensure greater female participation and equity. Have not mentioned women specifically.	Have added 'female' into examples given in first key consideration within the principle to ensure clarity. It had been thought that 'gender diverse' and the strong references to 'equity' would show that Council understands the need to create safe and welcoming environments (sometimes specifically) for a diverse range of groups including women. To improve understanding, we have also added 'Equity' to section 4.3

	Definitions to acknowledge the important differences between 'equity' and 'equality.'
Inclusion and accessibility are key.	Numerous references acknowledging these points can be seen in the draft Policy.
Toilets need to be gender neutral.	The need to be universally accessible, equitable, welcoming and socially inclusive is a key consideration within this principle and will ensure that factors such as this are taken into account in the planning process.
Include – Existing community facilities are assessed in terms of access, inclusion and equity and if necessary, steps are made to make them fit for purpose.	This is deemed to be covered in intent by the first key consideration: 'Projects will be universally accessible, and aim to be equitable, welcoming, socially inclusive and encouraging of active lifestyles...' given that the principles apply to all projects whether they be at new or existing facilities. Fit for purpose audits will also include these elements and this will be captured in the planning process.
Projects will be universally accessible and aim to be welcoming, socially inclusive and encouraging of active lifestyles – need to do better than just aim.	Have reworded to be: 'Project will be universally accessible.....'
The first reference to the Aboriginal community is not made until this point and therefore until this point felt as though not considered part of the Ballarat community. It is hard for people to see themselves as included when it is not specifically stated.	Have reordered principles so that it is earlier in the document. Additional key consideration recognising the traditional owners of the land in culturally appropriate ways also included. Will also ensure that this is considered in process development and include in consultation planning. Have really tried to balance naming specific communities with the recognition that in doing so we may also inevitably make other diverse groups which we may not name feel expressly excluded. We hope that these changes do help Aboriginal and Indigenous people feel included in this policy.
People should be judged on their merits not because they belong to a category.	This is deemed to be covered in intent by the first key consideration: 'Projects will be universally accessible, and aim to be equitable, welcoming, socially inclusive and encouraging of active lifestyles...'
Equity has its limits of practicality.	This is why we have included: 'Where possible' at the beginning of the second consideration in 'Multipurpose, flexible and safe' principle, as it is acknowledged that on occasion we may need to deliberate on equity of access although it is still our aim for community infrastructure through the application of all the principles.
Providing safe places for this to occur.	Referenced in the principle 'Multi-purpose, flexible and safe'.
Steps are starting to be taken in the right direction on this point which is great	Noted.

## Principle: Multi-purpose, flexible and safe

### LEVEL OF AGREEMENT WITH PRINCIPLE



### SUGGESTED IMPROVEMENTS/ FEEDBACK

Suggestion	Response and/or how feedback has been used
While this is the case in most cases there are some specific examples such as Mars Stadium or Ballarat Regional Soccer Facility where separation might be important.	It is envisaged that even our regional level facilities such as Ballarat Regional Soccer Facility, Mars Stadium and Ballarat Sports and Events Centre may have a primary focus, they are likely to still be multi-purpose in nature. For example, BRSF is hired out for community functions and events, and Mars stadium hosts events such as Carols, rugby and cricket.
Increased lighting and security cameras through the CBD.	Deemed to be covered in intent by the key consideration: 'Buildings enhance public streets, spaces and views and include best practice principles in crime prevention through environmental design including appropriate lighting, visual prominence and location.' Which would be applied during project planning.
Still a need to accommodate the needs of specific groups and this may need to influence design. Is fit for purpose, and multi-purpose an oxymoron?	This is why, while we would prefer to be more concrete in wording we have included: 'Where possible' at the beginning of the second consideration, as it is acknowledged that on occasion we may need to deliberate on equity of access and the ability to achieve fit for purpose and multipurpose. However, in order to deliver best value for money for the community, wherever possible facilities should be multipurpose to facilitate optimal usage.
Selling community facilities does not have to lead to the purchase of new facilities.	Acknowledged that 'like for like' may not be at all required. However, it is likely that given the growth of the city there may be a need for a different facility in another area and/or it may



	also be that the reinvestment is made in existing facilities for needed upgrades.
Community facilities are planned and designed for the broadest possible use by a range of groups, services and activities, and are multi-purpose in nature where feasible and practical.	It is acknowledged that on occasion we may need to deliberate on the ability to achieve fit for purpose and multipurpose, however, in most examples it is possible to find co-locatable activities which make the best use of infrastructure. While we have added 'Where possible' to the second consideration within the principle, it is our core goal that facilities are multipurpose to increase usage and optimise investment.
Some facilities have a fit for purpose the meets the needs of the users and diversity can hinder the groups successfully maintaining the facility i.e. footy/cricket clubrooms.	While it is a change of thinking for some established facilities, and requires significant consideration to ensure success, it could be seen that football and cricket clubrooms are a very good example of facilities that often have minimal use during 'business hours' but might be able to provide meeting spaces for groups who are active during those times, perhaps older adults groups. In matching appropriate users to existing facilities it can be of benefit (especially financially) to all involved.

## Other comments people made about the policy and project

### **SUGGESTIONS FOR OTHER GUIDING PRINCIPLES/OTHER COMMENTS**

<b>Suggestion</b>	<b>Response and/or how feedback has been used</b>
Maintaining and enhancing existing facilities not just investing in new.	Reference to 'constructed/upgraded' in second consideration of 'Sustainability' principle and within Scope.
Financial management coupled with governance to ensure where able the Council and other government organisations provide the level of support to community groups to ensure that they are set up to be highly successful.	Fifth consideration within 'Sustainability' principle addresses this: "Community services and facilities are designed and governed using self-sufficient and site-specific management and governance models to meet their full capacity, making best use of existing community facilities where appropriate."
Adherence to Local Government Act 2020 and use of deliberative engagement should be incorporated into this policy.	Direct reference to the Local Government Act 2020 added in first key consideration of 'Strategic and integrated planning' principle. Reference to Council's Community Engagement Framework and Principles is included in third consideration of 'People first approach' principle and a link provided in section 2.3 Definitions.
Accountability and auditing.	Added: 'Robust and ethical...governance structures are adhered to.' Also added: 'and meets the requirements of the Local Government Act 2020,' into the Strategic and Integrated planning principle.
Only to group like-minded groups. Also allow groups to share facilities via sub-let agreements.	Key considerations within the 'Sustainability' principle pertain to this point including: 'Community services and facilities are designed and governed using site specific management and

	governance models to meet their full capacity, making best use of existing community facilities where appropriate.'
That CoB acknowledges cultural values and principles as a core element of the community.	Referenced within 'Access, inclusion and equity' principle, with the intent of 'welcoming and socially inclusive' to direct the consideration of cultural values. Additional key consideration recognising the traditional owners of the land also included in that principle. Will ensure that this is considered in process development.
Consider the inherent sexism in the provision of infrastructure. In being 'gender neutral' much does not take into account the needs of women and girls.	Have added 'female' into examples given in first key consideration within the principle to ensure clarity. It had been thought that 'gender diverse' and the strong references to 'equity' would show that Council understands the need to create safe and welcoming environments (sometimes specifically) for a diverse range of groups including women. To improve understanding, we have also added 'Equity' to section 4.3 Definitions to acknowledge the important differences between 'equity' and 'equality.'
Ensure that infrastructure is being developed to meet growth needs including requirements for junior competitions.	Appropriate mechanisms to ensure this forward thinking will be considered in planning process and will include using population forecasting.
How does this link with the Ballarat Prosperity Framework? The policy will have flow on effects to the tourism sector. Needs some acknowledgement and linkage.	Ballarat Prosperity Framework has been added to 4.2 Associated Documents but no specific inclusions within the policy area were deemed appropriate given the specific focus of this document.
Feedback to projects that are unsuccessful and making information available about how projects are prioritised. Example - Doug Dean Reserve would meet many of the guiding principles yet is often overlooked for any upgrades.	Appropriate mechanisms to provide this feedback will be considered and included in planning process. To ensure that decision making is consistent and prioritisation considers these principles is the purpose for the development of this policy.
Proposed inclusion to policy purpose: To ensure ongoing community input on infrastructure plans and development contributions.	Added to purpose: 'To demonstrate commitment to community and stakeholder engagement when planning for community infrastructure.'
Proposed inclusion to policy purpose: To provide timely reporting against agreed measures.	While not considered to be the 'purpose' of this policy, it is acknowledged that evaluation and transparency of outcomes is an important part of community infrastructure planning and will be included in process development.
Guiding principle should be to stick within the jurisdiction of the LGA.	The Local Government Act 2020 also directs Councils to look at different ways of providing services to our community including shared services. As a leader within the Western region there are occasions where taking a regional approach is more beneficial. This enables City of Ballarat residents to have access to other

	regional facilities which may then not need to be provided within our own municipality (i.e. Equestrian facility in Golden Plains Shire).
Some flexibility with user groups to manage the facilities and report back to Council annually.	Fifth consideration within 'Sustainability' principle addresses this to some extent: "Community services and facilities are designed and governed using self-sufficient and site-specific management and governance models to meet their full capacity, making best use of existing community facilities where appropriate."
A hierarchy of reporting from the user groups through to Council so it is clear and transparent on actual community benefits.	A facility specific assessment that measures current use of facilities and determines whether facilities have adequate capacity to meet community demand will form part of the planning process. User groups at some facilities may be required to supply this information.
Environmental design principles should include aesthetics and be pleasing to the eye and functional in use.	Through references to both 'ecologically sustainable design principles' and 'design led spaces' within the key considerations it is hoped that this is achieved.
Resources listed do not include any references to recognised Ecologically Sustainable Design principles outlined in work supported by Sustainability Victoria - Regional Victorian Study on ESD. Also more about the preservation of suitable land for community infrastructure.	As a result of the extensive list of references used in the development of this document, it was deemed most appropriate and efficient to list the Council documents which provided guidance and are supported by evidence.
Buildings should be built to the highest energy efficiency standards and consider climate change and emergency suitability.	Considered within the 'Sustainability' principle.
Is there a guiding principle regarding the possibility of assets that maybe no longer meet community needs in high growth areas are not to be demolished {heritage} or "sold off" to facilitate new investment options?	Reference to considering heritage has been added to first key consideration in the 'Sustainability' principle. All buildings assessed to have heritage value are protected under the Planning and Environment Act 1987 and the Heritage Act 2017, including community infrastructure, however it may not always possible or feasible for Council to maintain community buildings which are not being utilised by the community or are no longer fit for purpose.
Flexibility of facilities to meet the needs of different users.	Addressed within the first key consideration of the 'Multipurpose, flexible and safe' principle.
More future thought in investment. There is no point building something with no future chance of expansion if needed. A new oval/court and facility built in Buninyong 14 years ago was good for the time,	Addressed within the second key consideration of the 'Multipurpose, flexible and safe' principle. Evidence based planning using forecasting data and consistent benchmarks will also help us to do this better.

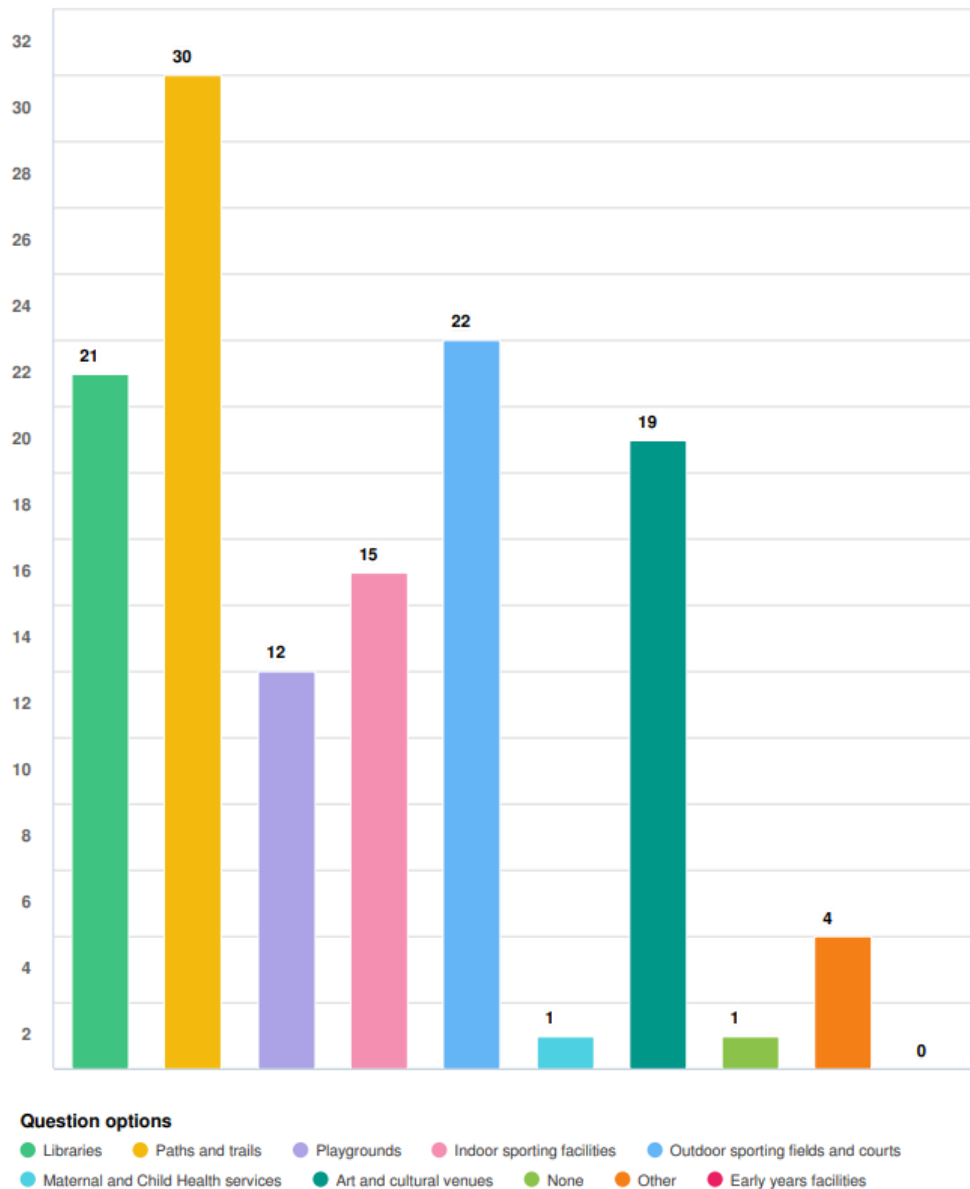
but now with 10 or so netball sides, 5 footy teams and 12 cricket teams one oval and one court is not enough and there is not the room on site to provide a second oval, and if a second court is constructed the parking will be severely hampered.	
The Policy reads soundly. The challenge is now developing appropriate Procedures to reflect the Policy (when Adopted), and then ensuring that Practice mirrors the agreed Procedures.	Noted.

#### CLARIFICATIONS ON PROPOSED PLANNING PROCESS

Suggestion/question	Response and/or how feedback will be used
Will this be done on an adhoc or annual basis?	Determining specifics will be part of the process development, however, decisions will not be made on an adhoc basis. It is most likely that review, identification and prioritisation of projects will happen in line with our annual budget cycle and larger projects which may require long lead times and lobbying for funding may be part of longer-term strategic planning or Council-term plans.
What if circumstances change during a project? Is there an element within the policy that deals with that? What about priorities? Which guiding principles outweigh others.	Changes during project delivery will be considered within risk management and mitigation in the planning process to be developed. It is intended that all of the principles should be considered within the planning of community infrastructure. If, for some reason, one principle needed to be prioritised over another the process will ensure that this justification is transparent and able to be communicated.
If projects are planned ahead of time will it preclude new community needs that are identified?	As above, it is envisaged that projects would be considered at least annually in line with budget processes providing opportunities for emerging needs to be considered.
What measures will be used for reporting?	This will be determined as part of the process planning of which evaluation and reporting will be a key component.
How are developer contribution plans determined and does the community have input?	The community has input at the initial phase of the Precinct Structure Plan (PSP), where the overarching objective is to deliver accessible integrated and adaptable community infrastructure. A PSP provides direction for the future urban development in the Urban Growth Zone; a high-level master plan of the future communities including the use and development controls which apply in the Urban Growth Zone (UGZ) that is incorporated in the Ballarat Planning Scheme.

	<p>The preparation of the PSP includes the understanding of the people and households, demographics in the defined urban growth area and the social and infrastructure services the community needs. As part of the initial technical reports required a social and community infrastructure needs analysis report is completed to gather knowledge of the existing surrounding services, as well as demand for services and facilities resulting from future development, in the short, medium and long term.</p> <p>This incorporates assessment of a number of types of social infrastructure to meet the community needs. This includes libraries, maternal and child health, kindergartens, childcare centres, and multi-purpose community centres. Schools and open space requirements are also incorporated in this analysis. The Development Contributions Plan is the accompanying document to the PSP that is the funding mechanism to provide infrastructure for the new communities. Therefore, the DCP costings are justified by the PSP strategic planning outcomes.</p> <p>As part of the PSP planning process, a community reference group is formed which targets community committees and interest groups to ensure community awareness of the growth area planning. It provides the opportunity for key stakeholders and the wider community to have an input into the development of the PSP. This is an avenue to disseminate information, briefings and opportunity for input.</p> <p>The process of developing a PSP can take 3 to 5 years, then another couple of years after that to finalise the DCP through the planning system.</p>
Community infrastructure should contribute to an early zero emissions target and energy independence for Ballarat, like Daylesford.	Sustainability principle references community infrastructure supporting the goal of achieving carbon neutrality.

### Respondents utilised the following types of community infrastructure



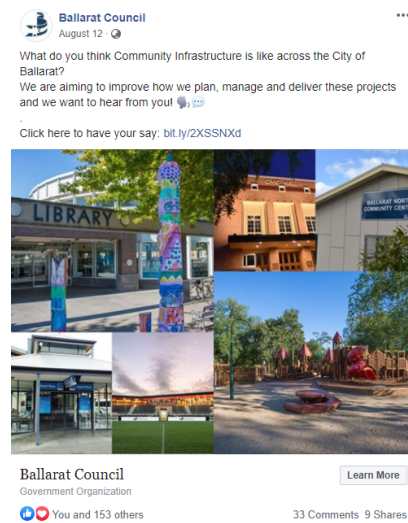
NB. 'Other' responses included dog parks, Buninyong Town Hall, Parks, gardens and reserves and Airport huts.

### Respondents were from a variety of suburbs across the municipality

- Ballarat Central (x4)
- Newington (x3)
- Brown Hill (x3)
- Buninyong (x4)
- Black Hill (x2)
- Alfredton (x2)
- Cardigan Village (x2)
- Ballarat East (x2)
- Ballarat North (x2)
- Mount Pleasant
- Sebastopol
- Canadian
- Lake Wendouree
- Redan
- Mitchell Park
- Winter Valley
- Soldiers Hill
- Lake Gardens
- Scotsburn
- Wendouree
- Miners Rest

### Feedback posted on social media

33 people made comments on the social media post promoting the opportunity to have your say on Community Infrastructure Planning Policy.



Comment	Response and/or how the feedback will be used
<p>Review of existing facilities encompassing such things as cost to provide, usage, ongoing maintenance and repair costs, value to the Community, sustainability x 4</p> <p>2 comments about ensuring infrastructure considers heritage</p> <p>1 comment about improved community consultation with all residents</p>	<p>Seven comments were relevant to the community infrastructure planning policy and provided suggestions that are either included in the policy or will be addressed by the future process to follow the adoption of the policy.</p>
<p>6 comments were positive about the community infrastructure provided in Ballarat, two identified specific playgrounds Vic Park and Lake Wendouree Playgrounds</p>	<p>Commendation acknowledged and passed on to relevant Council teams.</p>
<p>3 people took the opportunity to highlight gaps in infrastructure provision</p> <ul style="list-style-type: none"> <li>Public toilets x 2</li> <li>Miners rest bike track</li> </ul>	<p>To be considered in the planning process and shared with relevant teams.</p>
<p>4 people made suggestions about improvements or location of infrastructure</p> <ul style="list-style-type: none"> <li>Information centre and dump point at Vic Park x 2</li> <li>CBD library</li> </ul>	<p>To be considered in the planning process and shared with relevant teams.</p>
<p>1 commenter suggested to not use Melbourne consultants.</p>	<p>Key consideration added to 'Innovation and adaptability' principle: 'Local expertise, creativity and innovation is valued and prioritised through planning and procurement systems.' This is already done through increased weighting of local content in existing procurement policies but</p>



	thought that it would be worth reiterating in this new statement.
<p>13 comments were made that don't specifically link to the Community Infrastructure Planning Policy</p> <ul style="list-style-type: none"> <li>• 2 comments expressing concern with lake lighting project and request for more information</li> <li>• 2 comments about budget and procurement.</li> <li>• 1 commenter suggested investment should be in public infrastructure such as drainage, roads and footpaths rather than community infrastructure</li> <li>• 3 comments about improved road surfaces and traffic</li> <li>• 2 comments about parking</li> <li>• 1 commenter shared their opinion on decisions made in the past.</li> <li>• 1 comment requested clean Canadian Creek out</li> <li>• 1 comment included crying and thumbs down emojis.</li> </ul>	These comments have been shared with relevant Council teams.



# COMMUNITY INFRASTRUCTURE PLANNING POLICY

## 1.0 Purpose

City of Ballarat (Council) is a provider of community infrastructure including community centres, public halls, sports pavilions, aquatic facilities, libraries, early years facilities, senior citizens centres and playgrounds. It owns and manages community facilities and delivers services to the community through those facilities. Council also supports the provision of community infrastructure by other providers through direct funding and/or advocacy. A holistic and strategic planning approach ensures that Council understands communities' current and future needs for community infrastructure and enables it to meet those needs effectively and efficiently.

This policy outlines Council's commitment to an integrated and strategic planning process for the delivery of Community Infrastructure across the Ballarat municipality. The purpose of this policy is to:

- Provide the general community, stakeholder organisations and Council employees with an understanding of Council's objectives and approach to providing for community services infrastructure in Ballarat;
- To direct sound decision making about planning, funding, delivering and negotiating for community infrastructure;
- To demonstrate commitment to community and stakeholder engagement when planning for community infrastructure; and
- To assist with a coordinated approach within Council to undertake this work.

The Community Infrastructure Planning Policy provides a set of agreed guiding principles which set out the underlying philosophy that should be followed in the prioritisation, planning, design and provision of community infrastructure to promote more consistent understanding and practice.

## 2.0 Scope

This policy will apply to Council employees and all persons making decisions regarding community infrastructure planning, funding and delivery.

The Community Infrastructure Planning Policy provides strategic direction to meet local and regional needs and address the key challenges facing the municipality in the planning, delivery and activation of community facilities for a growing population. Council recognises that community infrastructure planning principles and appropriate best practice processes and procedures will enhance achievement of Council objectives such as building social capital, inclusion and community cohesion, achieving innovation, providing best value infrastructure to the community and enhancing environmental sustainability.

The Community Infrastructure Planning Policy focuses on community infrastructure for which Council has primary responsibility. For the purpose of this policy, community infrastructure refers to; Council owned buildings and spaces that are accessed by the community for a wide range of community, cultural, education, recreation and sporting pursuits; both formally and informally. Examples include community centres, public halls, sports pavilions, aquatic facilities, libraries, early years facilities, senior citizens centres and playgrounds.

This policy applies when planning for new or upgraded community facilities or when there is a proposed change of use of existing Council owned facilities as part of the following:

- External capital funding opportunities which are available for community facilities;
- A request from a community organisation for a new/upgraded community facility or changing utilisation of an existing Council community facility;



- The outcomes of a Service Plan, strategic review, issues based or area-based review proposing change or development of Council community facilities;
- To inform the development of internal business cases for renewal and upgrades; and/or
- Process for the allocation, and/or use of Council community facilities.

### 3.0 Policy Statement

#### 3.1 Statement

The objective of the Community Infrastructure Planning Policy is to optimise community infrastructure for maximum community benefit through the application of consistent and transparent guiding principles, ensuring that community infrastructure is equitable, efficient, sustainable and meets community needs in the context of population growth and change.

#### 3.2 City of Ballarat Community Infrastructure Guiding Principles

The City of Ballarat Community Infrastructure Guiding Principles provide the overall direction to decision-making for community infrastructure planning.

Principle	Key Considerations
<b>Strategic and integrated planning</b>	<ul style="list-style-type: none"> <li>• A collaborative and whole of organisation approach is taken to the planning and delivery of community infrastructure and meets the requirements of the Local Government Act 2020.</li> <li>• Decision making is consistent, transparent and evidence based (considering community needs and priorities, usage, fitness for purpose, demographics etc.), directing the City's resources where the benefit is greatest to community health and wellbeing.</li> <li>• Planning considers adequate supply of suitable land in order to preserve opportunities for future generations.</li> <li>• A pipeline of community infrastructure projects should be planned and costed to ensure funding submissions are strategic and based on identified needs. Funding is to be made available for this to occur. Planning and project establishment is to be in accordance with established Council frameworks.</li> <li>• Established hierarchy and provision standards (see 4.3 for definition) guides community infrastructure planning and delivery.</li> </ul>
<b>People first approach</b>	<ul style="list-style-type: none"> <li>• Projects focus on connecting people to services, facilities and experiences to enhance their overall health and wellbeing.</li> <li>• There is commitment to stakeholder and community engagement at all stages throughout the planning process which considers the directives of other Council plans, strategies and priorities.</li> <li>• Establishing the purpose and function of a facility is based on the demographic profile, needs and priorities for the facility's catchment area.</li> <li>• Community infrastructure responds to and is integrated with the surrounding area, encouraging social connection, building a sense of place and contributing to developing social capital and capacity building.</li> <li>• Community hubs which encourage social interaction, creativity and economic and environmental vitality are fostered, creating a strong sense of community and local identity.</li> <li>• Implementation of the City of Ballarat Community Engagement Principles (see 4.3 for link, will ensure that community input is valued and respected, with clear information provided about how the contributions will be utilised.</li> </ul>



<b>Access, inclusion and equity</b>	<ul style="list-style-type: none"> <li>• Projects will be universally accessible, and aim to be equitable, welcoming, socially inclusive and encouraging of active lifestyles, taking into account the diverse needs of our community (including but not limited to Aboriginal and Torres Strait Islander, multicultural, all abilities, child and age friendly, female and gender diverse).</li> <li>• Equitable (see 4.3 for definition) provision and standard of facilities within the municipality and across population catchments will be promoted using established hierarchy and provision standards.</li> <li>• Preferred sites for new community infrastructure will consider liveability and accessibility including 10 Minute City principles (see 4.3 for definition) and be:               <ul style="list-style-type: none"> <li>○ In a location which is central to the community it serves;</li> <li>○ Co-located or adjacent to other services and facilities;</li> <li>○ Accessible by public transport, pedestrian and cycle path networks;</li> <li>○ In a highly visible civic space, adjacent to public open space; and</li> <li>○ Have adequate car and bicycle parking onsite or in close proximity.</li> </ul> </li> <li>• Community infrastructure will recognise the traditional owners of the land through signage or in other culturally appropriate ways.</li> </ul>
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>• Sustainability of community facilities is achieved by providing a standard of infrastructure, management and service delivery that focuses on environmental and social outcomes, and balances economic and heritage considerations.</li> <li>• Community infrastructure is designed and constructed/upgraded to comply with ecologically sustainable design principles in support of achieving carbon neutrality within the City of Ballarat whenever possible.</li> <li>• The long-term costs of maintaining and managing infrastructure is taken into account in decision making processes.</li> <li>• Existing community facilities are monitored to improve resource planning and to determine potential useful lifespans.</li> <li>• Community services and facilities are designed and governed using self-sufficient and site-specific management and governance models to meet their full capacity, making best use of existing community facilities where appropriate.</li> <li>• Community facilities not owned by Council, but which are available for community use, are also considered when analysing community needs.</li> <li>• Users of community infrastructure are encouraged to contribute to environmentally friendly energy use and practices.</li> </ul>
<b>Innovation and adaptability</b>	<ul style="list-style-type: none"> <li>• Design processes aim to achieve innovative and adaptable facilities that can take advantage of new technologies, are ecologically sustainable and respond to changing community priorities in the future.</li> <li>• Council displays leadership in developing and supporting new concepts, innovative practices and successful models of delivery where possible, with robust and ethical governance structures adhered to for project delivery.</li> <li>• Innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline will be supported.</li> <li>• Local expertise, creativity and innovation is valued and prioritised through planning and procurement systems.</li> </ul>



<b>Multi-purpose, flexible and safe</b>	<ul style="list-style-type: none"> <li>Community facilities are planned and designed for the broadest possible use by a range of groups, services and activities, and are multi-purpose in nature.</li> <li>Where possible community facilities are fit for purpose and delivered according to appropriate infrastructure standards and best practice, with internal layouts that can respond to changing community priorities, the accommodation of special interest groups, and opportunities for expansion.</li> <li>Assets which are no longer able to meet community needs and cannot feasibly be modified to do so should be rationalised to facilitate reinvestment in more appropriate infrastructure.</li> <li>Buildings enhance public streets, spaces and views and include best practice principles in crime prevention through environmental design including appropriate lighting, visual prominence and location.</li> <li>Design led spaces promote health and wellbeing of residents.</li> </ul>
---	---

### 3.3 Application of Community Infrastructure Planning Principles

Integrated and effective planning should occur for the development of all community infrastructure projects and attempts must be made to comply with the principles set out in this policy wherever possible. This policy should be applied whenever planning for new or upgraded community facilities or for proposed changes of use of existing Council facilities.

This policy will inform the process of community infrastructure development and an integrated approach to the overall planning, delivery and management of community services, activities and facilities across Council. The policy aligns with sector-wide best practice approaches to community facility planning and ensures that there is consideration of:

- community demand for services;
- Council's role;
- models for delivery of services; and,
- population forecasting;

It also sets a framework for:

- Requests from community organisations for a new community facility or changing utilisation of an existing Council community facility;
- Advocacy to state and federal government for grants and other funding to ensure that adequate community infrastructure is delivered to respond to population growth;
- Forming and strengthening partnerships with community organisations, schools, state government and other local governments to assist in the delivery of shared community infrastructure; and
- Negotiating the best outcomes for the community from developer contributions.

To complement this policy, Council is developing a community infrastructure planning process that is informed by the Community Infrastructure Planning Principles. The planning process will:

- Identify and prioritise infrastructure projects that are justified by evidence and prioritised according to community need.
- Inform business cases for community infrastructure projects.
- Inform service plans and reviews, planning studies, masterplans and other Council business.
- Provide the evidence base for Infrastructure Contributions Plan / Development Contributions Plans, applications for grant funding, and advocacy to external service providers.



### 3.4 Role of City of Ballarat in Community Infrastructure Development

#### Planning

- Undertakes policy development, needs analysis and strategic planning for the current and future provision of community infrastructure; and
- Seeks financial and/or in-kind contributions from other levels of government, non-government organisations and the private sector towards community infrastructure provision.

#### As an owner of community infrastructure, Council:

- Funds, constructs, operates and maintains some community facilities (Council assets); and
- Makes some Council assets available for use by other service providers and the community.

#### As a provider of community services, Council:

- Delivers community services through its assets;
- Provides funding and/or in-kind support to assist others to deliver community services;
- Partners with and advocates to other levels of government and community service providers to ensure adequate services are available to meet community needs; and
- Considers where, when and how community facilities should be provided to meet current and future needs.

### 3.5 Continuous improvement

Council will continue to enhance its community infrastructure planning and development knowledge, skills and operational practices with a commitment to a continuous improvement approach. Improved knowledge about the future direction of Council and non-Council services, and an understanding of sector-wide best practice and population forecasting will drive integrated community infrastructure planning and the provision of community facilities.

### 3.6 Risk Management

The policy supports:

- Prioritisation of programs, projects and investment in public resources which are identified as addressing the greatest need.
- Investment in sustainable community infrastructure development and models.
- Strong links between service planning, evidenced based community needs and investment decisions.
- Transparent and accountable allocation of resources.
- Compliance with relevant legislation including public safety standards.

## 4.0 Supporting documents and references

### 4.1 Legislation

- *Local Government Act 2020*

### 4.2 Associated Documents

- *Active Women's and Girls Strategy 2018*
- *Asset Management Policy 2015*
- *Carbon Neutrality and 100% Renewables Action Plan 2019 – 2025*
- *Charter of Human Rights and Responsibilities Act 2006*
- *City of Ballarat Council Plan 2017-2021*



- *Community Engagement Framework*
- *Community Engagement Principles*
- *Disability Access and Inclusion Plan 2019-2022*
- *Municipal Public Health and Wellbeing Plan 2017-2021*
- *Master Plans and recreation strategies*
- *Social Policy Framework*
- *Ballarat Prosperity Framework*

#### 4.3 Definitions

<b>Community Infrastructure</b>	Assets (which may or may not include a building), that accommodate community services, including health, individual, family and community support, education, arts and culture, information, community development, employment and training, open space and active and passive recreation opportunities
<b>Equitable</b>	Equitable refers to the character of fairness or equity, or of being reasonable, or just and right.
<b>Equity</b>	A concept based on the human-rights principles of social justice and fairness. It is an approach that addresses the unfair and avoidable differences among social groups with an aim of achieving more equal outcomes. This means we try to reduce unfair differences. Equity is needed to ensure everyone has the same chance of equality.
<b>Planning Principles</b>	General statement of intention, which may be applied to particular cases to promote consistency.
<b>City of Ballarat Community Engagement Principles</b>	Are a guiding element of the Community Engagement Framework. Can be found on page 5 of the Framework and accessed at: <a href="https://www.ballarat.vic.gov.au/sites/default/files/2019-11/Community%20Engagement%20Framework%20March%202019.pdf">https://www.ballarat.vic.gov.au/sites/default/files/2019-11/Community%20Engagement%20Framework%20March%202019.pdf</a>
<b>Hierarchy</b>	A hierarchy of provision provides guidance regarding appropriate open space and buildings for distinct catchments, with larger infrastructure serving a larger population and smaller catering for local needs. Ratios are used to evaluate the number or size of buildings and open spaces required across different locations. Benchmarks can either be on a population or distance catchment basis.
<b>Provision standards</b>	<p>Quantity - A strategic assessment to determine if the quantity of provision meets the needs of City of Ballarat residents.</p> <p>Quality (suitability, universal access) - A facility assessment to determine if facilities are suitable for their intended purpose and if not, what improvements are required to make them more suitable for use.</p> <p>Catchment (travel accessibility) - A strategic assessment to determine the maximum reasonable distance that residents should expect to have to undertake to access facilities.</p>



Utilisation - A facility specific assessment that measures current use of facilities and determines whether facilities have adequate future capacity to meet community demand.

Asset condition - A facility specific assessment that measures current condition of facilities and the buildings useful life to ensure we are safely and fiscally meeting community demand.

**10 minute city**

The 10 Minute City is one of the key concepts in the Ballarat Strategy 2040. The concept of a 10 minute city includes liveable neighbourhoods within a compact city. The 10 minute City in Ballarat reflects community aspirations to maintain existing or improved levels of local access to destinations and services as the city grows over time.

**Pipeline of projects**

Forward view of infrastructure. A list of identified Infrastructure projects to progress as funding becomes available, based on evidence and needs assessments.

**Policy owner**

Executive Manager Engaged Communities

**Authorisation**

Adopted by Ballarat City Council on XX.



**10.2. BALLARAT WEST GROWTH AREA UPDATE**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position** Donna Johnston – Coordinator Growth Areas Facilitation

**OFFICER RECOMMENDATION**

**Council resolves to:**

**Note the status report for the Ballarat West Growth Area for the 2019/2020 financial year and progress of the Regional DCP Toolkit Project.**

**EXECUTIVE SUMMARY**

The purpose of this report is to provide a status update on the progress of the implementation of the Ballarat West Growth Area, the level of growth currently experienced, the Ballarat West Development Contributions Plan (DCP) financial position, and progress of the Regional DCP Toolkit project.

This report includes the Ballarat West Precinct Structure Plan June 2020 status report including the level of planning permits approved and lodged in the Ballarat West Precinct Structure Plan (PSP) since inception. The summary provides a snapshot of the residential lots' statistics for Ballarat West and Alfredton West PSPs, and the financial status of the Ballarat West DCP, including DCP Capital projects delivered and levies collected. The Ballarat PSP permits plan provides a graphic representation of the residential lots released and take up per sub-precinct to date. The Master Plans for Lucas and Lucas Grange Estates have also been attached providing lot release progress in the Alfredton West PSP.

**RATIONALE**

The Ballarat West Growth Area comprises of two approved Precinct Structure Plans (PSPs):

- Alfredton West (Lucas) 2011; and
- Ballarat West 2012 (Amended 2016)

The PSPs approved provide direction for the future urban development in the Ballarat West Urban Growth Zone. The Precinct Structure Plan is a high-level master plan of the future communities including the use and development controls which apply in the Urban Growth Zone (UGZ) that is incorporated in the Ballarat Planning Scheme. The Growth Area will provide around 18,000 new houses at full development to accommodate a population of more than 40,000 people.

The Ballarat West DCP approved in 2014 is an accompanying document to the Ballarat West PSP which supports the provision of infrastructure for the new communities. The Precinct Structure Plan guides the future development in Ballarat West and sets a long-term strategic framework for development in relation to land use, transport, activity centres and open space. The Alfredton West and Ballarat West PSPs collectively cover an area of approximately 1,600 ha.

The Ballarat West PSP and the Ballarat West DCP provide the tools to facilitate investment and guide development in this growth corridor.

---

The Ballarat West DCP is now over five years into implementation and is experiencing significant growth with a large take up of development sites in the Ballarat Carngham Road and Glenelg Highway / Greenhalghs Road Sub-Precincts. The following details provide a picture of the level of planning permits lodged or approved from commencement of the PSPs to the end of the 2019/2020 financial year.

### **Summary**

#### **Ballarat West PSP**

- 48% of total PSP residential lots are lodged or approved
- 2150 lots have been released since inception to the end of 2019/2020 financial year
- 860 lots released in 2019/2020 an increase of 65% compared to 2018/2019
- 215 lots have been released to the end of August 2020

#### **Alfredton West PSP**

- 40% of PSP residential lots released
- 1236 lots have been released since inception to the end of 2019/2020 financial year
- 302 lots released in 2019/2020 94% increase compared to 2018/2019
- 21 lots have been released to the end of August 2020

#### **Ballarat West DCP Financial Position inception to end of the 2019/2020 financial year**

- \$47M Shortfall
- \$33M DCP Projects delivered
- \$12M Levies collected
- \$40M Works in Kind agreements

### **Current growth levels**

The development demand in the first two months of the 2020/2021 financial year continues to accelerate in the Ballarat West Growth Area, and we are yet to see any effects of the COVID-19 climate. The addition of the short-term federal stimulus package Homebuilder Scheme of \$25,000 to the regional First Homeowners Grant of \$20,000 has seen a significant increase to lot release. In the first two months of the 2020/2021 financial year over 200 lots have been titled. The evidence of this demand is supported by the rise in the community infrastructure levy (CIL) payments imposed on new homeowners in the growth area prior to new building permits issued. This CIL collection is at an all-time high at 100% higher than this time last year. The land sales for the Lucas Estate (Alfredton West PSP) has experienced a 42% increase and have received 450 expressions of interest on the release of the Lucas Grange Estate (Alfredton West PSP Cell B), with the planning permit recently approved for the 1136 residential lots staged subdivision.

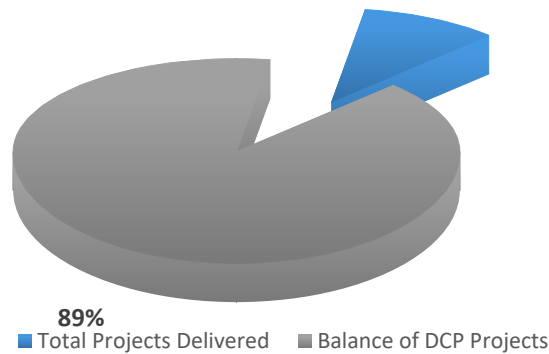
There has also been an upsurge in pre application meetings in the growth area. Recently there has been a discussion on a new potential growth front in the Bonshaw Sub-Precinct delivering 810 lots in the next 3 to 5 years.

With the current levels of growth that Ballarat West is experiencing it further supports the necessity to advance the planning work for the newly identified Western and Northern Growth areas and for the earlier release of land. At the current demand rate, the required fifteen years of land supply will be required by 2025 when the only land available for development in the Ballarat West Growth Area is constrained and fragmented.

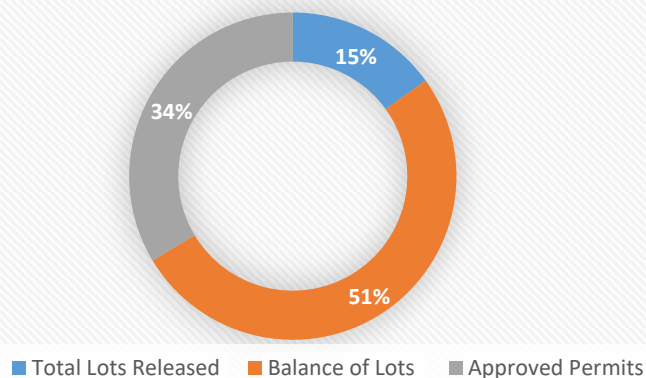
DCP Capital Projects	14/15 to 18/19 Total \$M	19/20 FY Total \$M	Consolidated Total \$M
Works in Kind	16.6	3.6	20.2
Council Delivered Projects	6.8	6.2	13.0
<b>TOTAL</b>	<b>\$23.4</b>	<b>\$9.8</b>	<b>\$33.2</b>

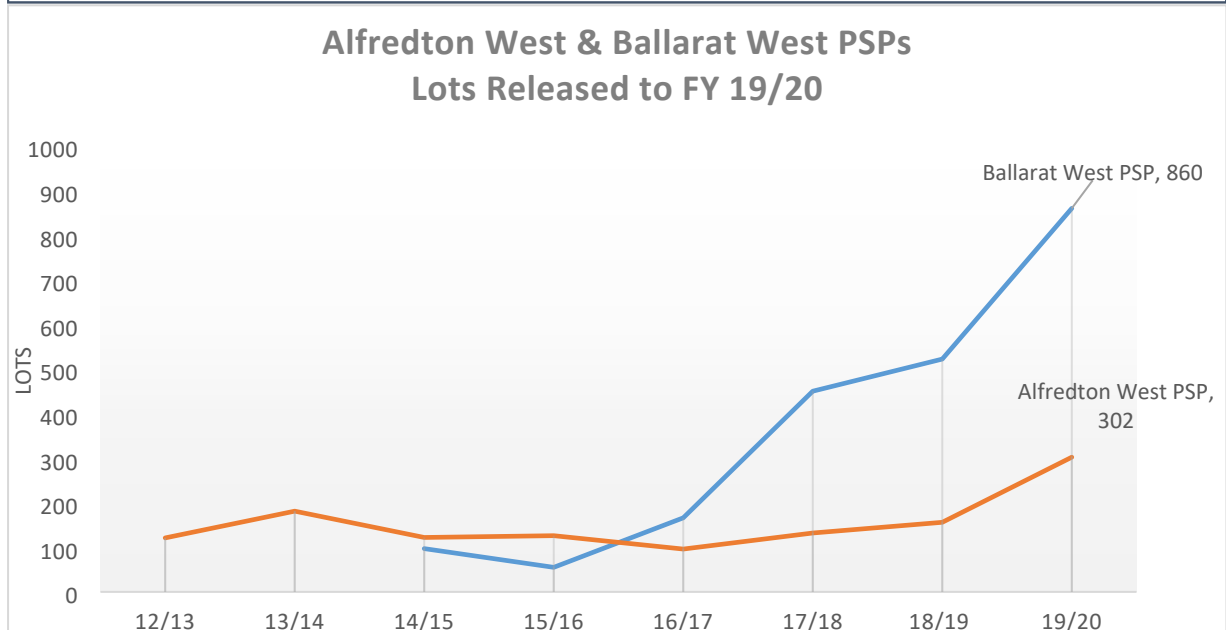
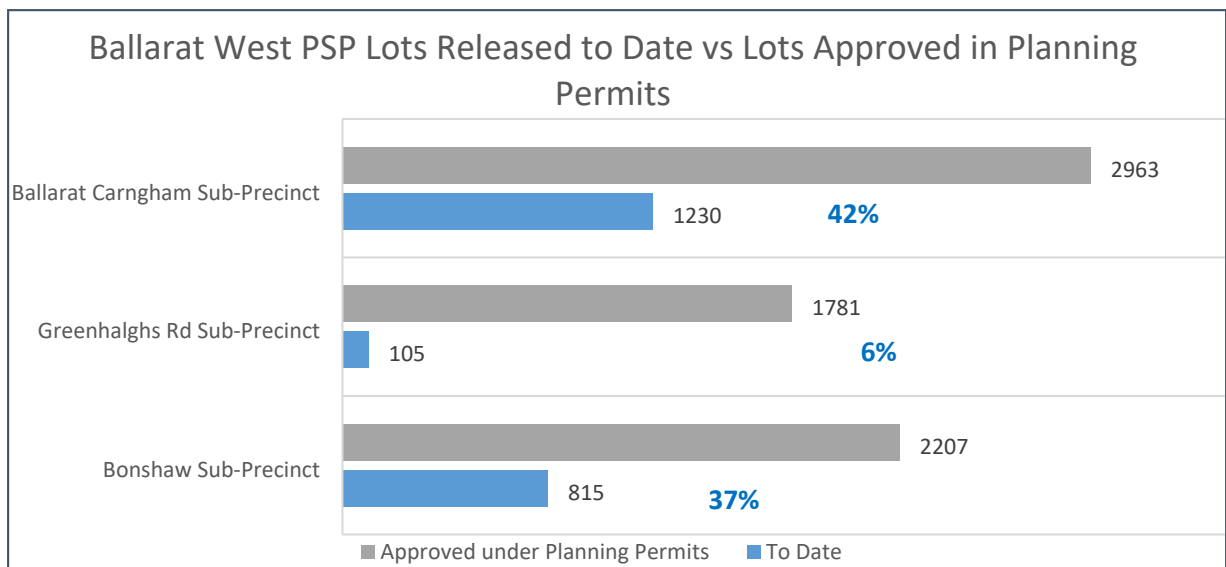
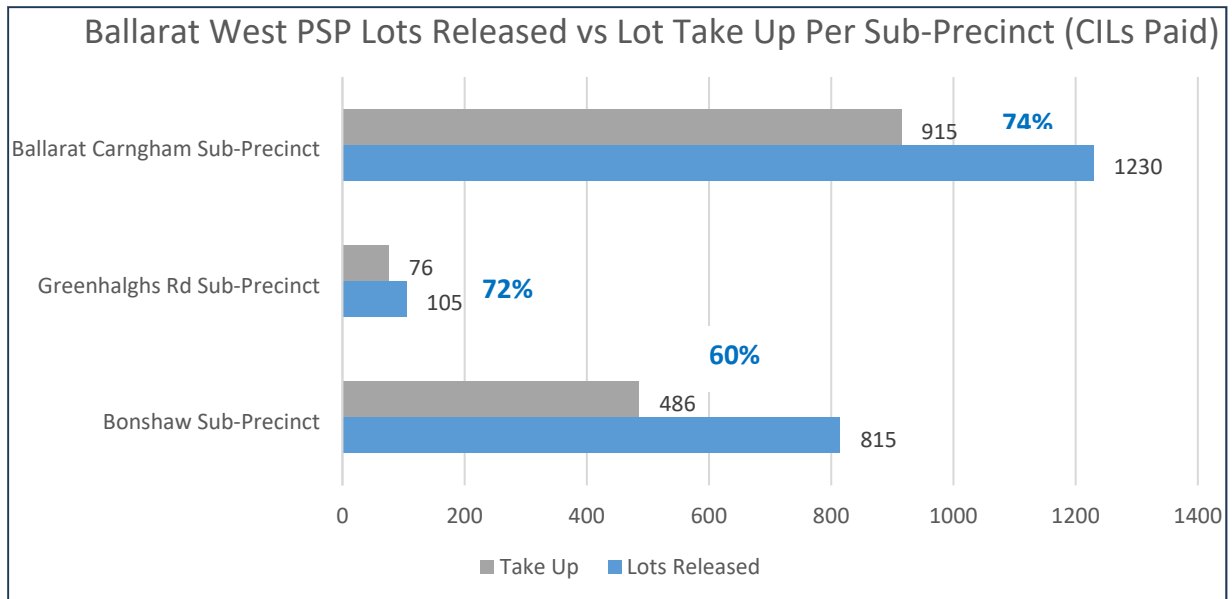
DCP Levies Collected	14/15 to 18/19 Total \$M	19/20 FY Total \$M	Consolidated Total \$M
Development Infrastructure Levy	-2.7	-7.7	-10.4
Community Infrastructure Levy	-1.1	-0.8	-1.9
<b>TOTAL</b>	<b>-\$3.8</b>	<b>-\$8.5</b>	<b>-\$12.3</b>

**Ballarat West DCP Projects Balance FY 19/20**

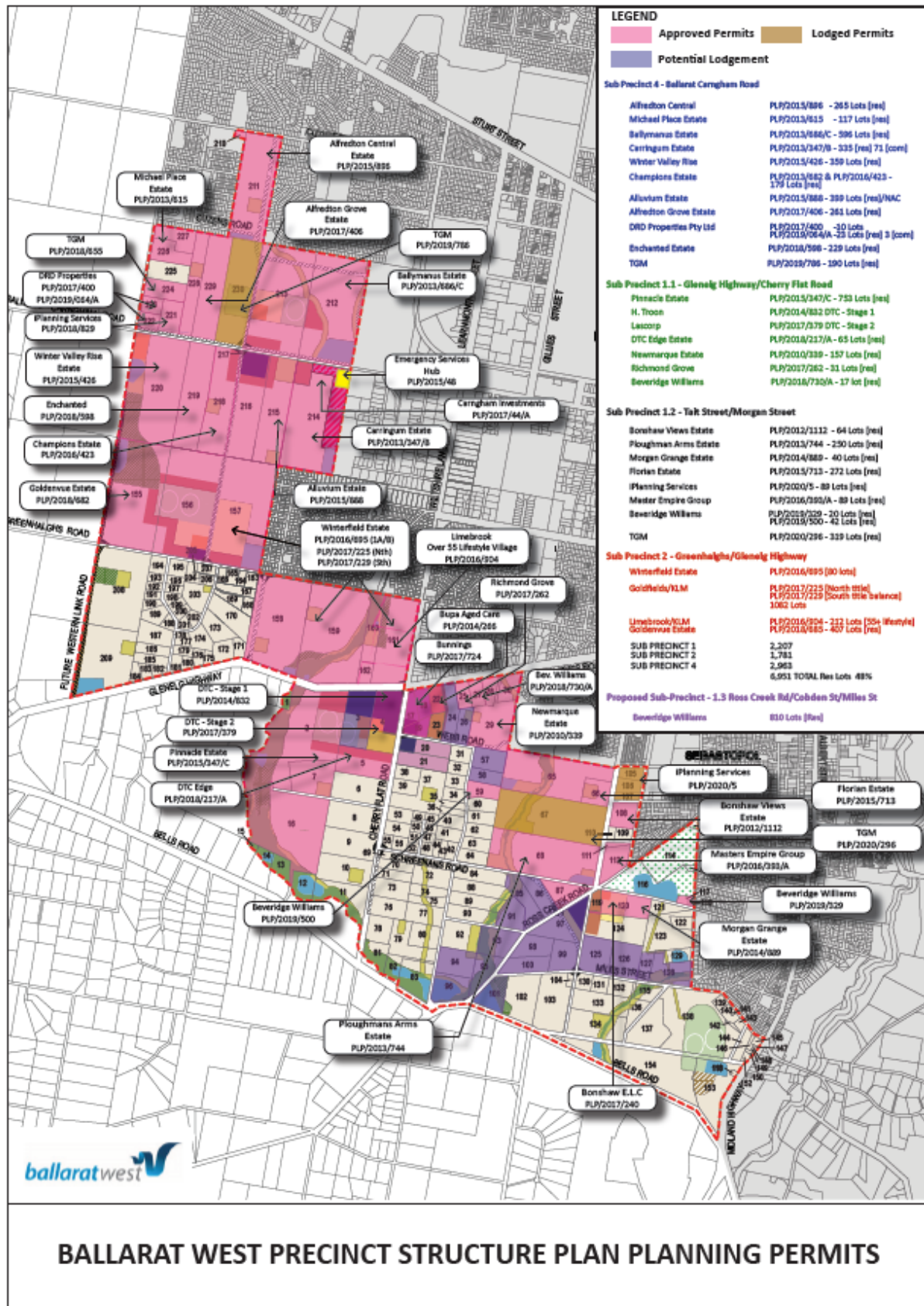


**Ballarat West PSP  
FY 19/20**





## Ballarat West Precinct Structure Plan Planning Permits 2020





# Lucas and Lucas Grange Master Plans 2020 (Alfredton West PSP)



## **Regional DCP Toolkit**

### **Background**

Funded by the Victorian Government's Streamlining for Growth program, the Regional Development Contributions Plan (DCP) Toolkit project ("Toolkit") is led by Wodonga Council in partnership with fifteen regional councils it will provide a collaborative approach to guide the implementation of DCPs in regional Victoria. The joint council group includes councils with a range of DCP experience from well-established DCP councils to emerging DCP councils.

Currently, there is not a consistent approach to DCP planning across the state. The need for consistent best practice guidance for development contributions planning emerged as a key priority in the recently formed Regional DCP Forum.

This Toolkit project will be the first of its kind in Victoria, designed to address the lack of guidance regarding DCP administration. The Toolkit will assist regional councils to manage their financial and legislative obligations. It will also respond to the findings of the Victorian Auditor General Office (VAGO) report into 'Managing Development Contributions' by providing a consistent and transparent approach that councils can adopt.

The objective of the project is to:

- build capacity within regional and peri-urban councils by providing a series of informed policies, processes and procedures to implement and manage DCPs including key infrastructure required to deliver future growth within these areas;
- provide for information sharing and learnings between partner Councils;
- increased transparency, consistency and clarity of approach to development contributions planning to enable councils to support the delivery of key infrastructure within multiple precinct structure plans, thereby assisting job creation and retention in the medium to long term; and help councils to identify resource gaps when planning for this growth; and
- an innovative approach bringing together the specialist skills of financial management, governance, project management, planning, policy, and process improvement from the councils experienced in development contributions and shares these with a group of emerging councils, with limited experience in development contributions management.

### **Deliverables**

The aim of the Toolkit is to deliver a suite of templates to assist all 16 partner councils with the potential to form the basis of a wider set of state-based guidelines. The project is also developing a strong network of council representatives with the skills to guide and inform the greater collective in a specialist area of growth area planning, and development contributions management to form the basis of future collaborations.

Uniquely focused to address the needs of both 'emerging' and 'established' DCP councils, the Toolkit provides a suite of tools, which will respond to the needs of councils with no DCP experience, and as a mechanism for benchmarking against existing DCP implementation frameworks to support continuous improvement, as well as provide guidance to established councils to undertake five yearly DCP reviews.

**Progress to date**

Mesh as the engaged consultant managing the Regional DCP Toolkit, has provided a range of practical outcomes, including:

- A DCP Hotline service: Unlimited access to a DCP Hotline was provided to councils to access for straightforward DCP enquiries.
- Strategic advice enquiries: Each council was allocated 10 hours of written strategic advice from the consultant to support councils with site-specific 'live' case studies on complex DCP matters.

The Regional DCP Toolkit will provide the following resources which will guide DCP implementation objectives.

- A series of template policies and procedures that each member council can review, adapt and adopt into their own systems as appropriate. This will provide a consistent and transparent approach.
- An information manual and fact sheets that can be used to build internal capacity, establish governance structures and help to broaden the understanding of DCPs, alternative funding arrangements and how to administer them at an executive level and within the development industry;
- Templates and fact sheets that will enable the appropriate financial management and reporting of DCPs in line with the requirements of the Planning and Environment Act 1987;
- A comprehensive assessment of the 16-partner council's current funding arrangements, along with a breakdown of key data such as the total development yield, total construction project value and net developable area of these DCPs. This will inform the ability of the state government to make targeted infrastructure funding as appropriate; and
- A list of key recommendations for each partner council to focus attention on in relation to their DCP environment.

The consultant has now provided a draft set of templates for review by the partner councils, with the project to be completed by the end of the 2020 calendar year. It is envisaged that once the Toolkit has been finalised, the Growth Areas Facilitation unit will provide workshops to relevant internal and external stakeholders to provide an overview of the Toolkit.

**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** – The delivery of the Ballarat West Growth Area ensures the provision of many benefits socially and culturally to the community.

**Environmental/Sustainability** – The Ballarat West Precinct Structure Plan integrates environmental and sustainable development as a component of the development of the area as a whole.

**Economic** – The development of the Ballarat West Growth Area is vital to Ballarat's economy.

**Financial/Resources** – The Ballarat West Precinct Structure Plan (PSP) and the Ballarat West Development Contributions Plan (DCP) provide the tools to facilitate investment and guide development in this growth corridor.

**Risk Management** – The recommended approach addresses a key risk identified in Council's growth area planning, and the implementation of the Regional DCP Toolkit will further reduced risk with the a set of guidelines, policies and procedure to explain the key components of the DCP system and ensure best practice in the financial management, administration, and implementation of a DCP

**Implementation and Marketing** – Council takes a proactive approach in the delivery of Ballarat West Growth Area and is committed to its ongoing promotion.

**Evaluation and Review** – The process for evaluation and review of Council's Development Contributions management is embedded in Council's Risk Management methodology. The implementation of the Regional DCP Toolkit will ensure the continuous improvement of DCP implementation practices in accordance with best practice.

**CONSULTATION**

The facilitation of the Ballarat West Growth Area is the subject of an ongoing consultation to ensure best practice outcomes for all stakeholders.

**OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

- Ballarat West Precinct Structure Plan
- Ballarat West Development Contributions Plan
- Alfredton West Precinct Structure Plan
- Ballarat Planning Scheme

## **ATTACHMENTS**

Nil

### **10.3. GREENFIELD GROWTH AREAS**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** James Guy – Executive Manager Economic Growth  
Terry Natt – Manager Strategic Planning

#### **OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. In addition to the resolution of Council dated 30 October 2019 (R280/19) to proceed with a policy related planning scheme amendment which identifies the Northern and Western Greenfield Investigation Areas as Ballarat's future greenfield growth areas, include in that same amendment the rezoning of the land to the Urban Growth Zone.**
- 2. That the details of proposed boundaries of the Urban Growth Zone will be brought to Council as a separate report before placing the Amendment on Exhibition.**
- 3. Partner with landowners and developers to deliver technical work, Precinct Structure Plans and Contributions Plans for the Western and Northern Growth Areas.**

#### **EXECUTIVE SUMMARY**

Council has previously resolved to progress with planning for two new greenfield growth fronts, in the west of the city and to the north around Mount Rowan. Given development and construction are vital to our local economy; demand for new housing is expected to only increase in Ballarat as a result of COVID-19 over the medium – long term; and updated data indicates continued strong take-up of lots in existing growth areas in Ballarat West, the planning pathway for these new growth areas has been re-assessed. This report recommends an accelerated planning approach which includes rezoning of land to the Urban Growth Zone as part of a single Amendment and to pursue a partnership model with developers and landowners which shares the costs of the planning process.

Whilst the overall growth plan for Ballarat strongly supports infill housing and a long-term shift towards 50% of new dwellings within established areas, there is the ongoing demand and need for greenfield type development as part of that development mix, including as an economic stimulus measure.

The proposed accelerated planning process does not in any way reduce the quality, transparency or opportunity for community input in a planning process that will still take some time to complete through the preparation of Precinct Structure Plans and associated controls.

#### **RATIONALE**

Given construction and development is Ballarat's second largest industry sector accounting for around 13% of the regional economy generating approximately \$2 billion worth of economic output for the Ballarat economy each year, and that impacts of COVID-19 are expected to only increase the demand for housing in Ballarat over the medium – long-term, it is considered

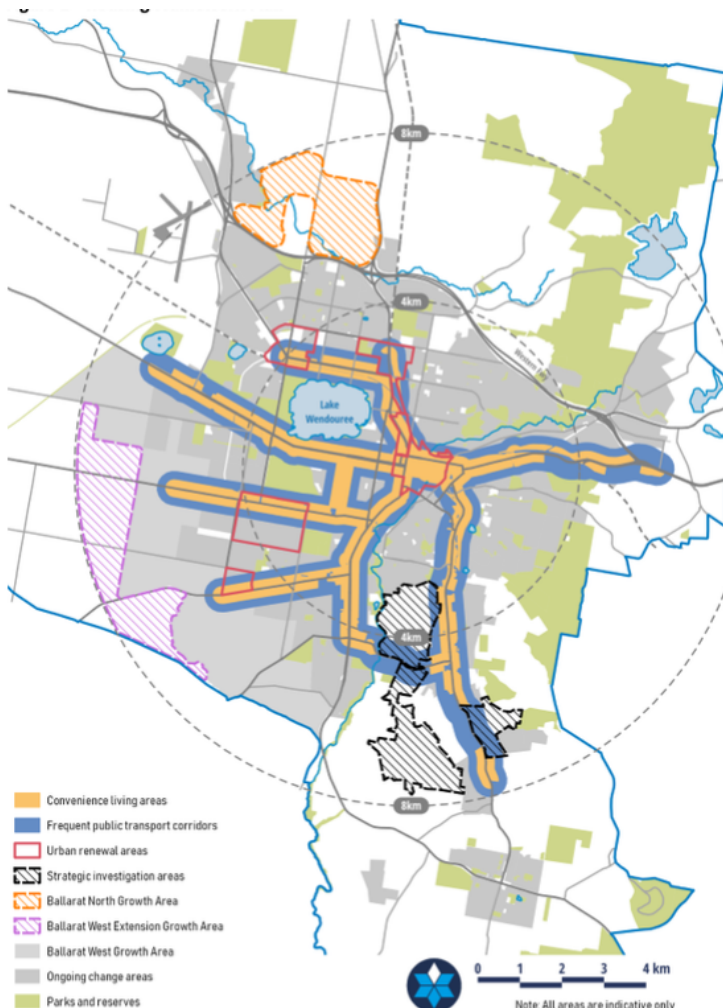
important for Council to support the development industry where possible, including in accelerating the provision of new developable land.

### Growth Areas Policy Amendment

At its meeting on 30 October 2019, Council resolved (R280/19) to:

1. *Seek authorisation from the Minister for Planning to prepare a Planning Scheme Amendment, pursuant to Section 8A of the Planning and Environment Act 1987, to include a local policy that identifies the Northern and Western Greenfield Investigation Areas as Ballarat's future greenfield growth areas.*
2. *Place the Amendment on exhibition pursuant to Section 19 of the Planning and Environment Act 1987.*

In response to the resolution of Council, officers were preparing amendment documentation and liaising with DELWP (Department of Environment Land Water and Planning) to proceed with a local policy amendment to the Ballarat Planning Scheme.



This report recommends pursuing a more efficient and timely planning process that integrates the proposed local policy changes with concurrent rezoning to Urban Growth Zone. Once the extent of the Urban Growth Zone is determined, technical reports and PSPs/DCPs for the two new growth areas will be able to be determined with confidence.

**Growth rates**

Council has been provided with advice from an independent property consultant that illustrates Ballarat's developable land supply in greenfield areas is more limited than forecast. It estimates around 6 years of developable land left in the Ballarat West growth area, mainly due to a significant increase in vacant lot transactions in the past 2 years and limitations arising from fragmented land ownership, recent growth and development rates.

Additional constraints on supply include:

- Alternative uses prevail that defer supply for housing despite policy settings
- Landowners having little to no intention of developing
- Landowners having financial restrictions or lacking expertise
- Physical constraints
- Servicing constraints

In the context of the current economic circumstances, and expected focus of the Victorian Government in the months ahead on 'extraordinary' measures to stimulate the economy, it is considered that there are strong grounds to consider a more streamlined and cost efficient process to complete the necessary planning work for the Northern and Western growth areas.

**Content of the Amendment**

An amendment to the policy framework coupled with the application of the Urban Growth Zone would clearly express the policy position of Council and would provide guidance as to the following matters:

- The area
- The vision for the area
- Council's expectations for the growth
- The likely extent of growth envisaged (boundaries)
- What key considerations for that growth should be (elements such as 10-minute city for instance)
- The timing of the growth
- The pace of that growth having regard to other planning objectives to encourage infill development.

The land covered by an Urban Growth Zone would come online for greenfield development only once the Precinct Structure Plan is in place. A future report will be submitted to council defining the boundaries and extent of the application of the Urban Growth Zone.

**Partnerships with the Development Industry**

Whilst the planning scheme amendment process is being undertaken, it is recommended Council seek to partner with developers to deliver technical reports and draft Precinct Structure Plans (PSPs) and Development Contribution Plans (DCPs) for the new growth areas. This is an approach undertaken in comparable projects across Victoria and is considered to be a cost-effective and streamlined process moving forward.

Preparation of technical reports, PSPs and DCPs for greenfield areas is resource intensive and estimated in this case to cost in excess of \$1.5 million over the process. This does not include the costs of staffing or an Independent Planning Panel.

Ballarat has the potential to develop a private / public planning partnership model that delivers planning outcomes, delivers housing, invigorates regional economies and addresses and protects those things that residents' value most about our city. Council officers would consider a cost-sharing process that ensures Council retain control over the form and content of planning documentation and planning outcomes. Such a partnership with the development industry will reduce cost exposure to Council.

Council officers would seek to enter into Third-Party funding agreements with key developer and landowners in each growth area to enable council to deliver the following:

- Technical reports
- Precinct Structure Plans (PSP)
- Development Contribution Plans (DCP)
- Resources (staffing) for a fixed period of time

## LEGISLATION, COUNCIL PLAN, STRATEGY AND POLICY IMPLICATIONS

### Ballarat Planning Scheme

#### State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF)

The proposal is in line with SPPF objectives outlined in Clause 11 of the Victorian Planning provisions to ensure a sufficient supply of land is available all uses and by providing a clear direction on locations where growth should occur.

It is also supported by Planning Practice Note 47: Urban Growth Zone which states the Urban Growth Zone (UGZ) applies to land identified for future urban development and to manage the transition of non-urban land into urban land and encourage the development of well-planned and well-serviced new urban communities in accordance with an overall plan.

### City of Ballarat Council Plan 2017 – 2021

### Today Tomorrow Together: the Ballarat Strategy (2015)

## REPORTING AND COMPLIANCE STATEMENTS

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

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

**Social/Cultural** – The new growth areas will create new communities to accommodate the expected population growth in Ballarat. Coordination of input into the future planning of communities through the precinct planning process will provide for the integration and protection of key cultural and natural assets, including Historical Urban Landscapes, infrastructure planning and adoption of policies such as affordable housing.

**Environmental/Sustainability** - Strategic direction within the Ballarat Strategy and Ballarat Planning Scheme provide for environmental and sustainability considerations. A key success metric of the growth areas is the performance of each area in respect of potential environmental performance based on location and impact. Further work is required at precinct

planning stage to ensure protection and management of key environmental assets within each precinct.

**Economic** – A commitment to the urban growth of Ballarat will result in sustained economic growth opportunities over the coming decades. A partnership approach with landowners/developers will share the costs of planning for growth and development of infrastructure this will be negotiated.

**Risk Management** - It is considered that the report does not directly impact on active risk management plans and considerations for Ballarat City Council. Financial and legal risks will be managed through the precinct structure plan process and planning panels.

**Financial/Resources** – Urban Growth by its very nature has financial planning implications for Council and State Government as it relates to the provision of infrastructure. The growth areas have been assessed on its estimated cost implications for Council at a high level with further work to provide for the identification, timeframe, location and costs of specific infrastructure through the Precinct structure planning and development contributions plan processes.

**Implementation/Marketing** - Once a decision is made to progress with a Planning Scheme Amendment, further work need to be undertaken in consultation with State Government agencies such as DELWP and the VPA to progress. Strategic planning officers are working with Council's communications team to develop opportunities to market Ballarat's new greenfield area.

**Evaluation and Review** - A lengthy and thorough process of evaluation has been undertaken in order to justify recommendations contained in this and the previous report. Consultant reports have been prepared, analysed and peer reviewed to ensure methodology and approach are robust

## **CONSULTATION**

Formal consultation will be undertaken as part of the statutory planning scheme amendment process.

## **OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

- Ordinary Council Meeting – Minutes - 30 October 2019

## **ATTACHMENTS**

- Nil

## 10.4. ANNUAL REPORT

**Division:** Community Wellbeing  
**Director:** Pete Appleton  
**Author/Position** Marcus Power – Communications Officer

### OFFICER RECOMMENDATION

Council resolves to:

1. Note that it considered the City of Ballarat Annual Report 2019/20 in accordance with section 134 (1) of the *Local Government Act 1989*.
2. Acknowledge the achievements of the organisation during this reporting period and its achievements against the 2017–21 Council Plan.

### EXECUTIVE SUMMARY

The purpose of this report is to have Council consider the City of Ballarat Annual Report 2019/20 (Annual Report) in accordance with its obligations under section 134 (1) of the *Local Government Act 1989*.

The Annual Report is the final step in the statutory annual reporting process.

### RATIONALE

The Annual Report documents Council's performance and represents the third year of progress and work against the 2017–21 Council Plan.

The Annual Report is required to comply with the *Local Government Act 1989* and the regulations which state that the Annual Report must contain a report of operations, performance statement and financial statements (audited).

The report also provides a focus on Council's activities, highlights and challenges in its performance.

### 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>	Yes	Yes
<b>Environmental/Sustainability</b>	Yes	Yes
<b>Economic</b>	Yes	No
<b>Financial/Resources</b>	Yes	Yes
<b>Risk Management</b>	Yes	Yes
<b>Implementation and Marketing</b>	Yes	No
<b>Evaluation and Review</b>	Yes	No

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

**Social/Cultural** – The Annual Report identifies Council's achievements and issues faced in overall performance for the financial year 2019/20, providing accountability to the community. The Annual Report becomes a historical record for future generations' reference, capturing the major achievements, issues and decisions made throughout the past financial year. The Annual Report is provided to the State Library for reference and archival purposes.

**Environmental/Sustainability** – The City of Ballarat will publish the Annual Report online as a full version. Only minimal copies of the Annual Report have been produced in hard copy to satisfy the requirements of the *Local Government Act 1989*.

**Financial/Resources** – The Annual Report outlines all the achievements, highlights and challenges of the Council for the past financial year. In doing this, all economic benefits and outcomes for the City are covered and reported on in detail.

The Annual Report includes Council's financial statements which contain details of Council's financial performance for the financial year ending 30 June 2020. Included also is the signed Victorian Auditor-General's Officer's Report.

There are no financial implications arising from the recommendations of this report

**Risk Management** – There are implications with regards to Council's compliance with the *Local Government (Planning and Reporting) Regulations 2014* if the report is not considered within the timelines stipulated.

**CONSULTATION**

All business units were required to contribute information regarding the achievements, issues and events that occurred that were specific to their areas of responsibility.

A public notice regarding the Council meeting to consider the Annual Report was published on Thursday 10 September 2020.

## **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

**10.5. ADOPTION OF ANNUAL ACCOUNTS FOR 2019/2020**

**Division:** Corporate Services  
**Director:** Sean Portelli  
**Author/Position:** Stephen Bigarelli, Acting Manager Financial Services

**OFFICER RECOMMENDATION**

Council resolves to:

1. Approve the 2019/20 Annual Financial Statements and Performance Statement in principle.
2. Nominate Cr Taylor and Cr Tillett to certify the 2019/20 Annual Financial Statements and Performance Statement on behalf of Council, once amendments or changes requested by the Victorian Auditor General have been made.

**EXECUTIVE SUMMARY**

In accordance with the *Local Government Act 1989* (section 132) Council is required to approve a set of financial statements in principle and submit the resolution with the Financial Statements to the Auditor-General.

The Audit and Risk Committee considered the Annual Financial Accounts at its meeting held on 9 September 2020 and moved a recommendation that Council approve the Annual Financial Statements and Performance Statement in principle.

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

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017 – 2021
- *Local Government Act 1989* (section 132)

**REPORTING AND COMPLIANCE STATEMENTS**

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

**Financial/Resources** – As contained in the report.

## **CONSULTATION**

Victorian Auditor General's Office.  
Audit and Risk Committee.

## **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**

- *Local Government Act 1989* (Section 132)

## **ATTACHMENTS**

1. 2020 FY Performance Statement Results FINAL [**10.5.1** - 8 pages]
2. Financial Statements 2019-20 - Final [**10.5.2** - 59 pages]

# **City of Ballarat**

## **Annual Performance Statement Report** **For the Year Ended 30 June 2020**

## CITY OF BALLARAT PERFORMANCE STATEMENT 2020

### BALLARAT A GREAT PLACE TO LIVE

Ballarat is one of Australia's largest inland cities and the third largest city in Victoria. Money flowed into Ballarat with the discovery of gold in the mid-19th century. Today the city is renowned for its beautiful parks, broad tree-lined streetscapes, cultivated European gardens, and heritage architecture of national significance and international interest. The iconic Sturt Street is a stunning tree-lined boulevard adorned with notable statues, and Lydiard Street presents a perfectly preserved heritage streetscape.

The City of Ballarat municipality covers an area of 740 square kilometres and includes the outlying townships of Buninyong, Miners Rest, Learmonth, Lucas and Cardigan Village. It is part of an area of land under the traditional custodianship of the Wadawurrung and Dja Dja Wurrung people and is bound by the surrounding Municipalities of Hepburn Shire to the north, Moorabool Shire to the east, Pyrenees Shire to the west and Golden Plains Shire to the south.

Ballarat has an estimated population of 109,505 people in 2020 (source: ABS Census, 2020). Due to being located centrally in Western Victoria, Ballarat services a large regional population. Ballarat offers premium job opportunities, world-class education (including three universities), affordable housing, exciting restaurants and retail options, accessible community and health services, a vibrant arts scene and a great lifestyle.

The following performance data is prepared to represent a balanced approach to reporting performance across the areas of service, finance, governance and sustainable capacity for the organisation.



AUDITED PERFORMANCE INDICATORS					
Sustainable Capacity Indicators	Results 2017	Results 2018	Results 2019	Results 2020	Comments
<b>Population</b>					
C1 Expenses per head of municipal population <i>[Total expenses / Municipal population]</i>	\$1,730.25	\$1,517.21	\$1,628.95	\$1,634.76	The trend is tracking as expected at a slight increase. The larger spike in the 2017 financial year is due to a targeted analysis on unit rates on sport and recreation facilities which resulted in a write-down of values in these asset categories.
C2 Infrastructure per head of municipal population <i>[Value of infrastructure / Municipal population]</i>	\$11,352.67	\$11,977.55	\$15,801.75	\$16,935.35	The trend is tracking as expected at a slight increase. The reason for the larger spike in the 2019 financial year result reflects an increased level of infrastructure investment.
C3 Population density per length of road <i>[Municipal population / Kilometres of local roads]</i>	73.80	74.37	74.77	75.21	
C4 Own-source revenue per head of municipal population <i>[Own-source revenue / Municipal population]</i>	\$1,332.67	\$1,368.15	\$1,418.61	\$1,425.38	
C5 Recurrent grants per head of municipal population <i>[Recurrent grants / Municipal population]</i>	\$346.05	\$272.96	\$236.27	\$253.79	During the 2017 and 2018 financial years, more funding was received for federal blackspot funding and the Federal Roads to Recovery program. The 2020 financial year has been impacted by the new AASB15 where there has been some adjustments to recurrent grants which means income will be recognised in future financial years as obligations are met not when we received them.
C6 Relative Socio-Economic Disadvantage <i>[Index of Relative Socio-Economic Disadvantage by decile]</i>	4.00	4.00	4.00	4.00	
C7 Workforce turnover Percentage of staff turnover <i>[Number of permanent staff resignations and terminations / Average number of permanent staff for the financial year] x100</i>	13.11%	12.32%	11.91%	11.69%	

AUDITED PERFORMANCE INDICATORS					
Service Performance Indicators	Results 2017	Results 2018	Results 2019	Results 2020	Comments
<b>Aquatic Facilities Utilisation</b>					
AF6 Utilisation of aquatic facilities <i>[Number of visits to aquatic facilities / Municipal population]</i>	6.22	5.68	6.06	4.42	Ballarat City Council had seen an increase of 20,000 visits to indoor pools for the financial year up to and including February 2020 compared to last February. However, the outdoor pools have seen a decrease for the same time of 20,000 visits. The impact of COVID-19 has resulted in cancelled school swimming carnivals, restricted time limits and facility closures.
<b>Animal Management Health and safety</b>					
AM7 Animal management prosecutions <i>[Number of successful animal management prosecutions / Number of animal management prosecutions] x 100</i>	New in 2020	New in 2020	New in 2020	100.00%	
<b>Food Safety Health and safety</b>					
FS4 Critical and major non-compliance outcome notifications <i>[Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance outcome notifications and major non-compliance notifications about a food premises] x100</i>	100.00%	95.45%	96.55%	94.25%	Separate follow-up inspections are not always practical, with event or market non-compliances accounting for the majority of major non-compliances without a separate follow-up inspection. These are commonly followed up with education and/or immediate corrective action. The food business operator is also recorded as non-compliant with their registering authority to aid further monitoring through the StreaTrader system. Some variances may be due to some businesses closing before outstanding non-compliances are corrected.

AUDITED PERFORMANCE INDICATORS					
Service Performance Indicators	Results 2017	Results 2018	Results 2019	Results 2020	Comments
<b>Governance Satisfaction</b> G5 Satisfaction with council decisions  <i>[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]</i>	57.00	55.00	55.70	61.10	The conducted survey has noted a significant improvement in Council decisions from 2019 to 2020
<b>Libraries Participation</b> LB4 Active library borrowers in municipality  <i>[Number of active library borrowers in the last three years / The sum of the population for the last three years] x100</i>	12.92%	12.43%	12.75%	12.19%	Due to COVID-19, Ballarat City Council libraries were closed to the public from March to May and returned in limited capacity in June. There was an increased demand for borrowings before shutdown and continued e-book services throughout the shutdown, resulting in a small decrease in active library borrowers in this financial year.
<b>Maternal and Child Health (MCH) Participation</b> MC4 Participation in the MCH service  <i>[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH service] x100</i>	78.30%	73.37%	72.48%	71.63%	

AUDITED PERFORMANCE INDICATORS					
Service Performance Indicators	Results 2017	Results 2018	Results 2019	Results 2020	Comments
<b>Maternal and Child Health (MCH) Participation</b> MC5 Participation in the MCH service by Aboriginal children  <i>[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100</i>	54.88%	55.43%	64.52%	71.56%	The lower percentage in Aboriginal children participation in the funded MCH service is due to the local Aboriginal co-operative running a similar service. Client can access both services or choose either one of these services. We have a lower intake of indigenous newborns to the MCH program due to some families choosing the Aboriginal co-operative child health program. Ballarat City Council has seen an increase in participation over the last four years due to a focus on indigenous partnership work, cultural safety of facilities and health service provisions, professional development with nurse teams, support from Council's Aboriginal Liaison Officer and MCH representation within indigenous networks.
<b>Roads Satisfaction</b> R5 Satisfaction with sealed local roads  <i>[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]</i>	55.00	59.00	58.70	55.30	
<b>Statutory Planning Decision making</b> SP4 Council planning decisions upheld at VCAT  <i>[Number of VCAT decisions that did not set aside council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100</i>	100.00%	63.64%	71.43%	75.00%	In the 2020 financial year, there were three applications overturned by VCAT, two in 2019FY, four in 2018FY and zero in 2017FY. This shows a small change in numbers can have a large effect on this indicator.
<b>Waste Collection Waste diversion</b> WC5 Kerbside collection waste diverted from landfill  <i>[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100</i>	48.96%	47.14%	48.65%	43.07%	Due to recycling changes in the 2020 financial year, Ballarat City Council has seen a drop in recyclables as glass is no longer part of kerbside collection recyclables.



FINANCIAL PERFORMANCE INDICATORS - EFFICIENCY										
Efficiency		Results	Results	Results	Results	Forecasts				Comments
		2017	2018	2019	2020	2021	2022	2023	2024	
Expenditure level										
E2	Expenses per property assessment	\$3,505.42	\$3,073.17	\$3,237.54	\$3,254.80	\$3,300.24	\$3,329.64	\$3,357.99	\$3,343.68	
	[Total expenses / Number of property assessments]									
Revenue level										
E4	Average rate per property assessment	New in 2020	New in 2020	New in 2020	\$ 1,877.33	\$ 2,270.27	\$ 2,296.63	\$ 2,334.46	\$ 2,332.66	
	[General rates and Municipal charges / Number of property assessments]									

FINANCIAL PERFORMANCE INDICATORS - LIQUIDITY										
Liquidity		Results 2017	Results 2018	Results 2019	Results 2020	Forecasts				Comments
		2021	2022	2023	2024					
<b>Working capital</b>										The change in this indicator for the 2020 financial year is due to an increase of cash and cash equivalents in the current assets and the new treatment of the accounting standards for unearned income and lease liabilities in the current liabilities section. The forecast trend does not take into account the levels of cash and cash equivalents that might be received prior to the end of the financial year such as receiving Grants Commission funding for the following financial year
L1	Current assets compared to current liabilities	263.93%	275.63%	288.83%	262.21%	164.82%	126.63%	132.41%	130.54%	
<i>[Current assets / Current liabilities] x100</i>										
<b>Unrestricted cash</b>										Ballarat City Council can't include cash held in term deposits that are invested for longer than 90 days in the cash and cash equivalent section as per the financial statement's definition. The forecast trends do not take into account what time period the investments will be held for.
L2	Unrestricted cash compared to current liabilities	-41.72%	-142.37%	-149.65%	-68.39%	71.13%	65.89%	89.79%	83.78%	
<i>[Unrestricted cash / Current liabilities] x100</i>										

FINANCIAL PERFORMANCE INDICATORS - OBLIGATIONS									
Obligations	Results 2017	Results 2018	Results 2019	Results 2020	Forecasts				Comments
					2021	2022	2023	2024	
<b>Loans and borrowings</b>									
O2 Loans and borrowings compared to rates <i>[Interest bearing loans and borrowings / Rate revenue] x100</i>	45.86%	39.70%	33.93%	36.96%	49.99%	43.87%	31.12%	27.01%	
<b>Loans and borrowings</b>									
O3 Loans and borrowings repayments compared to rates <i>[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100</i>	5.98%	6.00%	5.20%	4.93%	6.67%	14.01%	14.23%	4.33%	
<b>Indebtedness</b>									
O4 Non-current liabilities compared to own source revenue  <i>[Non-current liabilities / Own source revenue] x100</i>	35.13%	31.18%	30.11%	34.30%	38.25%	30.63%	28.40%	26.07%	Ballarat City Council had an increase in interest bearing loans and borrowings this financial year which has increased the non-current liabilities. The treatment of the new lease accounting standards has increased the non-current liabilities as well compared to prior years.
<b>Asset renewal and upgrade</b>									
O5 Asset renewal and upgrade compared to depreciation  <i>[Asset renewal and asset upgrade expense / Asset depreciation] x100</i>	New in 2020	New in 2020	New in 2020	78.40%	101.90%	91.01%	90.16%	87.01%	

FINANCIAL PERFORMANCE INDICATORS - OPERATING POSITION									
Operating Position	Results 2017	Results 2018	Results 2019	Results 2020	Forecasts				Comments
					2021	2022	2023	2024	
Adjusted underlying result									
OP Adjusted underlying surplus (or deficit)	-1.67%	9.37%	9.68%	2.74%	-5.03%	-0.76%	-0.42%	-0.51%	The impact of COVID19 on business units that closed, and the restrictions imposed on staffing operations, has decreased income and increased expenditure where additional leave payments or redeployment of resources were required.
[Adjusted underlying surplus (deficit)/ Adjusted underlying revenue] x100									

FINANCIAL PERFORMANCE INDICATORS - STABILITY									
Stability	Results 2017	Results 2018	Results 2019	Results 2020	Forecasts				Comments
					2021	2022	2023	2024	
Rates concentration									
S1 Rates compared to adjusted underlying revenue  [Rate revenue / Adjusted underlying revenue] x100	59.27%	62.42%	60.34%	66.78%	72.25%	69.50%	69.81%	70.12%	The impact of COVID19 on business units that closed, and the restrictions imposed on staffing operations, has significantly decreased our income, resulting in other income sources being reduced compared to rates.
Rates effort									
S2 Rates compared to property values [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.59%	0.61%	0.59%	0.56%	0.54%	0.53%	0.52%	0.51%	

KEY TERMS	
TERMINOLOGY	DEFINITION
Aboriginal child	means a child who is an Aboriginal person
Aboriginal person	has the same meaning as in the Aboriginal Heritage Act 2006
Active library member	means a member of a library who has borrowed a book from the library
Adjusted underlying revenue	means total income other than: (a) non-recurrent grants used to fund capital expenditure; and, (b) non-monetary asset contributions; and, (c) contributions to fund capital expenditure from sources other than those referred to in paragraphs (a) and (b)
Adjusted underlying surplus (or deficit)	means adjusted underlying revenue less total expenditure
Annual report	means an annual report prepared by a Council under sections 131, 132 and 133 of the Local Government Act 1989
Asset renewal expenditure	means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability
CALD	means culturally and linguistically diverse and refers to persons born outside Australia in a country whose national language is not English
Class 1 food premises	means food premises, within the meaning of the Food Act 1984, that have been declared as class 1 food premises under section 19C of that Act
Class 2 food premises	means food premises, within the meaning of the Food Act 1984, that have been declared as class 2 food premises under section 19C of that Act
Community Care Common Standards	means the Community Care Common Standards for the delivery of HACC services, published from time to time by the Commonwealth
Critical non-compliance outcome notification	means a notification received by Council under section 19N(3) or (4) of the Food Act 1984, or advice given to council by an authorized officer under that Act, of a deficiency that poses an immediate serious threat to public health
Current assets	has the same meaning as in the Australian Accounting Standards
Current liabilities	has the same meaning as in the Australian Accounting Standards
Food premises	has the same meaning as in the Food Act 1984
Infrastructure	means non-current property (excluding land), plant and equipment
Local road	means a sealed or unsealed road for which the Council is the responsible road authority under the Road Management Act 2004
Major non-compliance outcome notification	means a notification received by a Council under section 19N(3) or (4) of the Food Act 1984, or advice given to Council by an authorized officer under that Act, of a deficiency that does not pose an immediate serious threat to public health but may do so if no remedial action is taken
MCH	means the Maternal and Child Health service provided by a council to support the health and development of children within the municipality from birth until school age
Non-current assets	means all assets other than current assets
Non-current liabilities	means all liabilities other than current liabilities
Non-recurrent grant	means a grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council's Strategic Resource Plan
Own-source revenue	means adjusted underlying revenue other than revenue that is not under the control of council (including government grants)
Population	means the resident population estimated by Council
Rate revenue	means revenue from general rates, municipal charges, service rates and service charges
Recurrent grant	means a grant other than a non-recurrent grant
Relative socio-economic disadvantage	in relation to a municipality, means the relative socio-economic disadvantage, expressed as a decile for the relevant financial year, of the area in which the municipality is located according to the Index of Relative Socio-Economic Disadvantage (Catalogue Number 2033.0.55.001) of SEIFA
Residential rates	means revenue from general rates, municipal charges, service rates and service charges levied on residential properties
Restricted cash	means cash and cash equivalents, within the meaning of the Australian Accounting Standards, that are not available for use other than for a purpose for which it is restricted, and includes cash to be used to fund capital works expenditure from the previous financial year
SEIFA	means the Socio-Economic Indexes for Areas published from time to time by the Australian Bureau of Statistics on its internet website
Target population	has the same meaning as in the Agreement entered into for the purposes of the Home and Community Care Act 1985 of the Commonwealth
Unrestricted cash	means all cash and cash equivalents other than restricted cash
WorkSafe reportable aquatic facility safety incident	means an incident relating to a council aquatic facility that is required to be notified to the Victorian WorkCover Authority under Part 5 of the Occupational Health and Safety Act 2004

## OTHER INFORMATION

### **Basis of preparation**

Council is required to prepare and include a Performance Statement within its Annual Report. The Performance Statement includes the results of the prescribed sustainable capacity, service performance and financial performance indicators and measures together with a description of the municipal district and an explanation of material variations in the results. This statement has been prepared to meet the requirements of the *Local Government Act 1989* and Local Government (Planning and Reporting) Regulations 2014.

Where applicable the results in the Performance Statement have been prepared on accounting bases consistent with those reported in the Financial Statements. The other results are based on information drawn from council information systems or from third parties (e.g. Australian Bureau of Statistics).

The Performance Statement presents the actual results for the current year for the prescribed financial performance indicators and measures the results forecast by the Council's Strategic Resource Plan. The Local Government (Planning and Reporting) Regulations 2014 requires explanation of any material variations in the results contained in the Performance Statement. Council has adopted materiality thresholds relevant to each indicator and measure and explanations have not been provided for variations below the materiality thresholds unless the variance is considered to be material because of its nature.

The forecast figures included in the Performance Statement are those adopted by council in its strategic resource plan on 8 July 2020 and which forms part of the Council Plan. The Strategic Resource Plan includes estimates based on key assumptions about the future that were relevant at the time of adoption and aimed at achieving sustainability over the long term. Detailed information on the actual financial results is contained in the General Purpose Financial Statements. The Strategic Resource Plan can be obtained by contacting Council.

## Certification of Performance Statement

In my opinion, the accompanying Performance Statement has been prepared in accordance with the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014.

**Sean Portelli**

**Principal Accounting Officer**

**Dated:** 16th September 2020

In our opinion, the accompanying Performance Statement of the *City of Ballarat* for the year ended 30 June 2020 presents fairly the results of Council's performance in accordance with the **Local Government Act 1989** and the **Local Government (Planning and Reporting) Regulations 2014**.

The Performance Statement contains the relevant performance indicators, measures and results in relation to service performance, financial performance and sustainable capacity.

At the date of signing, we are not aware of any circumstances that would render any particulars in the Performance Statement to be misleading or inaccurate.

We have been authorised by the Council and by the Local Government (Planning and Reporting) Regulations 2014 to certify this Performance Statement in its final form.

**Ben Taylor**

**Councillor**

**Dated:** 16th September 2020

**Grant Tillett**

**Councillor**

**Dated:** 16th September 2020

**Janet Dore**

**Chief Executive Officer**

**Dated:** 16th September 2020



## **Annual Financial Report**

**For the Year Ended 30 June 2020**

### **Financial Statements**

## Table of Contents

<b>Financial Report</b>		<b>Page</b>
	Certification of the Financial Report	1
	Victorian Auditor-General's Office Auditor's Report	2
<b>Financial Statements</b>		
	Comprehensive Income Statement	4
	Balance Sheet	5
	Statement of Changes in Equity	6
	Statement of Cash Flows	7
	Statement of Capital Works	8
<b>Notes to the Financial Statements</b>		
<b>Overview</b>		9
Note 1	Performance against budget	
	1.1 Income and expenditure	12
	1.2 Capital works	14
Note 2	Analysis of Council results by program	
	2.1 Council activity programs	16
	2.2 Summary of results by program	17
Note 3	Funding for the delivery of Council services	
	3.1 Rates and charges	18
	3.2 Statutory fees and fines	18
	3.3 User fees	18
	3.4 Funding from other levels of government	19
	3.5 Contributions	20
	3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment	21
	3.7 Other income	21
Note 4	The cost of delivering Council services	
	4.1 Employee costs	21
	4.2 Materials and services	22
	4.3 Bad and doubtful debts	22
	4.4 Depreciation	23
	4.5 Amortisation - intangible assets	23
	4.6 Amortisation - right of use assets	23
	4.7 Borrowing costs	23
	4.8 Finance Costs - Leases	23
	4.9 Other expenses	24
Note 5	Council's financial position	
	5.1 Financial assets	24
	5.2 Non-financial assets	26
	5.3 Payables	27
	5.4 Interest-bearing liabilities	27
	5.5 Provisions	28
	5.6 Financing arrangements	30
	5.7 Commitments	31
	5.8 Leases	32
Note 6	Assets Council manage	
	6.1 Property infrastructure plant and equipment	35
Note 7	People and relationships	
	7.1 Council and key management remuneration	42
	7.2 Related party disclosures	44
Note 8	Managing uncertainties	
	8.1 Contingent assets and liabilities	45
	8.2 Changes in accounting standards	46
	8.3 Financial instruments	46
	8.4 Fair value measurement	48
	8.5 Events occurring after balance date	49
Note 9	Other matters	
	9.1 Reserves	50
	9.2 Reconciliation of cash flows from operating activities to surplus/(deficit)	52
	9.3 Found assets	52
	9.4 Superannuation	53
Note 10	Change in accounting policy	56

## Certification of the Financial Report

In my opinion the accompanying financial statements have been prepared in accordance with the *Local Government Act 1989*, the *Local Government (Finance and Reporting) Regulations 2014*, Australian Accounting Standards and other mandatory professional reporting requirements.

*Sean Portelli FIPA*  
**Principal Accounting Officer**

**Date:** 16th September, 2020  
*Ballarat*

In our opinion the accompanying financial statements present fairly the financial transactions of the City of Ballarat for the year ended 30 June 2020 and the financial position of the Council as at that date.

As at the date of signing, we are not aware of any circumstances which would render any particulars in the financial statements to be misleading or inaccurate.

We have been authorised by the Council on 16th September, 2020 to certify the financial statements in their final form.

*Ben Taylor*  
**Councillor**

**Date:** 16th September, 2020  
*Ballarat*

*Grant Tillet*  
**Councillor**

**Date:** 16th September, 2020  
*Ballarat*

*Janet Dore*  
**Chief Executive Officer**

**Date:** 16th September, 2020  
*Ballarat*

***City of Ballarat***  
***2019/2020 Financial Report***

---

**<INSERT VAGO REPORT - PAGE 1>**



**<INSERT VAGO REPORT - PAGE 2>**

## Comprehensive Income Statement

### For the Year Ended 30 June 2020

	Note	2020 \$'000	2019 \$'000
<b>Income</b>			
Rates and charges	3.1	123,049	116,935
Statutory fees and fines	3.2	4,798	4,625
User fees	3.3	21,299	24,904
Grants - operating	3.4	26,005	30,602
Grants - capital	3.4	6,995	8,910
Contributions - monetary	3.5	14,737	10,324
Contributions - non-monetary	3.5	39,982	42,599
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	3.6	(2,681)	198
Other income	3.7	6,940	5,590
<b>Total Income</b>		<b>241,124</b>	<b>244,687</b>
<b>Expenses</b>			
Employee benefits	4.1	67,499	62,393
Materials and services	4.2	61,973	65,404
Bad and doubtful debts	4.3	567	1,576
Depreciation	4.4	39,928	36,510
Amortisation - Intangible assets	4.5	588	506
Amortisation - Right of use assets	4.6	1,219	-
Borrowing costs	4.7	1,860	2,004
Finance costs - Leases	4.8	84	-
Other expenses	4.9	2,615	6,434
<b>Total Expenses</b>		<b>176,333</b>	<b>174,827</b>
<b>Surplus / (Deficit) for the Year</b>		<b>64,791</b>	<b>69,860</b>
<b>Other comprehensive income</b>			
<b>Items that will not be reclassified to surplus or deficit in future periods</b>			
Net asset revaluation increment / (decrement)	6.1 & 9.1	109,785	64,920
<b>Comprehensive Result</b>		<b>174,576</b>	<b>134,780</b>

The above Comprehensive Income Statement should be read in conjunction with the accompanying notes.

## Balance Sheet

### As at 30 June 2020

	Note	2020 \$'000	2019 \$'000
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	5.1(a)	40,502	2,419
Other financial assets	5.1(b)	81,302	85,754
Trade and other receivables	5.1(c)	12,602	12,221
Inventories	5.2(a)	349	418
Other assets	5.2(b)	1,187	1,237
<b>Total Current assets</b>		<b>135,942</b>	<b>102,049</b>
<b>Non-current assets</b>			
Property, infrastructure, plant and equipment	6.1	1,854,506	1,695,923
Intangible assets	5.2(c)	746	1,340
Right of use assets	5.8	2,834	-
<b>Total Non-current assets</b>		<b>1,858,086</b>	<b>1,697,263</b>
<b>Total Assets</b>		<b>1,994,028</b>	<b>1,799,312</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	5.3(a&c)	19,089	9,416
Trust funds and deposits	5.3(b)	10,688	6,338
Provisions	5.5	15,560	15,668
Interest-bearing loans and borrowings	5.4	5,206	3,910
Lease liabilities	5.8	1,302	-
<b>Total Current liabilities</b>		<b>51,845</b>	<b>35,332</b>
<b>Non-current liabilities</b>			
Provisions	5.5	11,729	10,123
Interest-bearing loans and borrowings	5.4	40,220	35,717
Lease liabilities	5.8	1,591	-
<b>Total Non-current liabilities</b>		<b>53,540</b>	<b>45,840</b>
<b>Total Liabilities</b>		<b>105,385</b>	<b>81,172</b>
<b>Net Assets</b>		<b>1,888,643</b>	<b>1,718,140</b>
<b>Equity</b>			
Accumulated surplus		1,203,539	1,140,620
Reserves	9.1	685,104	577,520
<b>Total Equity</b>		<b>1,888,643</b>	<b>1,718,140</b>

The above Balance Sheet should be read in conjunction with the accompanying notes.

## Statement of Changes in Equity

### For the Year Ended 30 June 2020

	Note	Total 2020 \$'000	Accumulated Surplus 2020 \$'000	Asset Revaluation Reserve 2020 \$'000	Other Reserves 2020 \$'000
<b>2020</b>					
Balance at beginning of the financial year		1,718,140	1,140,620	564,704	12,816
Found assets	9.3	2,487	2,487	-	-
Impact of change in accounting policy - AASB 15 Revenue from contracts with customers	10	(982)	(982)	-	-
Impact of change in accounting policy - AASB 1058 Income of not-for-profit entities	10	(5,578)	(5,578)	-	-
<b>Adjusted balance at beginning of financial year</b>		<b>1,714,067</b>	<b>1,136,547</b>	<b>564,704</b>	<b>12,816</b>
Surplus / (Deficit) for the year		64,791	64,791	-	-
Net asset revaluation increment / (decrement)	9.1	109,785	-	109,785	-
Transfer to / (from) other reserves	9.1	-	2,201	-	(2,201)
<b>Balance at end of the financial year</b>		<b>1,888,643</b>	<b>1,203,539</b>	<b>674,489</b>	<b>10,615</b>
<b>2019</b>					
Balance at beginning of the financial year		1,581,126	1,071,630	499,784	9,712
Found assets	9.3	1,396	1,396	-	-
<b>Adjusted balance at beginning of financial year</b>		<b>1,582,522</b>	<b>1,073,026</b>	<b>499,784</b>	<b>9,712</b>
Surplus / (Deficit) for the year		69,860	69,860	-	-
Changes in Accounting Standards adjustment	4.3	838	838	-	-
Net asset revaluation increment / (decrement)	9.1	64,920	-	64,920	-
Transfer to other reserves	9.1	-	(3,104)	-	3,104
<b>Balance at end of the financial year</b>		<b>1,718,140</b>	<b>1,140,620</b>	<b>564,704</b>	<b>12,816</b>

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

## Statement of Cash Flows

### For the Year Ended 30 June 2020

	Note	2020 Inflows/ (Outflows) \$'000	2019 Inflows/ (Outflows) \$'000
<b>Cash flows from operating activities</b>			
Rates and charges		120,625	116,313
Statutory fees and fines		4,636	3,396
User fees		23,311	25,289
Grants - operating		26,396	30,701
Grants - capital		12,678	9,128
Contributions - monetary		15,118	10,977
Interest received		1,591	2,231
Trust funds and deposits taken		7,115	2,716
Other receipts		3,924	3,162
Net GST refund		8,373	10,344
Employee costs		(68,263)	(62,496)
Materials and services		(71,540)	(77,578)
Short-term, low value and variable lease payments		(762)	-
Trust funds and deposits repaid		(1,974)	(1,429)
Other payments		(2,799)	(6,752)
<b>Net cash provided by (used in) operating activities</b>	<b>9.2</b>	<b>78,429</b>	<b>66,002</b>
<b>Cash flows from investing activities</b>			
Payments for property, infrastructure, plant and equipment		(49,686)	(61,293)
Proceeds from sale of property, infrastructure, plant and equipment		2,825	642
Payments for investments		(272,115)	(239,505)
Proceeds from sale of investments		276,567	237,129
Payments of loans and advances		-	4
<b>Net cash provided by (used in) investing activities</b>		<b>(42,409)</b>	<b>(63,023)</b>
<b>Cash flows from financing activities</b>			
Finance costs		(1,860)	(2,004)
Proceeds from borrowings		10,000	-
Repayment of borrowings		(4,201)	(4,073)
Interest paid - lease liability		(84)	-
Repayment of lease liabilities		(1,792)	-
<b>Net cash provided by (used in) financing activities</b>		<b>2,063</b>	<b>(6,077)</b>
Net increase/(decrease) in cash and cash equivalents		38,083	(3,098)
Cash and cash equivalents at the beginning of the financial year		2,419	5,517
<b>Cash and cash equivalents at the end of the financial year</b>	<b>5.1(a)</b>	<b>40,502</b>	<b>2,419</b>
Financing arrangements	5.6		
Restrictions on cash assets	5.1		

The above Cash Flow Statement should be read in conjunction with the accompanying notes.

## Statement of Capital Works

### For the Year Ended 30 June 2020

	Note	2020 \$'000	2019 \$'000
<b>Property</b>			
Land		3,677	210
Land improvements		154	212
<b>Total Land</b>		<b>3,831</b>	<b>422</b>
Buildings		617	21,309
Heritage buildings		1,224	10,589
Building improvements		6,398	3,869
<b>Total Buildings</b>		<b>8,239</b>	<b>35,767</b>
<b>Total Property</b>		<b>12,070</b>	<b>36,189</b>
<b>Plant and equipment</b>			
Plant, machinery and equipment		3,711	2,625
Artworks		169	46
Fixtures, fittings and furniture		847	594
Computers and telecommunications		1,047	2,381
Library books		331	375
<b>Total Plant and Equipment</b>		<b>6,105</b>	<b>6,021</b>
<b>Infrastructure</b>			
Roads		17,226	12,990
Bridges		371	204
Footpaths and cycleways		1,473	862
Drainage		824	1,431
Recreational, leisure and community facilities		2,980	1,663
Waste management		363	360
Parks, open space and streetscapes		2,200	805
Off-street car parks		524	-
Other infrastructure		5,862	1,387
<b>Total Infrastructure</b>		<b>31,823</b>	<b>19,702</b>
<b>Total Capital Works Expenditure</b>		<b>49,998</b>	<b>61,912</b>
<b>Represented by:</b>			
New asset expenditure		18,694	21,296
Asset renewal expenditure		26,314	32,456
Asset upgrade expenditure		4,990	7,842
Asset expansion expenditure		-	318
<b>Total Capital Works Expenditure</b>		<b>49,998</b>	<b>61,912</b>

# Notes to the Financial Statements

## For the Year Ended 30 June 2020

### OVERVIEW

#### Introduction

The City of Ballarat was established by an Order of the Governor in Council on 6th of May 1994 and is a body corporate.

Council's main office is located at the Town Hall in Sturt Street, Ballarat. Council's main customer service centre is in the Phoenix Building, 25 Armstrong Street South, Ballarat (located behind the Town Hall).

The purpose of Council is to:

- provide for the peace, order and good government of its municipal district;
- to promote the social, economic and environmental viability and sustainability of the municipal district;
- to ensure that resources are used efficiently and effectively and services are provided in accordance with Best Value Principles to best meet the needs of the local community;
- to improve the overall quality of life for people in the local community;
- to promote appropriate business and employment opportunities;
- to ensure that services and facilities provided by the Council are accessible and equitable;
- to ensure the equitable imposition of rates and charges; and
- to ensure transparency and accountability in Council decision making.

**External Auditor** - Victorian Auditor-General's Office

**Internal Auditor** - Pitcher Partners

**Bankers** - National Australia Bank

**Website address** - [www.ballarat.vic.gov.au](http://www.ballarat.vic.gov.au)

#### Statement of compliance

These financial statements are a general purpose financial report that consists of a Comprehensive Income Statement, Balance Sheet, Statement of Changes in Equity, Cash Flow Statement, Statement of Capital Works and Notes accompanying these financial statements.

The general purpose financial report complies with Australian Accounting Standards (AAS), other authoritative pronouncements of the Australian Accounting Standards Board, the *Local Government Act 1989*, and the *Local Government (Planning and Reporting) Regulations 2014*.

# Notes to the Financial Statements

## For the Year Ended 30 June 2020

### Significant accounting policies

**(a) Basis of accounting**

The accrual basis of accounting has been used in the preparation of these financial statements, whereby assets, liabilities, equity, income and expenses are recognised in the reporting period to which they relate, regardless of when cash is received or paid.

Judgements, estimates and assumptions are required to be made about the carrying values of assets and liabilities that are not readily apparent from other sources. The estimates and associated judgements are based on professional judgement derived from historical experience and various other factors that are believed to be reasonable under the circumstances. Actual results may differ from these estimates.

Revisions to accounting estimates are recognised in the period in which the estimate is revised and also in future periods that are affected by the revision. Judgements and assumptions made by management in the application of Australian Accounting Standards that have significant effects on the financial statements and estimates relate to:

- the fair value of land, buildings, infrastructure, plant and equipment (refer to Note 6.1).
- the determination of depreciation for buildings, infrastructure, plant and equipment (refer to Note 6.1).
- the determination of employee provisions (refer to Note 5.5 (a)).
- the determination of landfill provisions (refer to Note 5.5 (b)).
- the determination of whether performance obligations are sufficiently specific so as to determine whether an arrangement is within the scope of *AASB 15 Revenue from Contracts with Customers* or *AASB 1058 Income of Not-for-Profit Entities* (refer to Note 3.4).
- the determination, in accordance with AASB 16 Leases, of the lease term, the estimation of the discount rate when not implicit in the lease and whether an arrangement is in substance short-term or low value (refer to Note 5.8)
- other areas requiring judgements

Unless otherwise stated, all accounting policies are consistent with those applied in the prior year. Where appropriate, comparative figures have been amended to accord with current presentation (except where transitional requirements of AASB 15 Revenue from Contracts with Customers, AASB 16 Leases and AASB 1058 Income of Not-for-Profit Entities do not require restatement of comparatives under the modified retrospective approach adopted by the Council), and disclosure has been made of any material changes to comparatives.

**(b) Goods and Services Tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the Balance Sheet are shown inclusive of GST.

**(c) Rounding**

Amounts in the Financial Report have been rounded to the nearest thousand dollars unless otherwise stated. Some figures in the financial statement may not equate due to rounding.



# Notes to the Financial Statements

## For the Year Ended 30 June 2020

### Impact of COVID-19 pandemic

On the 30th of January 2020, COVID-19 was declared as a global pandemic by the World Health Organisation (WHO). Since then, various measures have been taken by all three levels of government in Australia to reduce the spread of COVID-19. This crisis and measures taken to mitigate the virus have impacted Ballarat City Council's operations in the following areas for the financial year ended 30 June 2020:

\* In response to decreases in public demand and directives from other levels of government during the COVID-19 outbreak, Council was required to temporarily close the following facilities:

- Art Gallery of Ballarat
- Ballarat Aquatic and Lifestyle Centre
- Ballarat Library
- Ballarat Regional Soccer Facility
- Eureka Aquatic Centre
- Her Majesty's Theatre
- Eureka Centre
- Sebastopol Library
- Wendouree Library

The closure of these facilities has resulted in a decrease in User Fees associated with these business units for the June 2020 quarter (refer Note 1.1 and Note 3.3)

\* Council suspended parking fees and charges between 11am and 3pm in Ballarat's CBD effective 19 March 2020. This has also had an impact on Council's User Fees collected in the 2020 financial year (refer Note 3.3).

\* Council activated a Response and Recovery Unit to directly respond to the crisis and the impacts of COVID-19 on the Municipality. Direct costs connected to this Unit totalled \$41.9K to 30 June 2020.

\* All non-essential staff were transitioned to remote work environments from the 23rd of March 2020, and where possible redeployed within the organisation.

\* Council deferred the final Rates instalment and extended the interest free period from the 31st of May to the 30th of June. This has increased the Rates receivable balance at 30 June 2020 by \$3.648m compared to last year (refer Note 5.1).

\* Council approved commercial rent waivers/deferrals upon application until the 30th of June 2020.

\* Council deferred its full revaluation of Land and Building assets until the 2021 financial year. Council instead opted for a sector appraisal from its valuers. With immaterial movement in fair value and significant uncertainty in the local property market, Council opted not to record any change in its carrying values for Land & Building asset classes for the year ended 30 June 2020.

**Note 1 Performance against budget**

The performance against budget notes compare Council's financial plan, expressed through its annual budget, with actual performance. The *Local Government (Planning and Reporting) Regulations 2014* requires explanation of any material variances. Council has adopted a materiality threshold of the greater of 10 percent or \$1,000,000 where further explanation is warranted. Explanations have not been provided for variations below the materiality threshold unless the variance is considered to be material because of its nature.

The Budget figures detailed below are those adopted by Council on the 26th of June, 2019. The Budget was based on assumptions that were relevant at the time of adoption of the Budget. Council sets guidelines and parameters for revenue and expense targets in this budget in order to meet Council's planning and financial performance targets for both the short and long-term. The Budget did not reflect any changes to equity resulting from asset revaluations, as their impacts were not considered predictable.

These notes are prepared to meet the requirements of the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

<b>1.1 Income and Expenditure</b>	<b>Budget 2020 \$'000</b>	<b>Actual 2020 \$'000</b>	<b>Variance 2020 \$'000</b>	<b>Variance 2020 %</b>	<b>Ref</b>
<b>Income</b>					
Rates and charges	122,778	123,049	271	0.22%	
Statutory fees and fines	4,415	4,798	383	8.67%	
User fees	24,843	21,299	(3,544)	-14.27%	1
Grants - operating	24,402	26,005	1,603	6.57%	2
Grants - capital	2,000	6,995	4,995	249.75%	3
Contributions - monetary	7,770	14,737	6,967	89.67%	4
Contributions - non-monetary	32,315	39,982	7,667	23.73%	5
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	-	(2,681)	(2,681)		6
Other income	4,008	6,940	2,932	73.15%	7
<b>Total Income</b>	<b>222,531</b>	<b>241,124</b>	<b>18,593</b>	<b>8.36%</b>	
<b>Expenses</b>					
Employee costs	67,478	67,499	(21)	-0.03%	
Materials and services	67,090	61,973	5,117	7.63%	8
Bad and doubtful debts	1,051	567	484	46.05%	9
Depreciation	32,411	39,928	(7,517)	-23.19%	10
Amortisation - Intangible assets	-	588	(588)		11
Amortisation - Right of use assets	-	1,219	(1,219)		11
Borrowing costs	1,816	1,860	(44)	-2.42%	
Finance costs - Leases	-	84	(84)		
Other expenses	2,037	2,615	(578)	-28.38%	12
<b>Total Expenses</b>	<b>171,883</b>	<b>176,333</b>	<b>(4,450)</b>	<b>-2.59%</b>	
<b>Surplus/(deficit) for the year</b>	<b>50,648</b>	<b>64,791</b>	<b>14,143</b>	<b>27.92%</b>	

**(i) Explanation of material variations**

<b>Variance Ref</b>	<b>Explanation</b>
1	The COVID-19 pandemic has had significant impact on User Fees and charges due to periods of community shut down, and limitations on patronage at Council facilities. Major impacts have occurred against budgeted revenues at the Ballarat Aquatic & Lifestyle Centre (\$1.572m) and Parking fees and charge (\$2.537m)
2	Council received an increase in funding from the Victorian Grants Commission in excess of budgeted funding. Changes to the Australian Accounting Standards (AASB 15 & AASB 1058) have had an impact on the timing when recognising Grant income. Grant income is now recognised with regard to the delivery of specific obligations connected to the funding.

**Note 1 Performance against budget (cont.)****(i) Explanation of material variations**

Variance Ref	Explanation
3	Changes to the Australian Accounting Standards (AASB 15 & AASB 1058) have had an impact on the timing when recognising Grant income. Grant income is now recognised with regard to the delivery of specific obligations connected to the funding. In addition, Council was also awarded further capital grants to facilitate major Infrastructure and Recreation projects.
4	Changes to the Australian Accounting Standards (AASB 15 & AASB 1058) have had an impact on the timing when recognising Monetary Contributions to Council. Contributions are now recognised with regard to the delivery of any specific obligations connected to the funding. In 2020 Council has received significant contributions not budgeted for, including \$3.660m for the Ballarat Sports and Events Centre, and other developer and open space contributions in excess of budget.
5	Development activities within the municipality, including the Ballarat West growth precinct, has continued to grow in the 2020 financial year, contributing further infrastructure assets to Council in excess of the original budget.
6	Net gains or losses on disposal of assets are not budgeted for.
7	The COVID-19 pandemic and current economic conditions have had an impact on Councils Other Income. Interest rate fluctuations reduced Councils Interest on Investments by \$0.209m against budget, and concessions granted to lessees in the June quarter, reduced commercial rental income by \$0.437m to budget. An increment relating to Revaluation of Infrastructure assets of \$1.578m, required to be recognised as income, were not budgeted for.
8	Due to the COVID-19 pandemic, Council was required to revise the way it delivered programs and services to the community. Variations included the closure of facilities, cancellation of community events, and temporary cessation of other non essential services. This has had significant impact on the budgeted expenditure on materials and services.
9	Changes to the Australian Accounting Standards (AASB 9) in the 2019 financial year have had an impact on the calculation of providing for doubtful debts. The impact of the changes were not fully known at the time of adoption of the 2020 budget.
10	Revision into the application of the Australian Accounting Standards (AASB 116) has resulted in an alteration to the calculation of depreciation for reconditioned infrastructure assets. Increases in Infrastructure assets values after revaluation have also contributed to the variation in depreciation costs for the 2020 Financial year.
11	Changes in the Accounting Standards (AASB 16) and the Local Government Model Financial Report now recognise Amortisation of Intangible assets and Right of Use assets as separate and individual disclosures.
12	Changes to the Australian Accounting Standards (AASB 16) for the 2020 financial year has had an impact on the recognition and presentation of select lease expenses from a direct operational expense, to amortisation of Right of Use assets and a financing cost component. These costs are now presented in other expense categories and represent a (\$0.878m) variation to budget. Other significant variations are represented by the unwinding of provisions for Landfill Rehabilitation (1.495m) and Other Provisions \$0.884m.

**Note 1 Performance against budget (cont.)****1.2 Capital Works**

	<b>Budget 2020 \$'000</b>	<b>Actual 2020 \$'000</b>	<b>Variance 2020 \$'000</b>	<b>Variance 2020 %</b>	<b>Ref</b>
<b>Property</b>					
Land	3,914	3,677	(237)	-6.06%	
Land improvements	-	154	154		1
<b>Total Land</b>	<b>3,914</b>	<b>3,831</b>	<b>(83)</b>	<b>-2.12%</b>	
Buildings	6,568	617	(5,951)	-90.61%	2
Heritage buildings	-	1,224	1,224		2
Building improvements	3,289	6,398	3,109	94.53%	2
<b>Total Buildings</b>	<b>9,857</b>	<b>8,239</b>	<b>(1,618)</b>	<b>-16.41%</b>	
<b>Total Property</b>	<b>13,771</b>	<b>12,070</b>	<b>(1,701)</b>	<b>-12.35%</b>	
<b>Plant and Equipment</b>					
Plant, machinery and equipment	3,792	3,711	(81)	-2.14%	
Artworks	-	169	169		3
Fixtures, fittings and furniture	-	847	847		4
Computers and telecommunications	4,324	1,047	(3,277)	-75.79%	5
Library books	386	331	(55)	-14.25%	6
<b>Total Plant and equipment</b>	<b>8,502</b>	<b>6,105</b>	<b>(2,397)</b>	<b>-28.19%</b>	
<b>Infrastructure</b>					
Roads	13,382	17,226	3,844	28.73%	7
Bridges	218	371	153	70.18%	7
Footpaths and cycleways	1,207	1,473	266	22.04%	7
Drainage	1,302	824	(478)	-36.71%	7
Recreational, leisure and community facilities	13,622	2,980	(10,642)	-78.12%	8
Waste management	3,029	363	(2,666)	-88.02%	9
Parks, open space and streetscapes	1,605	2,200	595	37.07%	10
Off-street car parks	-	524	524		11
Other infrastructure	2,917	5,862	2,945	100.96%	12
<b>Total Infrastructure</b>	<b>37,282</b>	<b>31,823</b>	<b>(5,459)</b>	<b>-14.64%</b>	
<b>Total Capital Works Expenditure</b>	<b>59,555</b>	<b>49,998</b>	<b>(9,557)</b>	<b>-16.05%</b>	
<b>Represented by:</b>					
New asset expenditure	10,154	18,694	8,540	84.10%	
Asset renewal expenditure	34,136	26,314	(7,822)	-22.91%	
Asset upgrade expenditure	15,266	4,990	(10,276)	-67.31%	
Asset expansion expenditure	-	-	-		
<b>Total Capital Works Expenditure</b>	<b>59,556</b>	<b>49,998</b>	<b>(9,558)</b>	<b>-16.05%</b>	

**(i) Explanation of material variations**

<b>Variance Ref</b>	<b>Explanation</b>
1	Land Improvements have not been separately budgeted for and are inclusive in other asset category budget allocations.

**Note 1 Performance against budget (cont.)****(i) Explanation of material variations**

<b>Variance Ref</b>	<b>Explanation</b>
2	The categorisation of capital expenditure on Council buildings is applied against individual project deliveries and may differ from the original budget allocation.
3	Artwork acquisitions are not budgeted for. Art acquisitions made by Council are fully funded by contributions from philanthropic organisations.
4	Budget allocation for Fixtures, fittings and furniture is included in other asset categories. The majority of capital expenditure relates to the fit out of new Council offices.
5	Council is undertaking a selection of Information Technology projects to continue to transform its business. These projects are in the planning stages and have not yet incurred the capital expenditure budgeted for these projects. Outgoings are expected to be realised in the 2020/21 financial year.
6	Ballarat Libraries were included in the Council facilities that were required to close due to COVID-19 restrictions. Library book acquisitions were stilted during this period resulting in an budget variation.
7	Actual expenditure against Council's Infrastructure budget has been recognised in alternative asset classes within the Councils Infrastructure assets allocations.
8	The Recreation, leisure and community facilities budget is inclusive of a \$10 million program funded by a commercial loan. This program is expected to be delivered across three years.
9	Council has undertaken master planning works in connection with the waste management facility. Continued construction and rehabilitation works were deferred until the 2020/21 financial year.
10	Actual expenditure against Council's Infrastructure budget has been recognised in alternative asset classes within the Councils Infrastructure assets allocations. Capital expenditure on Parks, open space and streetscapes includes \$1.079m relating to the construction works of Ballymanus Park.
11	Council was the recipient of additional State Government grant funding for the facilitation of additional carparking facilities. This project was not in the original budget.
12	Actual expenditure against Council's Infrastructure budget has been recognised in alternative asset classes within the Councils Infrastructure assets allocations.

**Note 2 Analysis of Council results by program****2.1 Council activity programs**

Council delivers its functions and activities through the following programs:

**(a) Business Services**

The Business Services department provides corporate management, support and governance to the organisation, ensuring that the business complies with and meets all its statutory obligations required by a local government authority. It services the organisation with fleet management, information and technology support, safety and risk management, as well as financial and revenue services.

**Community Development**

The Community Development department provides a broad range of community services and support programs that enhance the quality of life for Ballarat residents. These services relate to home and personal care in aged care, maternal and child health, and people with special needs. It also builds our communities through delivery of major projects, community engagement, youth services, cultural diversity, sport and active living, and our learning and community hubs.

**Development and Planning**

Development and Planning is responsible for managing the strategies for positive future developments within the municipality that builds the long term economic prosperity of the city. It also promotes our city as a cultural destination by managing Her Majesty's Theatre, the Art Gallery of Ballarat, the Eureka Centre and facilitating a broad range of community events.

**Infrastructure and Environment**

Infrastructure and Environment are responsible for designing and maintaining the network of Council assets. They do this by providing the planning, development and delivery of community infrastructure including our buildings, roads, drainage, recreational and open spaces, parks and gardens, and water ways. It also provides our municipality with regulatory and waste management services, with an environmentally conscious and sustainable underpinning.

**Innovation and Organisational Improvement**

The Innovation and Organisational Improvement department manage the people within Council and enhance Council processes to deliver efficient and sustainable work practices, for improved customer experiences. They provide strategic and corporate communications across multiple delivery platforms as well as provide support to the Mayor and Councillors.

**Office of the Chief Executive Officer**

The Office of the Chief Executive Officer has the overall responsibility for managing Council as an organisation. They develop and manage delivery of the long term strategic plans of Council.

**Note 2 Analysis of Council results by program (cont.)****2.2 Summary of results by program**

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2020</b>					
Business Services	138,444	(54,808)	83,636	14,241	1,994,028
Community Development	20,265	(31,054)	(10,789)	12,119	-
Development and Planning	7,681	(15,831)	(8,150)	1,293	-
Infrastructure and Environment	74,287	(65,283)	9,004	5,150	-
Innovation and Organisational Improvement	371	(8,241)	(7,870)	197	-
Office of the Chief Executive Officer	76	(1,116)	(1,040)	-	-
	<b>241,124</b>	<b>(176,333)</b>	<b>64,791</b>	<b>33,000</b>	<b>1,994,028</b>

	Income	Expenses	Surplus/ (Deficit)	Grants included in income	Total assets
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>2019</b>					
Business Services	149,856	(50,270)	99,586	17,661	1,799,312
Community Development	23,452	(32,669)	(9,217)	13,309	-
Development and Planning	13,353	(20,866)	(7,513)	4,855	-
Infrastructure and Environment	57,437	(63,940)	(6,503)	3,239	-
Innovation and Organisational Improvement	515	(6,489)	(5,974)	448	-
Office of the Chief Executive Officer	74	(593)	(519)	-	-
	<b>244,687</b>	<b>(174,827)</b>	<b>69,860</b>	<b>39,512</b>	<b>1,799,312</b>

<b>2020</b>	<b>2019</b>
<b>\$'000</b>	<b>\$'000</b>

**Note 3 Funding for the delivery of Council services****Note 3.1 Rates and charges**

Council uses Capital Improved Value (CIV) as the basis of valuation of all properties within the City of Ballarat.

The valuation base used to calculate general rates for 2019/20 was \$21,341 million (2018/19 \$19,480 million). The 2019/20 rate in the dollar was 0.3922 cents (2018/19 0.4159 cents).

General rates	103,253	98,583
Waste management charge	19,463	17,886
Special rates and charges	148	148
Interest on rates	121	254
Revenue in lieu of rates	64	64

<b>Total Rates and charges</b>	<b>123,049</b>	<b>116,935</b>
--------------------------------	----------------	----------------

The date of the latest general revaluation of land for rating purposes within the municipal district was 1 January 2019, and the valuation was first applied for the rating year commencing 1 July 2019.

Annual rates and charges are recognised as revenues when Council issues annual rates notices. Supplementary rates are recognised when a valuation and reassessment is completed and a supplementary rates notice issued.

**Note 3.2 Statutory fees and fines**

Dog and cat registrations and fines	1,055	1,079
Health licences and fees	677	676
Land Information Certificates	137	134
Local law permits	167	91
Sale of valuations	1	294
Subdivision supervision and certification fees	1,550	1,146
Town planning fees and certificates	1,211	1,205

<b>Total Statutory fees and fines</b>	<b>4,798</b>	<b>4,625</b>
---------------------------------------	--------------	--------------

Statutory fees and fines (excluding parking fees and fines) are recognised as revenue when the service has been provided, the payment is received, or when the penalty has been applied, whichever first occurs.

**Note 3.3 User fees**

Aged services fees	414	483
Art Gallery of Ballarat	653	1,055
Ballarat Aquatic and Lifestyle Centre	3,447	4,433
Building and scaffolding fees	814	769
Child care centres and kindergartens	901	1,424
Family day care	120	322
Her Majesty's Theatre	381	106
Landfill operations	5,815	4,453
Library services	1,114	1,036
Meals on wheels	396	356
Parking fees, fines and charges	3,719	6,937
Recreation income	598	834
Transfer station	702	695
Other	2,225	2,001

<b>Total User fees</b>	<b>21,299</b>	<b>24,904</b>
------------------------	---------------	---------------

User fees are recognised as revenue at a point in time, or over time, when (or as) the performance obligations are satisfied. Recognition is based on the underlying contractual terms.



<b>2020</b>	<b>2019</b>
<b>\$'000</b>	<b>\$'000</b>

**Note 3.4 Funding from other levels of government**

Grants were received in respect of the following:

**Summary of grants**

Commonwealth funded grants	22,350	18,468
State funded grants	10,650	21,044

<b>Total Grants</b>	<b>33,000</b>	<b>39,512</b>
---------------------	---------------	---------------

**Operating grants***Recurrent - Commonwealth Government*

Financial assistance grants	14,166	12,919
Aged care	4,003	1,068
Child and family day care	2,460	3,025
Other	181	839

*Recurrent - State Government*

Aged care	1,072	3,686
Arts	274	304
Child and family day care	618	
Community safety	70	267
Libraries	679	679
Maternal and child health	1,203	708
School crossing supervision	401	387
Other	707	1,094

<b>Total Recurrent operating grants</b>	<b>25,834</b>	<b>24,976</b>
---	---------------	---------------

**Operating grants***Non-recurrent - Commonwealth Government*

Other	-	12
-------	---	----

*Non-recurrent - State Government*

Arts	9	-
Recreation	-	76
Recycling	-	93
Rural Transformation	-	4,500
Smart Cities	-	251
Other	162	694

<b>Total Non-recurrent operating grants</b>	<b>171</b>	<b>5,626</b>
---	------------	--------------

<b>Total Operating grants</b>	<b>26,005</b>	<b>30,602</b>
-------------------------------	---------------	---------------

**Capital grants***Recurrent - Commonwealth Government*

Roads	1,395	205
-------	-------	-----

*Recurrent - State Government*

Roads	562	177
-------	-----	-----

<b>Total Recurrent capital grants</b>	<b>1,957</b>	<b>382</b>
---------------------------------------	--------------	------------

	2020 \$'000	2019 \$'000
<b>Note 3.4 Funding from other levels of government (cont.)</b>		
<i>Non-recurrent - Commonwealth Government</i>		
Recreation	145	-
Other	-	400
<i>Non-recurrent - State Government</i>		
Buildings	500	4,057
Recreation	1,719	1,672
Roads	2,058	2,224
Smart cities	158	-
Other	458	175
<b>Total Non-recurrent capital grants</b>	<b>5,038</b>	<b>8,528</b>
<b>Total Capital grants</b>	<b>6,995</b>	<b>8,910</b>
<b>Total Grants</b>	<b>33,000</b>	<b>39,512</b>

**Conditions on grants**

Balance at start of year	8,502	6,485
Adjustment due to changes in Australian Accounting Standards	2,179	-
Received during the financial year and remained unspent at balance date	11,769	7,322
Received in prior years and spent during the financial year	(4,699)	(5,305)
<b>Balance at year end</b>	<b>17,751</b>	<b>8,502</b>

Grant income is recognised at the point in time when the council satisfies its performance obligations as specified in the underlying agreement.

**Note 3.5 Contributions**

Monetary	14,737	10,324
Non-monetary	39,982	42,599
<b>Total Contributions</b>	<b>54,719</b>	<b>52,923</b>

*Contributions of non-monetary assets were received in relation to the following asset classes:*

Artworks	193	159
Drainage*	17,192	19,655
Footpaths*	3,238	3,687
Land^	2,329	1,529
Land under roads^	2,227	2,305
Parks, open space and street scapes	-	83
Recreation, leisure and community*	92	91
Roads*	14,711	15,090
<b>Total Non-monetary contributions</b>	<b>39,982</b>	<b>42,599</b>

Monetary and non-monetary contributions are recognised as revenue when Council obtains control over the contributed asset.

<b>2020</b>	<b>2019</b>
<b>\$'000</b>	<b>\$'000</b>

**Note 3.5 Contributions (cont.)**

\* During the financial year ending 30 June 2020 Council recognised non-monetary contributions of a number of infrastructure assets totalling \$4.890 million that had been transferred to Council relating to previous reporting periods.

Council recognises there has been an understatement in prior year totals, but has made the assessment that due to the value being less the 1% of Council's written down value of infrastructure assets, the amount does not warrant adjusting prior year comparative figures and current year opening balances (refer also Note 6.1).

^ Land and Land Under Roads values have been adjusted for Fair Value Adjustments (\$0.531m) applied in connection to assets contributed through the Ballarat West Developer Contribution Plan (DCP). Land assets are contributed at agreed values under the DCP, and fair value adjustments are applied to the assets to reflect a fair market value of the assets to Council. Adjustments are made in the same year that ownership of the asset is transferred to Council. (Refer Note 6.1)

**Note 3.6 Net gain/(loss) on disposal of property, infrastructure, plant and equipment**

Proceeds of sale	2,566	588
Written down value of assets disposed	(5,247)	(390)

<b>Total Net gain/(loss) on disposal of property, infrastructure, plant and equipment</b>	<b>(2,681)</b>	<b>198</b>
---	----------------	------------

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.

**Note 3.7 Other income**

FBT staff reimbursement	158	139
Insurance recoveries	61	500
Interest	1,591	2,231
Legal expenses recovered	91	234
Property rentals	1,448	1,442
Reimbursements	949	396
WorkCover reimbursement	172	197
Asset revaluation increment offset*	1,578	425
Other^	892	26

<b>Total Other income</b>	<b>6,940</b>	<b>5,590</b>
---------------------------	--------------	--------------

Interest is recognised as it is earned.

Other income is measured at the fair value of the consideration received or receivable and is recognised when Council gains control over the right to receive the income.

\* The 2020 Asset revaluation increment offset represents a recoupment of an asset revaluation reserve deficit from prior financial years. (Refer Note 6.1 and Note 9.1).

^ Other expenses is inclusive of the unwinding of a provision for overpaid Commonwealth grant funding connected to services no longer provided by Council. Council reached an agreement with the funding body to repay \$0.116m out of Council's provision of \$1.000m (Refer Note 5.5(c)).

**Note 4 The cost of delivering Council services****Note 4.1(a) Employee costs**

Wages and salaries	55,672	51,077
Casual staff	3,097	3,293
Superannuation	5,330	5,043
Fringe benefits tax	193	197
WorkCover	1,455	1,060
Other overheads and related costs	1,752	1,723

<b>Total Employee costs</b>	<b>67,499</b>	<b>62,393</b>
-----------------------------	---------------	---------------

<b>2020</b>	<b>2019</b>
<b>\$'000</b>	<b>\$'000</b>

**Note 4.1(b) Superannuation**

Council made contributions to the following funds:

**Defined benefit fund**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	444	461
	<b>444</b>	<b>461</b>

Employer contributions payable at reporting date.

-	-
---	---

**Accumulation funds**

Employer contributions to Local Authorities Superannuation Fund (Vision Super)	2,767	2,783
Employer contributions - other funds	2,124	1,799
	<b>4,891</b>	<b>4,582</b>

Employer contributions payable at reporting date.

-	-
---	---

*Refer to Note 9.4 for further information relating to Council's superannuation obligations.***Note 4.2 Materials and services**

Contract payments		
- Active ageing	1,501	1,303
- Communications and marketing	1,200	525
- Development and planning	989	3,390
- Economic partnerships	1,343	2,090
- Engaged communities	831	1,087
- Environmental services	11,475	9,839
- Events and the arts	1,764	6,074
- Family and children's services	1,270	2,265
- Information services	679	1,122
- Parks and gardens	6,756	6,190
- Property and facilities management	2,220	3,390
- Regulatory services	820	953
- Road maintenance	2,714	2,387
- Other operations	5,666	4,997
Building maintenance	2,041	1,045
Consultants	538	376
General maintenance	4,253	4,139
Information technology	2,468	2,087
Insurance	1,542	1,052
Office administration	4,632	5,322
Utilities	7,271	5,771
<b>Total Materials and services</b>	<b>61,973</b>	<b>65,404</b>

**Note 4.3 Bad and doubtful debts**

Active ageing	6	13
Animal control	118	547
Child care services	(9)	114
Local laws debtors	53	33
Other debtors	97	1,023
Parking management	304	(176)
Property management	(2)	22
<b>Total Bad and doubtful debts</b>	<b>567</b>	<b>1,576</b>

	<b>2020</b>	<b>2019</b>
	<b>\$'000</b>	<b>\$'000</b>

**Note 4.3 Bad and doubtful debts (cont.)****a) Movement in provisions for doubtful debts**

Balance at the beginning of the year	(1,756)	(2,466)
New provisions recognised during the year	(567)	335
Amounts already provided for and written off as uncollectible	326	366
Amounts provided for but recovered during the year	-	9

<b>Balance at end of year</b>	<b>(1,997)</b>	<b>(1,756)</b>
-------------------------------	----------------	----------------

Provision for doubtful debt is recognised based on an expected credit loss model. This model considers both historic and forward looking information in determining the level of impairment. Bad debts are written off when identified.

**Note 4.4 Depreciation**

Plant and equipment	4,616	3,956
Property	5,140	3,916
Infrastructure	30,172	28,638

<b>Total Depreciation and amortisation</b>	<b>39,928</b>	<b>36,510</b>
--	---------------	---------------

Refer to Note 6.1 for a more detailed breakdown of depreciation charges and policy.

**Note 4.5 Amortisation - Intangible assets**

Landfill	588	506
----------	-----	-----

<b>Total Amortisations - Intangible assets</b>	<b>588</b>	<b>506</b>
--	------------	------------

Refer to Note 5.2 for a more detailed breakdown of amortisation charges and policy.

**Note 4.6 Amortisation - Right of use assets**

Property	454	-
Plant & equipment	765	-

<b>Total Amortisation - Right of use assets</b>	<b>1,219</b>	<b>-</b>
---	--------------	----------

Refer to Note 5.8 for a more detailed breakdown of amortisation charges and policy.

**Note 4.7 Borrowing costs**

Interest - Borrowing costs	1,860	2,004
----------------------------	-------	-------

<b>Total Borrowing costs</b>	<b>1,860</b>	<b>2,004</b>
------------------------------	--------------	--------------

Borrowing costs are recognised as an expense in the period in which they are incurred, except where they are capitalised as part of a qualifying asset constructed by Council.

**Note 4.8 Finance costs - Leases**

Finance Costs - Lease liabilities	84	-
-----------------------------------	----	---

<b>Total Finance costs - Leases</b>	<b>84</b>	<b>-</b>
-------------------------------------	-----------	----------

Finance costs - Lease liabilities are recognised as an expense on the unwinding of Council's lease liabilities over the term of the lease contracts.

	2020 \$'000	2019 \$'000
<b>Note 4.9 Other expenses</b>		
Auditors remuneration internal	126	159
Auditors remuneration VAGO	95	94
Councillors' allowances	382	375
Election expenses	-	5
Operating leases	424	1,271
Asset revaluation decrement expense*	78	325
Landfill rehabilitation provision	1,495	3,193
Other	15	1,012
<b>Total Other expenses</b>	<b>2,615</b>	<b>6,434</b>

\* The 2020 Asset revaluation decrement expense represents the decrease in the value of Council assets in excess of the asset revaluation reserve balances for the following asset classes: Waste \$0.078m (2018/19: Recreation, leisure and community \$0.325m (Refer Note 9.1)).

## **Note 5 Council's financial position**

### **Note 5.1 Financial assets**

#### **(a) Cash and cash equivalents**

Cash on hand	12	10
Cash at bank	31,501	2,409
Term deposits	8,989	-

<b>Total Cash and cash equivalents</b>	<b>40,502</b>	<b>2,419</b>
--	---------------	--------------

#### **(b) Other financial assets**

Term deposits - current	81,300	85,752
Shares in other companies	2	2

<b>Total Other financial assets</b>	<b>81,302</b>	<b>85,754</b>
-------------------------------------	---------------	---------------

<b>Total Financial assets</b>	<b>121,804</b>	<b>88,173</b>
-------------------------------	----------------	---------------

Council's cash and cash equivalents are subject to external restrictions that limit amounts available for discretionary use. These include:

- Trust funds and deposits (Note 5.3 (b))	10,688	6,338
---	--------	-------

<b>Total Restricted funds</b>	<b>10,688</b>	<b>6,338</b>
-------------------------------	---------------	--------------

<b>Total Unrestricted cash and cash equivalents</b>	<b>29,814</b>	<b>(3,919)</b>
---	---------------	----------------

While it is noted that the total unrestricted cash and cash equivalents indicator shows a deficit as at 30 June 2019, Council has additional cash reserves held as term deposits disclosed in Other financial assets. As at 30 June 2020, Council had additional cash held in term deposits totalling \$81,300m (2018/19: 85.752m), Council has a sufficient funds to meet obligations concerning its externally restricted holdings.

#### **Intended allocations**

Although not externally restricted the following amounts have been allocated for specific future purposes by Council:

- Cash held to fund carried forward capital works and funded programs	54,658	36,141
- Reserve funds (Note 9.1)	10,615	12,816

<b>Total Funds subject to intended allocations</b>	<b>65,273</b>	<b>48,957</b>
--	---------------	---------------

Cash and cash equivalents include cash on hand, deposits at call, and other highly liquid investments with original maturities of 90 days or less, net of outstanding bank overdrafts.

Other financial assets are valued at fair value, at balance date. Term deposits are measured at original cost. Any unrealised gains and losses on holdings at balance date are recognised as either a revenue or expense.

<b>2020</b>	<b>2019</b>
<b>\$'000</b>	<b>\$'000</b>

**Note 5.1 Financial assets (cont.)****(c) Trade and other receivables****Current***Statutory receivables*

Rates debtors	6,392	3,968
Parking infringement debtors	3,597	3,296
Provision for doubtful debts - parking infringements	(843)	(734)

*Non statutory receivables*

Loans and advances to community organisations	1	4
Government grants	37	1,168
Other debtors	4,571	5,541
Provision for doubtful debts - other debtors	(1,153)	(1,022)

<b>12,602</b>	<b>12,221</b>
---------------	---------------

<b>Total Trade and other receivables</b>	<b>12,602</b>	<b>12,221</b>
--	---------------	---------------

Short term receivables are carried at invoice amount. A provision for doubtful debts is recognised when there is objective evidence that an impairment has occurred. Long term receivables are carried at amortised cost using the effective interest rate method.

**a) Ageing of receivables**

At balance date other debtors representing financial assets were past due but not impaired. The ageing of the Council's receivables (excluding statutory receivables) was:

Current (not yet due)	1,792	4,364
Past due by up to 30 days	747	813
Past due between 31 and 180 days	497	210
Past due between 181 and 365 days	197	143
Past due by more than 1 year	1,376	1,179

<b>Total Trade and other receivables</b>	<b>4,609</b>	<b>6,709</b>
--	--------------	--------------

**b) Ageing of individually impaired receivables**

At balance date, other debtors representing financial assets with a nominal value of \$2.817m (2018/19: \$2.344m) were impaired. The amount of the provision raised against these debtors was \$1.099m (2018/19: \$0.883). They individually have been impaired as a result of their doubtful collection. Many of the long outstanding past due amounts have been lodged with Council's debt collectors or are on payment arrangements.

The ageing of receivables that have been individually determined as impaired at reporting date was:

Current (not yet due)	-	-
Past due by up to 30 days	83	130
Past due between 31 and 180 days	258	90
Past due between 181 and 365 days	95	77
Past due by more than 1 year	663	586

<b>Total Trade and other receivables - individually impaired</b>	<b>1,099</b>	<b>883</b>
--	--------------	------------

<b>2020</b>	<b>2019</b>
<b>\$'000</b>	<b>\$'000</b>

**Note 5.2 Non-financial assets****(a) Inventories**

Inventories held for distribution	211	216
Inventories held for sale	138	202

<b>Total Inventories</b>	<b>349</b>	<b>418</b>
--------------------------	------------	------------

Inventories held for distribution are measured at cost and adjusted when applicable for any loss of service potential. Inventories are measured at the lower of cost and net realisable value.

**(b) Other assets**

Prepayments	940	881
Accrued income	247	356

<b>Total Other assets</b>	<b>1,187</b>	<b>1,237</b>
---------------------------	--------------	--------------

**(c) Intangible assets**

Landfill air space	746	1,340
--------------------	-----	-------

<b>Total Intangible assets</b>	<b>746</b>	<b>1,340</b>
--------------------------------	------------	--------------

<b>Landfill air space</b>	<b>Total</b>
<b>\$'000</b>	<b>\$'000</b>

**Gross carrying amount**

Balance at 1 July 2019	2,067	2,067
Transfers / Revaluation adjustments*	(304)	(304)
Balance at 30 June 2020	1,763	1,763

**Accumulated amortisation and impairment**

Balance at 1 July 2019	(727)	(727)
Amortisation expense	(588)	(588)
Transfers / Revaluation adjustments*	298	298
Balance at 30 June 2020	(1,017)	(1,017)

Net book value at 30 June 2019	1,340	1,340
Net book value at 30 June 2020	746	746

Intangible assets with finite lives are amortised as an expense on a systematic basis over the asset's useful life. Amortisation is generally calculated on a straight line basis, at a rate that allocates the asset value, less any estimated residual value over its estimated useful life. Estimates of the remaining useful lives and amortisation method are reviewed at least annually, and adjustments made where appropriate.

\* Revaluation adjustments include the removal of fully amortised air space assets from carrying balances within the annual Financial Statements.



	2020	2019
	\$'000	\$'000

**Note 5.3 Payables****(a) Trade and other payables**

Trade payables	5,195	6,996
Wages payable	2,873	2,299
Accrued loan expense	130	121
<b>Total Trade and other payables</b>	<b>8,198</b>	<b>9,416</b>

**(b) Trust funds and deposits**

Majestix deposits and trust funds	408	284
Art Gallery deposits and trust funds	198	100
Contract retentions and securities	56	142
Subdivision holding fees	3,605	3,250
Botanic Gardens Community Fund	-	5
Eureka Centre trust fund	38	38
Fire services property levy	1,950	1,159
Other deposits and trusts	4,433	1,360
<b>Total Trust funds and deposits</b>	<b>10,688</b>	<b>6,338</b>

**(c) Unearned income**

Grants received in advance - Operating	1,271	-
Grants received in advance - Capital	9,547	-
Other	73	-
<b>Total Unearned income</b>	<b>10,891</b>	<b>-</b>

Amounts received as deposits and retention amounts controlled by Council are recognised as trust funds until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Trust funds that are forfeited, resulting in the Council gaining control of the funds are recognised as revenues at the time of forfeit.

*Purpose and nature of items*

Refundable deposits - Deposits are taken by Council as a form of surety in a number of circumstances, including in relation to building works, tender deposits, contract deposits and the use of civic facilities.

Fire Service Levy - Council is the collection agent for fire services levy on behalf of the State Government. Council remits amounts received on a quarterly basis. Amounts disclosed here will be remitted to the State Government in line with that process.

Retention amounts - Council has a contractual right to retain certain amounts until a contractor has met certain requirements or a related warrant or defect period has elapsed. Subject to the satisfactory completion of the contractual obligations, or the elapsing of time, these amounts will be paid to the relevant contractor in line with Council's contractual obligations.

**Note 5.4 Interest-bearing liabilities**

<b>Current</b>		
Borrowings - secured	5,206	3,910
	<b>5,206</b>	<b>3,910</b>
<b>Non-current</b>		
Borrowings - secured	40,220	35,717
	<b>40,220</b>	<b>35,717</b>
<b>Total Interest-bearing loans and borrowings</b>	<b>45,426</b>	<b>39,627</b>

2020	2019
\$'000	\$'000

**Note 5.4 Interest-bearing liabilities (cont.)**

The maturity profile for Council's borrowings is:

Not later than one year	5,206	3,910
Later than one year and not later than five years	13,491	12,589
Later than five years	26,729	23,128

<b>Total Interest-bearing loans and borrowings</b>	<b>45,426</b>	<b>39,627</b>
--	---------------	---------------

All borrowings of the City of Ballarat are secured against the "rate income" of Council.

Borrowings are initially measured at fair value, being the cost of the interest bearing liabilities, net of transaction costs. The measurement basis subsequent to initial recognition depends on whether Council has categorised its interest-bearing liabilities as either financial liabilities designated at fair value through the profit and loss, or financial liabilities at amortised cost. Any difference between the initial recognised amount and the redemption value is recognised in net result over the period of the borrowing using the effective interest method.

The classification depends on the nature and purpose of the interest bearing liabilities. Council determines the classification of its interest bearing liabilities at initial recognition.

**Note 5.5 Provisions**

	Landfill restoration	Employee	Other	Total
	\$ '000	\$ '000	\$ '000	\$ '000
<b>2020</b>				
Balance at beginning of the financial year	8,895	15,896	1,000	25,791
Additional provisions	-	6,637	-	6,637
Amounts used	(56)	(5,551)	(1,000)	(6,607)
Increase in the discounted amount arising because of time and the effect of any change in the discount rate	1,527	(60)	-	1,467
Balance at the end of the financial year	<b>10,366</b>	<b>16,922</b>	<b>-</b>	<b>27,288</b>
<b>2019</b>				
Balance at beginning of the financial year	3,959	15,855	-	19,814
Additional provisions	4,585	6,451	1,000	12,036
Amounts used	(21)	(6,504)	-	(6,525)
Increase in the discounted amount arising because of time and the effect of any change in the discount rate	372	94	-	466
Balance at the end of the financial year	<b>8,895</b>	<b>15,896</b>	<b>1,000</b>	<b>25,791</b>

	2020 \$'000	2019 \$'000
<b>Note 5.5 Provisions (cont.)</b>		
<b>(a) Employee provisions</b>		
<b>Current provisions expected to be wholly settled within 12 months</b>		
Annual leave	4,083	3,823
Long service leave	1,110	1,067
Other	261	242
	<b>5,454</b>	<b>5,132</b>
<b>Current provisions expected to be wholly settled after 12 months</b>		
Annual leave	1,532	1,393
Long service leave	8,437	7,974
	<b>9,969</b>	<b>9,367</b>
<b>Total current provisions</b>	<b>15,423</b>	<b>14,499</b>
<b>Non-current</b>		
Long service leave	1,501	1,397
<b>Total non-current provisions</b>	<b>1,501</b>	<b>1,397</b>
Aggregate carrying amount of employee provisions:		
Current	15,423	14,499
Non-current	1,501	1,397
<b>Total aggregate carrying amount of employee provisions</b>	<b>16,924</b>	<b>15,896</b>

The following assumptions were adopted in measuring the present value of employee benefits:

	2020	2019
Weighted average increase in employee costs	5.14%	4.50%
Weighted average discount rates	3.25%	3.55%
Weighted average settlement period	7 yrs	7 yrs

The calculation of employee costs and benefits includes all relevant on-costs and are calculated as follows at reporting date:

***Wages and salaries and annual leave***

Liabilities for wages and salaries, including non-monetary benefits, annual leave and accumulated sick leave expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits in respect of employee services up to the reporting date, classified as current liabilities and measured at their nominal values.

Liabilities that are not expected to be wholly settled within 12 months of the reporting date are recognised in the provision for employee benefits as current liabilities, measured at present value of the amounts expected to be paid when the liabilities are settled using the remuneration rate expected to apply at the time of settlement.

***Long service leave***

Liability for long service leave (LSL) is recognised in the provision for employee benefits.

**Note 5.5 Provisions (cont.)**

Current liability - unconditional LSL is disclosed as a current liability even when Council does not expect to settle the liability within 12 months because it will not have the unconditional right to defer settlement of the entitlement should an employee take leave within 12 months.

Non-current liability - conditional LSL that has been accrued, where an employee is yet to reach a qualifying term of employment, is disclosed as a non-current liability. There is an unconditional right to defer settlement of the entitlement until the employee has completed the requisite years of service. Non-current LSL liability is measured at present value.

	2020	2019
	\$'000	\$'000
<b>(b) Landfill restoration</b>		
Current	137	169
Non-current	10,228	8,726
	<b>10,365</b>	<b>8,895</b>

The following assumptions were adopted in measuring the present value of landfill restoration costs:

	2020	2019
Weighted average rehabilitation costs (per sqm)	\$ 41.36	\$ 41.85
Weighted average discount rates	1.32%	1.33%
Council's obligated restoration period from cell closure	30 yrs	30 yrs

Council is obligated to restore landfill site to a particular standard. The forecast life of the site is based on current estimates of remaining capacity and the forecast rate of infill. The provision for landfill restoration has been calculated based on the expected cost of works to be undertaken as determined by the Environment Protection Authority. The expected cost of works has been estimated based on current understanding of work required to reinstate the site to a suitable standard. Accordingly, the estimation of the provision required is dependent on the accuracy of the forecast timing of the work, work required related cost estimates and management judgement.

	2020	2019
	\$'000	\$'000
<b>(c) Other Provisions</b>		
Current	-	1,000
	<b>-</b>	<b>1,000</b>

Council had been in receipt of Commonwealth grant allocations in connection to services no longer provided by Council. In acknowledgement of this over allocation, Council had made provision in its accounts for a potential recall of unexpended funding. An agreement was reached with the Commonwealth department to repay an amount of \$0.116m. The balance of the provision has been unwound against the Comprehensive income statement.

**Note 5.6 Financing arrangements**

Council has the following funding arrangements in place as at 30 June 2020

Bank overdraft	1,000	1,000
Purchase card facility limit	5,100	5,100
Leasing facilities	848	2,014
<b>Total facilities</b>	<b>6,948</b>	<b>8,114</b>
Used facilities	1,165	2,650
<b>Total Unused facilities</b>	<b>5,783</b>	<b>5,464</b>

**Note 5.7 Commitments**

Commitments are not recognised in the Balance Sheet. Commitments are disclosed at their nominal value. Council has entered into the following commitments:

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
<b>2020</b>					
<b>Operating</b>					
Facilities	1,804	1,031	928	-	3,763
<b>Total Operating</b>	<b>1,804</b>	<b>1,031</b>	<b>928</b>	<b>-</b>	<b>3,763</b>
<b>Capital</b>					
Bridges	2,653	-	-	-	2,653
Buildings	612	-	-	-	612
Building improvements	358	-	-	-	358
Plant and Equipment	374	-	-	-	374
Recreation, leisure and community	1,320	-	-	-	1,320
Roads	1,850	-	-	-	1,850
<b>Total Capital</b>	<b>7,167</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>7,167</b>

	Not later than 1 year \$'000	Later than 1 year and not later than 2 years \$'000	Later than 2 years and not later than 5 years \$'000	Later than 5 years \$'000	Total \$'000
<b>2019</b>					
<b>Operating</b>					
Facilities	4,626	1,587	2,001	-	8,214
<b>Total Operating</b>	<b>4,626</b>	<b>1,587</b>	<b>2,001</b>	<b>-</b>	<b>8,214</b>
<b>Capital</b>					
Buildings	930	-	-	-	930
Building improvements	356	-	-	-	356
Recreation, leisure and community	2,514	-	-	-	2,514
Roads	1,120	-	-	-	1,120
<b>Total Capital</b>	<b>4,920</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4,920</b>

## Note 5.8 Leases

### Policy applicable before 1 July 2019

As a lessee, Council classifies leases as operating or finance leases based on its assessment of whether the lease transferred significantly all of the risks and rewards incidental to ownership of the underlying asset to Council.

Operating lease payments, including any contingent rentals, were recognised as an expense in the comprehensive income statement on a straight-line basis over the lease term, except where another systematic basis is more representative of the time pattern of the benefits derived from the use of the leased asset. The leased asset was not recognised in the balance sheet.

All incentives for the agreement of a new or renewed operating lease were recognised as an integral part of the net consideration agreed for the use of the leased asset, irrespective of the incentive's nature or form or the timing of payments.

In the event that lease incentives were received to enter into operating leases, the aggregate cost of incentives were recognised as a reduction of rental expense over the lease term on a straight-line basis, unless another systematic basis was more representative of the time pattern in which economic benefits from the leased asset were consumed.

### Policy applicable after 1 July 2019

Council has applied AASB 16 Leases using a modified retrospective approach with the cumulative effect of initial application recognised as an adjustment to the opening balance of accumulated surplus at 1 July 2019, with no restatement of comparative information. The council applied the approach consistently to all leases in which it is a lessee.

On transition to AASB 16 Leases, Council elected to apply the practical expedient to 'grandfather' the assessment of which transactions are leases. The council has applied this practical expedient to all of its contracts and therefore applied AASB 16 Leases only to contracts that were previously identified as leases.

At inception of a contract, all entities would assess whether a contract is, or contains, a lease. A contract is, or contains, a lease if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. To identify whether a contract conveys the right to control the use of an identified asset, it is necessary to assess whether:

- The contract involves the use of an identified asset;
- The customer has the right to obtain substantially all of the economic benefits from use of the asset throughout the period of use; and
- The customer has the right to direct the use of the asset.

This policy is applied to contracts entered into, or changed, on or after 1 July 2019.

As a lessee, Council recognises a right-of-use asset and a lease liability at the lease commencement date. The right-of-use asset is initially measured at cost which comprises the initial amount of the lease liability adjusted for:

- any lease payments made at or before the commencement date less any lease incentives received; plus
- any initial direct costs incurred; and
- an estimate of costs to dismantle and remove the underlying asset or to restore the underlying asset or the site on which it is located.

The right-of-use asset is subsequently depreciated using the straight-line method from the commencement date to the earlier of the end of the useful life of the right-of-use asset or the end of the lease term. The estimated useful lives of right-of-use assets are determined on the same basis as those of property, plant and equipment. In addition, the right-of-use asset is periodically reduced by impairment losses, if any, and adjusted for certain measurements of the lease liability.

The lease liability is initially measured at the present value of the lease payments that are not paid at the commencement date, discounted using the interest rate implicit in the lease or, if that rate cannot be readily determined, an appropriate incremental borrowing rate. Generally, Council uses an appropriate incremental borrowing rate as the discount rate.

**Note 5.8 Leases (cont.)**

Lease payments included in the measurement of the lease liability comprise the following:

- Fixed payments
- Variable lease payments that depend on an index or a rate, initially measured using the index or rate as at the commencement date;
- Amounts expected to be payable under a residual value guarantee; and
- The exercise price under a purchase option that Council is reasonably certain to exercise, lease payments in an optional renewal period if Council is reasonably certain to exercise an extension option, and penalties for early termination of a lease unless Council is reasonably certain not to terminate early.

When the lease liability is remeasured in this way, a corresponding adjustment is made to the carrying amount of the right-of-use asset, or is recorded in profit or loss if the carrying amount of the right-of-use asset has been reduced to zero.

Council has elected to apply the temporary option available under AASB 16 Leases which allows not-for-profit entities to not measure right-of-use assets at initial recognition at fair value in respect of leases that have significantly below-market terms.

<b>Right of Use Assets</b>	<b>Property \$'000</b>	<b>Plant &amp; Equipment \$'000</b>	<b>Total \$'000</b>
Balance at 1 July 2019	1,004	1,577	2,581
Additions	2,104	-	2,104
Amortisation charges	(454)	(765)	(1,219)
Cessations	(632)	-	(632)
Balance at 30 June 2020	<b>2,022</b>	<b>812</b>	<b>2,834</b>

<b>Lease Liabilities</b>	<b>2020 \$'000</b>
Maturity analysis - contractual undiscounted cash flows	<b>\$'000</b>
Less than one year	1,411
One to five years	1,718
More than five years	-
Total undiscounted lease liabilities as at 30 June:	<b>3,129</b>

Lease liabilities included in the Balance Sheet at 30 June	
Current	1,302
Non-current	1,591
Total lease liabilities	<b>2,893</b>

**Short-term and low value leases**

Council has elected not to recognise right-of-use assets and lease liabilities for short-term leases of machinery that have a lease term of 12 months or less and leases of low-value assets (individual assets worth less than Council's capitalisation thresholds for Right of Use assets of AUD\$10,000), including IT equipment. Council recognises the lease payments associated with these leases as an expense on a straight-line basis over the lease term.

<b>Expenses relating to:</b>	<b>2020 \$'000</b>
Short-term leases	301
Leases of low value assets	152
<b>Total</b>	<b>453</b>
Variable Lease payments (not included in measurement of lease liabilities)	309

**Note 5.8 Leases (cont.)****Non-cancellable commitments - Short-term and low-value leases****2020  
\$'000**

Commitments for minimum lease payments for short-term and low-value leases are payable as follows:

Payable:

Within one year	13
Later than one year but not later than five years	-
More than five years	-
<b>Total lease commitments</b>	<b>13</b>

**i. Leases classified as operating leases under AASB 117 Leases**

At transition, lease liabilities were measured at the present value of the remaining lease payments, discounted at Council's incremental borrowing rate as at 1 July 2019. Right-of-use assets are measured at an amount equal to the lease liability, adjusted by the amount of any prepaid or accrued lease payments. Council applied this approach to all applicable leases.

Council used the following practical expedients when applying AASB 16 Leases to leases previously classified as operating leases under AASB 117 Leases.

- Applied a single discount rate to a portfolio of leases with similar characteristics.
- Adjusted the right-of-use assets by the amount of AASB 137 Provisions, Contingent Liabilities and Contingent Assets onerous contract provision immediately before the date of initial application, as an alternative to an impairment review.
- Applied the exemption not to recognise right-of-use assets and liabilities for leases with less than 12 months of lease term.
- Used hindsight when determining the lease term if the contract contains options to extend or terminate the lease.

**ii. Leases previously classified as finance leases**

For leases that were classified as finance leases under AASB 117 Leases, the carrying amount of the right-of-use asset and the lease liability at 1 July 2019 are determined at the carrying amount of the lease asset and lease liability under AASB 117 Leases immediately before that date.

Council is not required to make any adjustments on transition to AASB 16 Leases for leases in which it acts as a lessor, except for a sub-lease. Council accounted for its leases in accordance with AASB 16 Leases from the date of initial application.

**Impact on financial statements**

On transition to AASB 16 Leases, Council recognised an additional \$2.581m of right-of-use assets and \$2.581m of lease liabilities.

When measuring lease liabilities, Council discounted lease payments using its incremental borrowing rate at 1 July 2019. The weighted-average rate applied is 4.02%.

	<b>2019 \$'000</b>
Operating lease commitment at 30 June 2019 as disclosed in Council's financial statements	3,130
Discounted using the incremental borrowing rate at 1 July 2019	(171)
	<u>2,959</u>
 - Recognition exemption for:	
Short-term leases	(301)
Leases of low value-value assets	(165)
- Additional leases recognised	88
- Lease liabilities recognised as at 1 July 2019	<u>2,581</u>



City of Ballarat

Notes to the Financial Report  
For the Year Ended 30 June 2020

Note 6 Assets Council manage

Note 6.1 Property, Infrastructure, Plant and Equipment

Summary of Property, Infrastructure, Plant and Equipment

	At Fair Value 30 June 2019	Acquisitions	Contributions	Revaluation	Found Assets	Depreciation	Impairments	Disposal	Transfers from Works in Progress	Asset Class Transfers	At Fair Value 30 June 2020
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Land	304,440	-	5,088	(531)	-	(24)	-	(1,210)	3,938	953	312,654
Buildings	199,917	-	-	-	-	(5,116)	-	(640)	6,683	-	200,844
Plant and Equipment	114,915	5,676	193	-	-	(4,616)	-	(55)	920	-	117,033
Infrastructure	1,072,319	-	35,232	111,290	2,487	(30,172)	-	(3,341)	29,971	(953)	1,216,833
Work in progress	4,332	44,322	-	-	-	-	-	-	(41,512)	-	7,142
	<b>1,695,923</b>	<b>49,998</b>	<b>40,513</b>	<b>110,759</b>	<b>2,487</b>	<b>(39,928)</b>	<b>-</b>	<b>(5,246)</b>	<b>-</b>	<b>-</b>	<b>1,854,506</b>

Summary of Work in Progress

	Opening WIP \$'000	Additions \$'000	Transfers \$'000	Write Offs \$'000	Closing WIP \$'000
Buildings	2,018	12,070	(10,474)	-	3,614
Plant and equipment	919	429	(920)	-	428
Infrastructure	1,395	31,823	(30,118)	-	3,100
Total	<b>4,332</b>	<b>44,322</b>	<b>(41,512)</b>	<b>-</b>	<b>7,142</b>

## Note 6.1 Property, Infrastructure, Plant and Equipment (cont.)

## (a) Property

Note	Land - specialised \$'000	Land - non specialised \$'000	Land improvements \$'000	Total Land \$'000	Heritage buildings \$'000	Buildings non-specialised \$'000	Buildings specialised \$'000	Building improvements \$'000	Total Buildings \$'000	Work In progress \$'000	Total Property \$'000
At fair value 1 July 2019	10,553	292,013	1,874	304,440	45,343	151,809	-	6,679	203,831	2,018	510,289
Accumulated depreciation at 1 July 2019	-	-	-	-	(769)	(3,093)	-	(52)	(3,914)	-	(3,914)
	10,553	292,013	1,874	304,440	44,574	148,716	-	6,627	199,917	2,018	506,375
<b>Movements in fair value</b>											
Acquisition of assets at fair value	-	-	-	-	-	-	-	-	-	12,070	12,070
Contributed assets at fair value	2,932	2,156	-	5,088	-	-	-	-	-	-	5,088
Transfers from work in progress	-	3,677	261	3,938	892	574	-	5,217	6,683	(10,621)	-
Revaluation increments/decrements	-	-	-	-	-	-	-	-	-	-	-
Fair value increments/decrements *	(316)	(215)	-	(531)	-	-	-	-	-	-	(531)
Found assets	-	-	-	-	-	-	-	-	-	-	-
Fair value of assets disposed	-	(1,210)	-	(1,210)	-	(664)	-	-	(664)	-	(1,874)
Transfers to / (from) asset class	-	-	953	953	-	-	-	-	-	147	1,100
	2,616	4,408	1,214	8,238	892	(90)	-	5,217	6,019	1,596	15,853
<b>Movements in accumulated depreciation</b>											
Depreciation and amortisation	4.4	-	(24)	(24)	(1,148)	(3,800)	-	(168)	(5,116)	-	(5,140)
Accumulated depreciation of disposals	-	-	-	-	-	24	-	-	24	-	24
Transfers to / (from) asset class	-	-	-	-	-	-	-	-	-	-	-
Accumulated depreciation fair value adjustment	-	-	-	-	-	-	-	-	-	-	-
	-	-	(24)	(24)	(1,148)	(3,776)	-	(168)	(5,092)	-	(5,116)
At fair value 30 June 2020	13,169	296,421	3,088	312,678	46,235	151,719	-	11,896	209,850	3,614	526,142
Accumulated depreciation at 30 June 2020	-	-	(24)	(24)	(1,917)	(6,869)	-	(220)	(9,006)	-	(9,030)
	13,169	296,421	3,064	312,654	44,318	144,850	-	11,676	200,844	3,614	517,112

\* The fair value decrement on Land represents the difference between the agreed value of assets transferred to Council as developers contributions during the 2020 financial year and the fair value of those assets (as valued by Opteon (Vic)) based on their best purpose when in the hands of Council. These adjustments are reflected against the individual Non-monetary categories disclosed in Note 3.5 - Contributions).

Council undertook a desktop valuation for the fair value of its Land and Buildings assets for 30 June 2020. The desktop assessment (as completed by Opteon (Vic)), suggested value increases of between 2.66% and 9.05% across its different property categories, since Councils last formal valuation as at 30 June 2018. The assessment provided was also subject to 'significant market uncertainty due to COVID-19', and that any impact would likely put downward pressures on property markets and values.

Council has determined that the calculated increase in value, as determined by this review, is immaterial against the total value of its Land & Building assets, and that any short term variation in the property market would further reduce any material change since the last full valuation.

In respect of this uncertainty, Council has chosen not to record a fair value adjustment for Land and Buildings in its financial statements for 30 June 2020.

**Note 6.1 Property, Infrastructure, Plant and Equipment (cont.)**

**(b) Plant and Equipment**

Note	Art works and heritage collections	Heritage plant and equipment	Plant machinery and equipment	Fixtures fittings and furniture	Computers and telecoms	Library books	Work in progress	Total Plant and equipment
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2019	95,005	-	29,413	2,484	12,233	7,728	919	147,782
Accumulated depreciation at 1 July 2019	-	-	(15,570)	(1,678)	(9,328)	(5,372)	-	(31,948)
	<b>95,005</b>	<b>-</b>	<b>13,843</b>	<b>806</b>	<b>2,905</b>	<b>2,356</b>	<b>919</b>	<b>115,834</b>
<b>Movements in fair value</b>								
Acquisition of assets at fair value	170	-	3,296	832	1,047	331	429	6,105
Contributed assets at fair value	193	-	-	-	-	-	-	193
Transfers from work in progress	-	-	36	101	783	-	(920)	-
Revaluation increments/decrements	-	-	-	-	-	-	-	-
Found assets	-	-	-	-	-	-	-	-
Fair value of assets disposed	-	-	(1,471)	(38)	-	-	-	(1,509)
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-
Transfers to / (from) asset class	-	-	-	-	-	-	-	-
	<b>363</b>	<b>-</b>	<b>1,861</b>	<b>895</b>	<b>1,830</b>	<b>331</b>	<b>(491)</b>	<b>4,789</b>
<b>Movements in accumulated depreciation</b>								
Depreciation and amortisation	4.4	-	(2,814)	(199)	(1,196)	(407)	-	(4,616)
Accumulated depreciation of disposals	-	-	1,416	38	-	-	-	1,454
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-
Transfers to / (from) asset class	-	-	-	-	-	-	-	-
	<b>-</b>	<b>-</b>	<b>(1,398)</b>	<b>(161)</b>	<b>(1,196)</b>	<b>(407)</b>	<b>-</b>	<b>(3,162)</b>
At fair value 30 June 2020	95,368	-	31,274	3,379	14,063	8,059	428	152,571
Accumulated depreciation at 30 June 2020	-	-	(16,968)	(1,839)	(10,524)	(5,779)	-	(35,110)
	<b>95,368</b>	<b>-</b>	<b>14,306</b>	<b>1,540</b>	<b>3,539</b>	<b>2,280</b>	<b>428</b>	<b>117,461</b>

**Note 6.1 Property, Infrastructure, Plant and Equipment (cont.)**

**(c) Infrastructure**

Note	Roads	Bridges	Footpaths and cycleways	Drainage	Recreational, leisure and community	Waste management	Parks open spaces and streetscapes	Aerodromes	Off-street car parks	Other infrastructure	Work In progress	Total Infrastructure
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
At fair value 1 July 2019	574,862	41,388	61,783	328,479	44,654	8,065	3,214	-	7,328	34,155	1,395	1,105,323
Accumulated depreciation at 1 July 2019	(16,129)	(668)	(1,645)	(3,517)	(2,870)	(5,036)	-	-	(207)	(1,537)	-	(31,609)
	<b>558,733</b>	<b>40,720</b>	<b>60,138</b>	<b>324,962</b>	<b>41,784</b>	<b>3,029</b>	<b>3,214</b>	<b>-</b>	<b>7,121</b>	<b>32,618</b>	<b>1,395</b>	<b>1,073,714</b>
<b>Movements in fair value</b>												
Acquisition of assets at fair value	-	-	-	-	-	-	-	-	-	-	31,823	31,823
Contributed assets at fair value ~	14,710	-	3,238	17,192	92	-	-	-	-	-	-	35,232
Transfers from work in progress	17,227	171	1,472	1,578	2,625	-	1,958	-	524	4,416	(29,971)	-
Revaluation increments/decrements *	54,131	7,878	17,011	5,828	(1,288)	(4,517)	-	-	667	565	-	80,275
Found assets ^	1,129	-	153	78	994	-	-	-	-	133	-	2,487
Fair value of assets disposed	-	-	-	-	(3,465)	-	-	-	-	-	-	(3,465)
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-	-	-	-
Transfers to / (from) asset class	-	-	-	-	-	-	(953)	-	-	-	(147)	(1,100)
	<b>87,197</b>	<b>8,049</b>	<b>21,874</b>	<b>24,676</b>	<b>(1,042)</b>	<b>(4,517)</b>	<b>1,005</b>	<b>-</b>	<b>1,191</b>	<b>5,114</b>	<b>1,705</b>	<b>145,252</b>
<b>Movements in accumulated depreciation</b>												
Depreciation and amortisation	4.4 (17,556)	(764)	(2,273)	(3,834)	(3,009)	(591)	(7)	-	(184)	(1,954)	-	(30,172)
Accumulated depreciation of disposals	-	-	-	-	124	-	-	-	-	-	-	124
Revaluation increments/decrements *	16,129	668	1,645	3,517	2,867	4,445	-	-	207	1,537	-	31,015
Impairment losses recognised in operating result	-	-	-	-	-	-	-	-	-	-	-	-
Transfers to / (from) asset class	-	-	-	-	-	-	-	-	-	-	-	-
	<b>(1,427)</b>	<b>(96)</b>	<b>(628)</b>	<b>(317)</b>	<b>(18)</b>	<b>3,854</b>	<b>(7)</b>	<b>-</b>	<b>23</b>	<b>(417)</b>	<b>-</b>	<b>967</b>
At fair value 30 June 2020	662,059	49,437	83,657	353,155	43,612	3,548	4,219	-	8,519	39,269	3,100	1,250,575
Accumulated depreciation at 30 June 2020	(17,556)	(764)	(2,273)	(3,834)	(2,888)	(1,182)	(7)	-	(184)	(1,954)	-	(30,642)
	<b>644,503</b>	<b>48,673</b>	<b>81,384</b>	<b>349,321</b>	<b>40,724</b>	<b>2,366</b>	<b>4,212</b>	<b>-</b>	<b>8,335</b>	<b>37,315</b>	<b>3,100</b>	<b>1,219,933</b>

\* The full amount of the Infrastructure revaluation increment has not been transferred to the asset revaluation reserves due to current and prior decrements in the revaluation of the Recreation, leisure and community assets, and Car parking assets, fully diminishing the Recreation and Open Space, and Off-street Car Park reserves (refer Note 9.1). An amount of \$0.078m has been recorded as an expense in the Comprehensive Income Statement, and an asset revaluation increment offset recoupment amount of \$1.578m has been recorded as other income in the Comprehensive Income Statement, as required by AASB 116 (refer Notes 3.7 and 4.9).

^ During the asset revaluation process, Council identified further assets owned that were not reflected in the fixed asset register. Advancements in technologies, including GIS Mapping, utilised by Council as well as improved asset management practices, allow for better identification and recognition of Council assets (refer Note 9.3).

~ In the 2020 financial year, Council has recognised a selection of infrastructure assets totalling \$4.890 million transferred to Council relating to the previous reporting period. Council recognises there has been an understatement in prior year totals, but has made the assessment that due to the amount being less than 1% of Council's written down value of infrastructure assets, in this instance, the amount does not warrant adjusting prior year comparative figures and current year opening balances (refer also Note 3.5).

**Note 6.1 Property, infrastructure, plant and equipment (cont.)****(d) Recognition and measurement of property, plant and equipment, infrastructure, intangibles***Acquisition*

The purchase method of accounting is used for all acquisitions of assets, being the fair value of assets provided as consideration at the date of acquisition plus any incidental costs attributable to the acquisition. Fair value is the price that would be received to sell an asset (or paid to transfer a liability) in an orderly transaction between market participants at measurement date.

Where assets are constructed by Council, cost includes all materials used in construction, direct labour, and an appropriate share of directly attributable variable and fixed overheads.

In accordance with Council's policy, the threshold limits detailed in below have applied when recognising assets within an applicable asset class and unless otherwise stated are consistent with the prior year.

*Asset recognition thresholds and depreciation periods*

	Depreciation Period	Threshold Limit \$
Land and improvements		
Land	-	5,000
Land Improvements	40 years	5,000
Buildings		
Buildings	40 years	5,000
Building improvements	40 years	5,000
Plant and Equipment		
Heritage plant and equipment	5 - 30 years	1,000
Plant, machinery and equipment	2 - 20 years	1,000
Fixtures, fittings and furniture	2 - 20 years	1,000
Computers and telecommunications	3 - 20 years	1,000
Library books	10 years	1,000
Infrastructure		
Road pavements and seals	10 - 80 years	5,000
Road formation and earthworks	-	5,000
Road kerb, channel and minor culverts	80 - 150 years	5,000
Bridges deck	60 - 100 years	5,000
Bridges substructure	60 - 100 years	5,000
Footpaths and cycleways	15 - 80 years	5,000
Drainage	50 - 200 years	5,000
Recreational, leisure and community facilities	15 - 50 years	5,000
Parks, open space and streetscapes	8 - 50 years	5,000
Off-street car parks	10 - 80 years	5,000
Aerodromes	10 - 80 years	5,000
Intangible Assets		
Landfill air-space	1 - 5 years	5,000
Right of use assets	1 - 10 years	10,000

**Note 6.1 Property, infrastructure, plant and equipment (cont.)***Land under roads*

Land under roads acquired after 30 June 2008 is brought to account using the fair value basis. Council does not recognise land under roads that it controlled prior to that period in its financial report, consistent with AASB 1051.

*Depreciation and amortisation of property, infrastructure, plant and equipment and intangibles*

Buildings, land improvements, plant and equipment, infrastructure, and other assets having limited useful lives are systematically depreciated over their useful lives to Council in a manner which reflects consumption of the service potential embodied in those assets. Estimates of remaining useful lives and residual values are made on a regular basis with major asset classes reassessed annually. Depreciation rates and methods are reviewed annually.

Where assets have separate identifiable components that are subject to regular replacement, these components are assigned distinct useful lives and residual values and a separate depreciation rate is determined for each component.

Road earthworks are not depreciated on the basis that they are assessed as not having a limited useful life.

Artworks and heritage collections are not depreciated.

Straight line depreciation is charged based on the residual useful life as determined each year.

*Repairs and maintenance*

Routine maintenance, repair costs, and minor renewal costs are expensed as incurred. Where the repair relates to the replacement of a component of an asset and the cost exceeds the capitalisation threshold the cost is capitalised and depreciated. The carrying value of the replaced asset is expensed.

**Valuation of Land and Buildings**

Valuations of land and buildings were undertaken by a qualified independent valuer Opteon (Vic) Pty Ltd. The valuation of land and buildings is at fair value, being market value based on highest and best use permitted by relevant land planning provisions. Where land use is restricted through existing planning provisions the valuation is reduced to reflect this limitation. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the Comprehensive Income Statement.

Council engaged its independent valuer to complete a desktop valuation for the fair value of its Land and Buildings assets for 30 June 2020. The desktop assessment (as completed by Opteon (Vic)), suggested value increases of between 2.66% and 9.05% across its different property categories, since Council's last formal valuation as at 30 June 2018. Council's valuers also expressed a 'significant market uncertainty due to COVID-19', and that any impact would likely put downward pressures on property markets and values in the short to medium term.

Specialised land is valued at fair value using site values adjusted for englobo (undeveloped and/or unserviced) characteristics, access rights and private interests of other parties and entitlements of infrastructure assets and services. This adjustment is an unobservable input in the valuation. The adjustment has no impact on the Comprehensive Income Statement.

Any significant movements in the unobservable inputs for land and land under roads will have a significant impact on the fair value of these assets.

The date of the current valuation is detailed in the following table. Council undertakes a full revaluation of its land and buildings on a biennial cycle. *(Due to COVID-19, only a desktop revaluation was undertaken for the 2020 financial year. On assessment, no adjustment to land and building fair values were recorded in Council's accounts).*

Details of Council's land and buildings and information about the fair value hierarchy as at 30 June 2020 are as follows:

	<b>Level 1</b>	<b>Level 2</b>	<b>Level 3</b>	<b>Date of</b>
	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>Valuation</b>
Land	-	-	296,421	June 2018
Specialised land	-	-	13,169	June 2018
Land improvements	-	-	3,064	June 2018
Heritage buildings	-	-	44,318	June 2018
Buildings	-	-	144,850	June 2018
Building improvements	-	11,676	-	June 2018
<b>Total</b>	<b>-</b>	<b>11,676</b>	<b>501,822</b>	

**Note 6.1 Property, infrastructure, plant and equipment (cont.)****Valuation of Infrastructure**

Valuation of infrastructure assets has been determined in accordance with a valuation undertaken by the Council's Infrastructure Engineer and suitably qualified consultants engaged by Council. These assets are subject to further componentisation and can be transferred to other assets classes in future years.

The date of the current valuation is detailed in the following table. A combination of direct cost unit rate values and index based unit rate cost movements (Australian Bureau of Statistics data and Rawlinson's Construction Cost Guide) has been used in valuing Council's Infrastructure assets. Council revalues its infrastructure assets every year.

The valuation is at fair value based on replacement cost less accumulated depreciation as at the date of valuation.

Details of Council's infrastructure and information about the fair value hierarchy as at 30 June 2020 are as follows:

	Level 1 \$'000	Level 2 \$'000	Level 3 \$'000	Date of Valuation
Roads	-	-	644,503	July 2019
Bridges	-	-	48,673	July 2019
Footpaths and cycleways	-	-	81,384	July 2019
Drainage	-	-	349,321	July 2019
Recreational, leisure and community facilities	-	-	40,724	July 2019
Waste management	-	-	2,366	July 2019
Parks, open space and streetscapes	-	-	4,212	July 2019
Aerodromes	-	-	-	July 2019
Off-street car parks	-	-	8,335	July 2019
Other infrastructure	-	-	37,315	July 2019
<b>Total</b>	<b>-</b>	<b>-</b>	<b>1,216,833</b>	

**Description of significant unobservable inputs into level 3 valuations**

**Specialised land and land under roads** is valued using a market based direct comparison technique. Significant unobservable inputs include the extent and impact of restriction of use and the market cost of land per square metre. The extent and impact of restrictions on use varies and results in a reduction to surrounding land values between 5% and 95%. The market value of land varies significantly depending on the location of the land and the current market conditions. Currently land values range between \$600 and \$800 per square metre.

**Specialised buildings** are valued using a depreciated replacement cost technique. Significant unobservable inputs include the current replacement cost and remaining useful lives of buildings. Current replacement costs is calculated on a square metre basis and ranges from \$1,000 to \$1,500 per square metre. The remaining useful lives of buildings are determined on the basis of the current condition of buildings and vary from 30 years to 60 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of buildings are sensitive to changes in expectations or requirements that could either shorten or extend the useful lives of buildings.

**Infrastructure assets** are valued based on the depreciated replacement cost. Significant unobservable inputs include the current replacement cost and remaining useful lives of infrastructure. The remaining useful lives of infrastructure assets are determined on the basis of the current condition of the asset and vary from 15 years to 80 years. Replacement cost is sensitive to changes in market conditions, with any increase or decrease in cost flowing through to the valuation. Useful lives of infrastructure are sensitive to changes in use, expectations or requirements that could either shorten or extend the useful lives of infrastructure assets.

	2020 \$'000	2019 \$'000
<b>Reconciliation of specialised land</b>		
Land under roads	13,169	10,553
<b>Total specialised land</b>	<b>13,169</b>	<b>10,553</b>

**Note 7 People and relationships****Note 7.1 Council and key management remuneration****(a) Related Parties***Parent Entity*

Ballarat City Council

*Subsidiaries and Associates*

Nil

**(b) Key Management Personnel**

Details of persons holding the position of Councillor or other members of Key Management Personnel at any time during the year are:

	2020 No.	2019 No.
<b>Councillors</b>		
Ben Taylor (Mayor 6/11/2019-30/06/2020)		
Amy Johnson		
Belinda Coates		
Daniel Moloney		
Des Hudson		
Grant Tillett		
Jim Rinaldi		
Mark Harris		
Samantha McIntosh (Mayor 1/07/2019-6/11/2019)		
<b>Total Number of Councillors</b>	<b>9</b>	<b>9</b>
<b>Other Key Management Personnel</b>		
Justine Linley (Chief Executive Officer: 1/07/2019-15/05/2020)		
Janet Dore (Interim Chief Executive Officer: 12/06/2020-30/06/2020)		
Angelique Lush (Director Development and Planning)		
Cameron Gray (Director Policy & Innovation)		
Glenn Kallio (Director Business Services)		
Neville Ivey (Director Community Development)		
Terry Demeo (Director Infrastructure and Environment)		
 Darren Sadler (Acting Director Infrastructure and Environment: 2-6/01/2020, 15/05/2020-30/06/2020)		
James Guy (Acting Director Development and Planning: 1-19/07/2019)		
Jeff Johnson (Acting Director Development and Planning: 16-24/12/2019)		
Jenny Fink (Acting Director Community Development: 17/03/2020-14/06/2020)		
Natalie Robertson (Acting Director Innovation and Organisational Improvement: 4-29/11/2019)		
Peter Appleton (Acting Director Community Development: 16-27/09/2019)		
Sean Portelli (Acting Director Business Services: 29-30/06/2020)		
Sharelle Knight (Acting Director Community Development: 30/09/2019-4/10/2019)		
Stephen Bigarelli (Acting Director Business Services: 16/09/2019-4/10/2019)		
Vaughn Notting (Acting Direct Infrastructure and Environment: 2-7/01/2020)		
<b>Total Other Key Management Personnel</b>	<b>17</b>	<b>16</b>
<b>Total Key management personnel</b>	<b>26</b>	<b>25</b>



**Note 7.1 Council and key management remuneration (cont.)**

<b>(c) Remuneration of Key Management Personnel</b>	<b>2020</b>	<b>2019</b>
	<b>\$,000</b>	<b>\$,000</b>

Total remuneration of key management personnel was as follows:

Short-term benefits	1,434	1,388
Post employment benefits	182	164
Long-term benefits	12	6
Termination benefits	279	-

<b>Total Remuneration of key management personnel</b>	<b>1,907</b>	<b>1,558</b>
---	--------------	--------------

Remuneration of Key Management Personnel does not include the remuneration of any Senior Officer that has acted in a position of Key Management. This remuneration is included in the Senior Officer Remuneration disclosure below.

The numbers of key management personnel whose total remuneration from Council and any related entities, fall within the following bands:

	<b>2020</b>	<b>2019</b>
	<b>No.</b>	<b>No.</b>
Income Range:		
<\$30,000	1	-
\$30,000 - \$39,999	7	8
\$50,000 - \$59,999	1	-
\$80,000 - \$89,999	1	-
\$100,000 - \$109,999	-	1
\$220,000 - \$229,999	-	1
\$230,000 - \$239,999	1	1
\$240,000 - \$249,999	-	1
\$250,000 - \$259,999	3	1
\$260,000 - \$269,999	1	-
\$270,000 - \$279,999	-	1
\$320,000 - \$329,999	-	1
\$630,000 - \$639,999	1	-
	<b>16</b>	<b>15</b>

**(d) Senior Officer Remuneration**

A Senior Officer is an officer of Council, other than Key Management Personnel, who:

- a) has management responsibilities and reports directly to the Chief Executive; or
- b) whose total annual remuneration exceeds \$151,000

The number of Senior Officers are shown below in their relevant income bands:

	<b>2020</b>	<b>2019</b>
	<b>No.</b>	<b>No.</b>
Income Range:		
\$148,000 - \$149,999	-	2
\$150,000 - \$159,999	10	8
\$160,000 - \$169,999	2	1
\$170,000 - \$179,999	4	8
\$180,000 - \$189,999	4	3
\$190,000 - \$199,999	1	1
\$210,000 - \$219,999	2	-
\$230,000 - \$239,999	-	1
	<b>23</b>	<b>24</b>

	<b>\$,000</b>	<b>\$,000</b>
<b>Total Remuneration for the reporting year for Senior Officers included above, amounted to</b>	<b>3,911</b>	<b>4,061</b>

**Note 7.2 Related party disclosures****(a) Transactions with related parties**

During the period Council entered into the following transactions with related parties:

	<b>2020 \$,000</b>	<b>2019 \$,000</b>
<b>Transactions with Related Parties</b>		
Remuneration	32	9
	<b>32</b>	<b>9</b>

Remuneration is inclusive of payments of salaries and wages made to related parties of Senior Officers acting in Key Management Personnel positions. These related party payments are only recognised when paid during official periods of responsibility. Salaries and wages are paid in accordance with Councils adopted employment terms and conditions.

**(b) Outstanding balances with related parties**

No material transactions with outstanding balances to or from related parties of Council have been disclosed or uncovered through review of Council's transactions for the financial year ending 30 June 2020

**(c) Loans to/from related parties**

No loans to or from related parties of Council have been disclosed or uncovered through review of Council's transactions for the financial year ending 30 June 2020

**(d) Commitments to/from related parties**

No material commitments to or from related parties of Council have been disclosed or uncovered through review of Council's transactions for the financial year ending 30 June 2020

**Note 8 Managing uncertainties****Note 8.1 Contingent assets and liabilities**

Contingent assets and contingent liabilities are not recognised in the Balance Sheet, but are disclosed and if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable, respectively.

**(a) Contingent assets****Developer contributions**

In accordance with AASB 137, Council is required to recognise an asset for which it is probable that a future economic benefit will eventuate and the amount of this asset can be reliably measured. At balance date there are no estimates available for developer contributions of infrastructure assets to be received in respect of subdivisions currently under development. As a guide Council has recognised over the past two years developer contributions of \$40.319 million (2019/20) and \$42.440 million (2018/19).

**Operating lease receivables**

Council has entered into property leases consisting of surplus freehold office complexes and other land and buildings. These properties held under operating leases have remaining non-cancellable lease terms of between 1 and 10 years. All leases include a Consumer Price Index based revision of the rental charge annually.

Future minimum rentals receivable under non-cancellable operating leases are as follows:

	2020 \$'000	2019 \$'000
Not later than one year	1,524	1,592
Later than one year and not later than five years	6,095	6,581
Later than five years	9,142	8,731
	<b>16,761</b>	<b>16,904</b>

**(b) Contingent liabilities****Contingent liabilities****Defined benefit superannuation**

Council has obligations under a defined benefit superannuation scheme that may result in the need to make additional contributions to the scheme. Matters relating to this potential obligation are outlined in Note 9.4. As a result of the volatility in financial markets the likelihood of making such contributions in future periods exists. At this point in time it is not known if additional contributions will be required, their timing or potential amount.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2021 are \$437,000.

**Combustible building cladding**

Prior to 2011, Council endorsed a wide range of building permits across the municipality that may have contained combustible cladding. Due to the potential risks linked to these materials, Council may be exposed to future legal action in connection to the permits it endorsed. Council have identified a small number of buildings that fall within the scope of the Statewide Building Audit, and have advised the VBA as appropriate. A full review of all Council issued permits prior to 2011 has not been completed, so the extent of any future liability to Council is currently unknown.

**Liability Mutual Insurance**

Council was a participant of the MAV Liability Mutual Insurance (LMI) Scheme. The LMI scheme provided public liability and professional indemnity insurance cover. The LMI scheme states that each participant will remain liable to make further contributions to the scheme in respect of any insurance year in which it was a participant, to the extent of its participant's share of any shortfall in the provision set aside in respect of that insurance year, and such liability will continue whether or not the participant remains a participant in future insurance years.

**(c) Guarantees for loans to other entities****Financial guarantees**

On the 22 July 1996, Council entered into a Guarantee with the Australian and New Zealand Banking Group Limited and Basketball Stadiums Victoria Co-Operative Limited for a bank loan to finance Ballarat Netball Stadium (Arch Sports Centre). The Guarantee is limited to the current level of borrowings of \$400,000 and cannot be exercised for any further borrowings without Council's written consent. A contingent liability therefore exists for this amount.

## Note 8.2 Changes in accounting standards

The following new AAS's have been issued that are not mandatory for the 30 June 2020 reporting period. Council has assessed these pending standards and has identified the following potential impacts will flow from the application of these standards in future reporting periods.

### **AASB 1059 Service Concession Arrangements: Grantors (AASB 1059) (applies 2020/21 for LG Sector)**

AASB 1059 addresses the accounting for a service concession arrangement by a grantor that is a public sector entity by prescribing the accounting for the arrangement from the grantor's perspective. It requires the grantor to:

- recognise a service concession asset constructed, developed or acquired from a third party by the operator, including an upgrade to an existing asset of the grantor, when the grantor controls the asset;
- reclassify an existing asset (including recognising previously unrecognised identifiable intangible assets and land under roads) as a service concession asset when it meets the criteria for recognition as a service concession asset;
- initially measure a service concession asset constructed, developed or acquired by the operator or reclassified by the grantor at current replacement cost in accordance with the cost approach to fair value in *AASB 13 Fair Value Measurement*. Subsequent to the initial recognition or reclassification of the asset, the service concession asset is accounted for in accordance with *AASB 116 Property, Plant and Equipment* or *AASB 138 Intangible Assets*, as appropriate, except as specified AASB 1059;
- recognise a corresponding liability measured initially at the fair value (current replacement cost) of the service concession asset, adjusted for any other consideration between the grantor and the operator; and
- disclose sufficient information to enable users of financial statements to understand the nature, amount, timing and uncertainty of assets, liabilities, revenue and cash flows arising from service concession arrangements.

Based on the Council's current assessment, there is expected to be no impact on the transactions and balances recognised in the financial statements as the Council is not a grantor in a service concession arrangement.

### **AASB 2018-7 Amendments to Australian Accounting Standards - Definition of Material (applies 2020/21 for LG Sector)**

The Standard principally amends *AASB 101 Presentation of Financial Statements* and *AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors*. The amendments refine the definition of material in AASB 101. The amendments clarify the definition of material and its application by improving the wording and aligning the definition across AASB Standards and other publications. The impacts on the local government sector are expected to be minimal.

### **AASB 2019-1 Amendments to Australian Accounting Standards - References to the Conceptual Framework (applies 2020/21 for LG Sector)**

This Standard sets out amendments to Australian Accounting Standards, Interpretations and other pronouncements to reflect the issuance of the Conceptual Framework for Financial Reporting (Conceptual Framework) by the AASB. The impacts on the local government sector are expected to be minimal.

## Note 8.3 Financial instruments

### **(a) Objectives and policies**

Council's principal financial instruments comprise cash assets, term deposits, receivables (excluding statutory receivables), payables (excluding statutory payables) and bank borrowings. Details of the significant accounting policies and methods adopted, including the criteria for recognition, the basis of measurement and the basis on which income and expenses are recognised, in respect of each class of financial asset, financial liability and equity instrument is disclosed in the Notes to the financial statements. Risk management is carried out by senior management under policies approved by Council. These policies include identification and analysis of the risk exposure to Council and appropriate procedures, controls and risk minimisation.

### **(b) Market risk**

Market risk is the risk that the fair value or future cash flows of our financial instruments will fluctuate because of changes in market prices. Council's exposures to market risk is primarily through interest rate risk with only insignificant exposure to other price risks and no exposure to foreign currency risk.

#### **Interest rate risk**

Interest rate risk refers to the risk that the value of a financial instrument or cash flows associated with the instrument will fluctuate due to changes in market interest rates. Our interest rate liability risk arises primarily from long term loans and borrowings at fixed rates which exposes us to fair value interest rate risk. Council does not hold any interest bearing financial instruments that are measured at fair value, and therefore has no exposure to fair value interest rate risk. Cash flow interest rate risk is the risk that the future cash flows of a financial instrument will fluctuate because of changes in market interest rates. Council has minimal exposure to cash flow interest rate risk through its cash and deposits that are at floating rate.

**Note 8.3 Financial instruments (cont.)**

Investment of surplus funds is made with approved financial institutions under the Local Government Act 1989. Council manages interest rate risk by adopting an investment policy that ensures:

- diversification of investment product;
- monitoring of return on investment; and
- benchmarking of returns and comparison with budget.

There has been no significant change in the Council's exposure, or its objectives, policies and processes for managing interest rate risk or the methods used to measure this risk from the previous reporting period.

Interest rate movements have not been sufficiently significant during the year to have an impact on the Council's year end result.

**(c) Credit risk**

Credit risk is the risk that a contracting entity will not complete its obligations under a financial instrument and cause Council to make a financial loss. Council have exposure to credit risk on some financial assets included in the balance sheet. Particularly significant areas of credit risk exist in relation to outstanding fees and fines as well as loans and receivables from sporting clubs and associations. To help manage this risk:

- Council may apply credit limits for the entities Council deal with;
- Council may require collateral where appropriate; and
- Council only invest surplus funds with financial institutions which have a recognised credit rating specified in Council's investment policy.

Receivables consist of a large number of customers, spread across the ratepayer, business and government sectors. Credit risk associated with the Council's financial assets is minimal because the main debtor is secured by a charge over the rateable property.

There are no material financial assets which are individually determined to be impaired.

Council may also be subject to credit risk for transactions which are not included in the Balance Sheet, such as when Council provide a guarantee for another party. Details of our contingent liabilities are disclosed in Note 8.1.

The maximum exposure to credit risk at the reporting date to recognised financial assets is the carrying amount, net of any provisions for impairment of those assets, as disclosed in the balance sheet and notes to the financial statements. Council may hold collateral in the form of Bank Guarantees for a selection of its financial instruments.

**(d) Liquidity risk**

Liquidity risk includes the risk that, as a result of Council's operational liquidity requirements it will not have sufficient funds to settle a transaction when required, or will be forced to sell a financial asset at below value or may be unable to settle or recover a financial asset. To help reduce these risks, Council:

- have a liquidity policy which targets a minimum and average level of cash and cash equivalents to be maintained;
- have readily accessible standby facilities and other funding arrangements in place;
- have a liquidity portfolio structure that requires surplus funds to be invested within various bands of liquid
- monitor budget to actual performance on a regular basis; and
- set limits on borrowings relating to the percentage of loans to rate revenue and percentage of loan principal

Council's maximum exposure to liquidity risk is the carrying amounts of financial liabilities as disclosed in the face of the balance sheet and the amounts related to financial guarantees disclosed in Note 8.1(c) and is deemed insignificant based on prior periods' data and current assessment of risk.

There has been no significant change in Council's exposure, or its objectives, policies and processes for managing liquidity risk or the methods used to measure this risk from the previous reporting period.

With the exception of borrowings, all financial liabilities are expected to be settled within normal terms of trade. Details of the maturity profile for borrowings are disclosed at Note 5.4.

Unless otherwise stated, the carrying amounts of financial instruments reflect their fair value.

**(e) Sensitivity disclosure analysis**

Taking into account past performance, future expectations, economic forecasts, and management's knowledge and experience of the financial markets, Council believes the following movements are 'reasonably possible' over the next 12 months:

- A parallel shift of + 0.25% and -0.25% in market interest rates (AUD) from year-end rates of 0.25%. Council maintains this expectation based on RBA media releases indicating that the *"easing of fiscal and monetary policy in Australia is helping the economy through this difficult period. It is likely that fiscal and monetary support will be required for some time"*.

These movements will not have a material impact on the valuation of Council's financial assets and liabilities, nor will they have a material impact on the results of Council's operations.

**Note 8.4 Fair value measurement**

Unless otherwise stated, the carrying amount of financial instruments reflect their fair value.

*Fair value hierarchy*

Council's financial assets and liabilities are not valued in accordance with the fair value hierarchy, Council's financial assets and liabilities are measured at amortised cost.

Council measures certain assets and liabilities at fair value where required or permitted by Australian Accounting Standards. *AASB 13 Fair value measurement*, aims to improve consistency and reduce complexity by providing a definition of fair value and a single source of fair value measurement and disclosure requirements for use across Australian Accounting Standards.

AASB 13 defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Fair value under AASB 13 is an exit price regardless of whether that price is directly observable or estimated using another valuation technique.

All assets and liabilities for which fair value is measured or disclosed in the financial statements are categorised within a fair value hierarchy, described as follows, based on the lowest level input that is significant to the fair value measurement as a whole:

Level 1 — Quoted (unadjusted) market prices in active markets for identical assets or liabilities

Level 2 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is directly or indirectly observable; and

Level 3 — Valuation techniques for which the lowest level input that is significant to the fair value measurement is unobservable.

For the purpose of fair value disclosures, Council has determined classes of assets and liabilities on the basis of the nature, characteristics and risks of the asset or liability and the level of the fair value hierarchy as explained above.

In addition, Council determines whether transfers have occurred between levels in the hierarchy by re-assessing categorisation (based on the lowest level input that is significant to the fair value measurement as a whole) at the end of each reporting period.

*Revaluation*

Subsequent to the initial recognition of assets, non-current physical assets, other than plant and equipment, are measured at their fair value, being the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. At balance date, Council reviewed the carrying value of the individual classes of assets measured at fair value to ensure that each asset materially approximated its fair value. Where the carrying value materially differed from the fair value at balance date, the class of asset was revalued.

Fair value valuations are determined in accordance with a valuation hierarchy. Changes to the valuation hierarchy will only occur if an external change in the restrictions or limitations of use of an asset result in changes to the permissible or practical highest and best use of the asset. In addition, Council undertakes a formal revaluation of land, buildings, and infrastructure assets on a regular basis ranging from 1 to 5 years. The valuation is performed either by experienced council officers or independent experts.

Where the assets are revalued, the revaluation increments are credited directly to the asset revaluation reserve except to the extent that an increment reverses a prior year decrement for that class of asset that had been recognised as an expense, in which case the increment is recognised as revenue up to the amount of the expense. Revaluation decrements are recognised as an expense except where prior increments are included in the asset revaluation reserve for that class of asset in which case the decrement is taken to the reserve to the extent of the remaining increments. Within the same class of assets, revaluation increments and decrements within the same year are offset.

*Eureka Flag*

Whilst Council has control over the Eureka Flag, it has not been included in the financial statements as uncertainty exists to the appropriateness of its carrying value. This is due to the unique nature of this asset and the absence of a realistic market value.

**Note 8.4 Fair value measurement (cont.)***Impairment of assets*

At each reporting date, the Council reviews the carrying value of its assets to determine whether there is any indication that these assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs of disposal and value in use, is compared to the assets carrying value. Any excess of the assets carrying value over its recoverable amount is expensed to the comprehensive income statement, unless the asset is carried at the revalued amount in which case, the impairment loss is recognised directly against the revaluation surplus in respect of the same class of asset to the extent that the impairment loss does not exceed the amount in the revaluation surplus for that same class of asset.

**Note 8.5 Events occurring after balance date****COVID-19**

The uncertainty of the COVID-19 pandemic continues to affect the City of Ballarat, as well as all of Australia after 30 June, 2020.

Council had commenced activities associated with facility reactivation across parts of its business that had been temporarily shut down after easing of Stage 3 level restrictions imposed upon our community by the State Government.

Further outbreaks, most prevalent in metropolitan areas of Victoria, have resulted in a 2nd wave of virus infection across Victoria. This has resulted in the reinstatement of Stage 3 and 4 level restrictions in Victoria, along with border closures between Victoria and other States. Victoria is to remain at these levels until the State Government provide an update to restrictions on 13 September 2020.

Restrictions have again forced the temporary closure of many Council facilities and Council continues to provide support to its community by way of:

- No increase to property rates for the 2021 financial year.
- Relief and restructure of payment terms to ratepayers upon application.
- Relief to lessees for commercial rent obligations upon application.
- Temporary reduction in creditor terms and weekly payments to suppliers.
- Suspension of membership charges to its facilities during periods of shut down.
- Special parking facilities for customer collections across the CBD.

Council continue to monitor the financial and non-financial impacts of the COVID-19 pandemic on its business, however, due to the significant ongoing uncertainties, it is difficult to estimate the full future economic impact.

Council expects to see an ongoing impact on its:

- User fees and charges
- Outstanding debtor balances and collection rates
- Fixed asset valuations in subsequent financial reports
- Patronage and visitor numbers across its community facilities
- Ability to deliver selections of its programs, services and projects

The health, safety and wellbeing of Council staff and the community remain its number one priority. Council continues to work closely with the State and Federal Government departments, and other Health experts, to help protect our community at this time. To ensure the safety of our community, Council continue with:

- Ongoing activation of our Response and Recovery Taskforce
- Workforce remaining in remote work environments and limited customer facing activities
- Changes and increases in required Personal Protective Equipment for our staff
- Changes to the delivery of our services and programs to best protect and serve our community

As the 2nd wave of the COVID-19 pandemic commenced after balance date, and all known measurable effects of the first wave are reflected in the 30 June 2020 balances, Council sees no cause to restate any reportable figures in the 2020 financial statements.

**Council Structure**

On the 3rd of August 2020, the Interim Chief Executive Officer implemented an organisation restructure to rebalance the structure of the organisation and to create in organisation equipped to deliver on Council's commitments and community expectations.

As part of the restructure, the new Director level positions were declared vacant and recruitment processes commenced in an open market.

The realignment of the new directorates and the creation of the new Director roles made the existing roles redundant.

Since this date, all existing Directors have exited the organisation, and from this, the City of Ballarat will incur material direct expenses on their departure. Council will be required to report a significant one off increase in Key Management Personnel remuneration in the financial reports for the year ending 30 June 2021.

Commitment to the organisation restructure occurred after balance date, and no constructive obligation existed at 30 June that would require further disclosure in the financial reports. Furthermore, there is no fundamental change to the focus of Councils operations to the community.

**Note 9 Other matters****Note 9.1 Reserves**

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>(a) Asset revaluation reserve</b>			
<b>2020</b>			
<b>Property</b>			
Land	237,973	-	237,973
Buildings	14,273	-	14,273
Heritage buildings	9,501	-	9,501
	<u>261,747</u>	<u>-</u>	<u>261,747</u>
<b>Plant and equipment</b>			
Artwork and heritage collections	58,015	-	58,015
Plant and equipment	1,937	-	1,937
	<u>59,952</u>	<u>-</u>	<u>59,952</u>
<b>Infrastructure</b>			
Roads	112,408	70,260	182,668
Bridges	21,601	8,546	30,147
Footpaths	20,890	18,658	39,548
Drainage	81,345	9,345	90,690
Carparks	453	874	1,327
Other infrastructure	6,308	2,102	8,410
	<u>243,005</u>	<u>109,785</u>	<u>352,790</u>
<b>Total Asset revaluation reserves</b>	<b>564,704</b>	<b>109,785</b>	<b>674,489</b>

	Balance at beginning of reporting period \$'000	Increment (decrement) \$'000	Balance at end of reporting period \$'000
<b>(a) Asset revaluation reserve</b>			
<b>2019</b>			
<b>Property</b>			
Land	237,973	-	237,973
Buildings	14,273	-	14,273
Heritage buildings	9,501	-	9,501
	<u>261,747</u>	<u>-</u>	<u>261,747</u>
<b>Plant and equipment</b>			
Artwork and heritage collections	58,015	-	58,015
Plant and equipment	1,937	-	1,937
	<u>59,952</u>	<u>-</u>	<u>59,952</u>
<b>Infrastructure</b>			
Roads	88,782	23,626	112,408
Bridges	14,318	7,283	21,601
Footpaths	14,374	6,516	20,890
Drainage	55,320	26,025	81,345
Recreation, leisure and community assets	-	-	-
Parks and open spaces	-	-	-
Carparks	-	453	453
Other infrastructure	5,291	1,017	6,308
	<u>178,085</u>	<u>64,920</u>	<u>243,005</u>
<b>Total Asset revaluation reserves</b>	<b>499,784</b>	<b>64,920</b>	<b>564,704</b>



**Note 9.1 Reserves (cont.)**

	Balance at beginning of reporting period	Transfer from accumulated surplus	Transfer to accumulated surplus	Balance at end of reporting period
(b) Other reserves	\$'000	\$'000	\$'000	\$'000
<b>2020</b>				
Asset realisation reserve	1,149	2,231	-	3,380
Plant and equipment	7,651	-	(7,651)	-
Subdividers contributions	829	1,131	-	1,960
Developer contributions	3,187	9,176	(7,088)	5,275
<b>Total Other reserves</b>	<b>12,816</b>	<b>12,538</b>	<b>(14,739)</b>	<b>10,615</b>
<b>2019</b>				
Asset realisation reserve	1,248	105	(204)	1,149
Plant and equipment	6,350	4,725	(3,424)	7,651
Subdividers contributions	638	845	(654)	829
Developer contributions	1,476	2,681	(970)	3,187
<b>Total Other reserves</b>	<b>9,712</b>	<b>8,356</b>	<b>(5,252)</b>	<b>12,816</b>

	2020 \$'000	2019 \$'000
<b>Note 9.2 Reconciliation of cash flows from operating activities to surplus / (deficit)</b>		
<b>Surplus / (Deficit) for the Year</b>	64,791	69,860
Depreciation	39,928	36,510
Amortisation	1,807	506
(Profit)/loss on disposal of property, infrastructure, plant and equipment	2,681	(198)
Contributions - Non-monetary assets	(39,982)	(42,615)
Interest and other costs of finance	1,944	2,004
Unearned income	4,331	-
Net revaluation reserve (increment)/decrement*	(1,500)	(100)
Movement in GST payment	4,258	5,518
<b>Change in assets and liabilities:</b>		
(Increase)/decrease in trade and other receivables	(381)	(1,546)
(Increase)/decrease in other assets	50	(2,041)
Increase/(decrease) in trade and other payables	1,197	(1,717)
(Increase)/decrease in inventories	69	(76)
Increase/(decrease) in provisions	(764)	(103)
<b>Net Cash provided by / (used in) operating activities</b>	<b>78,429</b>	<b>66,002</b>

\* The Net revaluation reserve increment / decrement offset represents a recoupment or further decrease of an asset revaluation reserve deficit from prior financial years. (Refer Note 3.7, Note 4.9, Note 6.1 and Note 9.1).

### Note 9.3 Found assets

During the annual revaluation process, Council identified further assets owned that were not reflected in the Fixed Asset Register. Advancements in technologies, including GIS mapping, utilised by Council allow for greater recognition and management of Council assets. In 2020 assets to the value of \$2.487m were found (2019 - \$1.396m) that were not reflected in the Asset Register.

	2020 \$'000	2019 \$'000
<b>Found assets</b>		
<b>Infrastructure</b>		
Roads	1,129	619
Bridges	-	553
Footpaths and cycleways	153	52
Drainage	78	110
Recreational, leisure and community	994	10
Other infrastructure	133	52
<b>Total Found assets</b>	<b>2,487</b>	<b>1,396</b>

**Note 9.4 Superannuation**

Council makes the majority of its employer superannuation contributions in respect of its employees to the Local Authorities Superannuation Fund (the Fund). This Fund has two categories of membership, accumulation and defined benefit, each of which is funded differently. Obligations for contributions to the Fund are recognised as an expense in the Comprehensive Income Statement when they are made or due.

**Accumulation**

The Fund's accumulation categories, Vision MySuper/Vision Super Saver, receive both employer and employee contributions on a progressive basis. Employer contributions are normally based on a fixed percentage of employee earnings (for the year ended 30 June 2020, this was 9.5% as required under Superannuation Guarantee legislation).

**Defined Benefit**

Council does not use defined benefit accounting for its defined benefit obligations under the Fund's Defined Benefit category. This is because the Fund's Defined Benefit category is a pooled multi-employer sponsored plan. Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary. For the year ended 30 June 2020, this rate was 9.5% of members' salaries (9.5% in 2018/2019).

There is no proportional split of the defined benefit liabilities, assets or costs between the participating employers as the defined benefit obligation is a floating obligation between the participating employers and the only time that the aggregate obligation is allocated to specific employers is when a call is made. As a result, the level of participation of Ballarat City Council in the Fund cannot be measured as a percentage compared with other participating employers. Therefore, the Fund Actuary is unable to allocate benefit liabilities, assets and costs between employers for the purposes of AASB 119.

**Funding arrangements**

Council makes employer contributions to the Defined Benefit category of the Fund at rates determined by the Trustee on the advice of the Fund Actuary.

A triennial actuarial review is currently underway for the Defined Benefit category as at 30 June 2020 and is expected to be completed by 31 December 2020.

As at 30 June 2019, an interim actuarial investigation was held as the Fund provides lifetime pensions in the Defined Benefit category. The vested benefit index (VBI) of the Defined Benefit category of which Ballarat City Council is a contributing employer was 107.1%. The financial assumptions used to calculate the VBIs were:

Net investment returns 6.00% pa

Salary inflation 3.50% pa

Price inflation (CPI) 2.00% pa.

Vision Super has advised that the estimated VBI at 30 June 2020 was 104.6%.

The VBI is used as the primary funding indicator. Because the VBI was above 100%, the 30 June 2019 interim actuarial investigation determined the Defined Benefit category was in a satisfactory financial position and that no change was necessary to the Defined Benefit category's funding arrangements from prior years.

**Employer contributions***Regular contributions*

On the basis of the results of the 2018 interim actuarial investigation conducted by the Fund Actuary, Council makes employer contributions to the Fund's Defined Benefit category at rates determined by the Fund's Trustee. For the year ended 30 June 2020, this rate was 9.5% of members' salaries (9.5% in 2018/2019). This rate will increase in line with any increases in the SG contribution rate.

In addition, Council reimburses the Fund to cover the excess of the benefits paid as a consequence of retrenchment above the funded resignation or retirement benefit.

## Note 9.4 Superannuation (cont.)

### Funding Calls

If the Defined Benefit category is in an unsatisfactory financial position at an actuarial investigation or the Defined Benefit category's VBI is below its shortfall limit at any time other than the date of the actuarial investigation, the Defined Benefit category has a shortfall for the purposes of SPS 160 and the Fund is required to put a plan in place so that the shortfall is fully funded within three years of the shortfall occurring. The Fund monitors its VBI on a quarterly basis and the Fund has set its shortfall limit at 97%.

In the event that the Fund Actuary determines that there is a shortfall based on the above requirement, the Fund's participating employers (including Ballarat City Council) are required to make an employer contribution to cover the shortfall.

Using the agreed methodology, the shortfall amount is apportioned between the participating employers based on the pre-1 July 1993 and post-30 June 1993 service liabilities of the Fund's Defined Benefit category, together with the employer's payroll at 30 June 1993 and at the date the shortfall has been calculated.

Due to the nature of the contractual obligations between the participating employers and the Fund, and that the Fund includes lifetime pensioners and their reversionary beneficiaries, it is unlikely that the Fund will be wound up.

If there is a surplus in the Fund, the surplus cannot be returned to the participating employers.

In the event that a participating employer is wound-up, the defined benefit obligations of that employer will be transferred to that employer's successor.

### The 2019 interim actuarial investigation surplus amounts

An actuarial investigation is conducted annually for the Defined Benefit category of which Ballarat City Council is a contributing employer. Generally, a full actuarial investigation conducted every three years and interim actuarial investigations are conducted for each intervening year. An interim investigation was conducted as at 30 June 2019 and a full actuarial investigation was conducted as at 30 June 2017.

The Fund's actuarial investigations identified the following for the Defined Benefit category of which Council is a contributing employer:

	2019 \$m	2017 \$m
- A VBI Surplus	151.3	69.8
- A total service liability surplus	233.4	193.5
- A discounted accrued benefits surplus	256.7	228.8

The VBI surplus means that the market value of the fund's assets supporting the defined benefit obligations exceed the vested benefits that the defined benefit members would have been entitled to if they had all exited on 30 June 2019.

The total service liability surplus means that the current value of the assets in the Fund's Defined Benefit category plus expected future contributions exceeds the value of expected future benefits and expenses as at 30 June 2019.

The discounted accrued benefit surplus means that the current value of the assets in the Fund's Defined Benefit category exceeds the value of benefits payable in the future but accrued in respect of service to 30 June 2019.

Council was notified of the 30 June 2019 VBI during August 2019 (2018: August 2018).

**Note 9.4 Superannuation (cont.)****The 2020 triennial actuarial investigation**

A triennial actuarial investigation is being conducted for the Fund's position as at 30 June 2020. It is anticipated that this actuarial investigation will be completed by 31 December 2020. The financial assumptions for the purposes of this investigation are:

	<b>2020 Triennial Investigation</b>	<b>2017 Triennial Investigation</b>
- Net investment return	5.60% pa 2.50% pa <i>for the first</i>	6.50% pa
- Salary inflation	<i>two years and</i> 2.75%pa <i>thereafter</i>	3.50% pa
- Price inflation	2.00% pa	2.50% pa

Contributions by Council (excluding any unfunded liability payments) to the above superannuation plans for the financial year ended 30 June 2020 are detailed below:

<b>Scheme</b>	<b>2020 \$,000</b>	<b>2019 \$,000</b>
Vision super - Defined benefit (9.50%)	444	461
Vision super - Accumulation Fund (9.50%)	2,767	2,783

In addition to the above contributions, Council has paid unfunded liability payments to Vision Super totalling \$2.124m (2018/19 \$1,799m).

There were no contributions outstanding to the above schemes as at 30 June 2020.

The expected contributions to be paid to the Defined Benefit category of Vision Super for the year ending 30 June 2021 is \$437,000.

## Note 10 Changes in accounting policy

### Note 10.1 Change in accounting policy

Council has adopted AASB 15 Revenue from Contracts with Customers, AASB 16 Leases and AASB 1058 Income of Not-for-Profit Entities, from 1 July 2019. This has resulted in changes in accounting policies and adjustments to the amounts recognised in the financial statements.

Due to the transition methods chosen by Council in applying these standards, comparative information throughout these financial statements has not been restated to reflect the requirements of the new standards except in relation to contracts that were not complete at 1 July 2019. The transition impact of these are detailed below.

#### (a) AASB 15 Revenue from Contracts with Customers - Impact of Adoption

AASB 15 Revenue from Contracts with Customers applies to revenue transactions where Council provides services or goods under contractual arrangements.

Council adopted AASB 15 Revenue from Contracts with Customers using the modified (cumulative catch up) method. Revenue for 2019 as reported under AASB 118 Revenue is not adjusted, because the new standard is only applied from the date of initial application.

AASB 15 Revenue from Contracts with Customers requires revenue from contracts with customers to be recognised as Council satisfies the performance obligations under the contract.

#### (b) AASB 16 Leases

AASB 16 Leases requires right of use assets and related liabilities for all lease agreements to be recognised on the balance sheet. The Statement of Comprehensive Income is to separately recognise the amortisation of the right of use asset, and the finance costs relating to the lease. Council has elected to adopt the modified (cumulative catch up) method under the standard and as such has not adjusted 2019 disclosures. The transition impact of these are detailed below.

#### (c) AASB 1058 Income of Not-for-Profit Entities

AASB 1058 Income of Not-for-Profit Entities applies to income received where no contract is in place. This includes statutory charges (such as rates) as well as most grant agreements.

Council adopted AASB 1058 Income of Not-for-Profit Entities using the modified (cumulative catch up) method. Income for 2019 is not adjusted, because the new standard is only applied from the date of initial application.

AASB 1058 Income of Not-for-Profit Entities requires income to be recognised as Council satisfies the performance obligations under the contract.

#### (d) Transition impacts

The following table summarises the impact of transition to the new standards on retained earnings at 1 July 2019.

	<b>2019 \$'000</b>
Retained earnings at 30 June 2019	1,140,620
Revenue adjustment - impact of AASB 15 Revenue from Contracts with Customers	(982)
Income adjustment - impact of AASB 1058 Income of Not-for-Profit Entities	(5,578)
Retained earnings at 1 July 2019	<u>1,134,060</u>

Council adopted the practical expedient of deeming the lease asset to be equal in value to the lease liability at 1 July 2019. As such there was no impact on retained earnings on the adoption of AASB 16 Leases.

The following table summarises the impacts of transition to the new standards on Council's balance sheet for the year ending 30 June 2019.

**Note 10.1 Change in accounting policy (cont.)**

	<b>As reported 30 June 2019 \$'000</b>	<b>Adjustments \$'000</b>	<b>Post adoption \$'000</b>
<b>Assets</b>			
Right of use assets	-	2,581	2,581
	-	2,581	2,581
<b>Liabilities</b>			
Unearned income - operating grants	-	1,299	1,299
Unearned income - capital grants	-	5,261	5,261
Lease liability - current	-	1,444	1,444
Lease liability - non-current	-	1,137	1,137
	-	9,141	9,141

**10.6. ASSET MANAGEMENT POLICY**

**Division:** Infrastructure and Environment  
**Director:** Darren Sadler  
**Author/Position** Mathew Morton – Coordinator Asset Management

**OFFICER RECOMMENDATION**

**Council resolves to:**

**Adopt the revised Asset Management Policy.**

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to adopt the revised Asset Management Policy.

**RATIONALE**

In line with both the *Local Government Act 2020*, City of Ballarat Council Plan 2017 – 2021, current best practice asset management principles, and Governance’s recommendation that policies be reviewed every three years, the Asset Management Policy 2015 has been simplified to provide a clearer framework for efficient and sustainable management of the City of Ballarat’s ~\$1.97b assets.

The policy is the foundation in a suite of documents that includes the Asset Management Strategy and Asset Management Plans for each asset type. It details the life-cycle approach to asset management, responsibility for development within the organisation, and the role of community engagement.

It is hoped that the adoption of this refined policy will encourage better take up of systematic asset management across the organisation. A primary focus of the Asset Management Team is to assist others to merge their existing asset management initiatives to the integrated asset management system, capturing data uniformly in a central repository and working to improve its quality and completeness, thereby providing for more accurate financial reporting and evidence-based, transparent decision making.

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

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- *Local Government Act 2020*



**REPORTING AND COMPLIANCE STATEMENTS**

Implications	Considered in Report?	Implications Identified?
<b>Human Rights</b>	Yes	No
<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>	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** – Providing accurate, clear and accountable policies enables Council 'to provide strong and decisive leadership, and transparent governance to the community.

**Financial/Resources** – There are no budget implications associated with the review of governance policies, outside of normal operating expenditure.

**Risk Management** – Regularly reviewing and ensuring accurate and up to date policies is a risk mitigation approach that assists Council to meet statutory requirements imposed by the *Local Government Act 2020*.

**Implementation and Marketing** – A copy of the revised policies will be available on Council's website and Intranet site.

**Evaluation and Review** – The revised policies will be reviewed within 3 years.

**CONSULTATION**

There has been consultation with relevant staff to ensure the correct responsibilities under the *Local Government Act 2020* have been appointed. The revision and adoption of revised policies does not require any public consultation.

**OFFICERS DECLARATIONS OF INTEREST**

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

**REFERENCE DOCUMENTS**

- Asset Management Policy 2015 that was adopted by Council Resolution (R236/15)

**ATTACHMENTS**

1. Asset Management Policy [10.6.1 - 3 pages]



# ASSET MANAGEMENT POLICY

## 1. Purpose

Ballarat is a growing regional city with public assets that range from historical to newly built. Residents and visitors alike expect assets to be fit for purpose and maintained to ensure safety and amenity, reinforcing Ballarat as a great place to live, work and visit.

The City of Ballarat (Council) manages assets currently valued at ~\$1.97 billion. Asset types include roads, drainage, street trees, street furniture, footpaths, parks, playgrounds and buildings and their contents. Population increase causes a greater usage of assets. With a finite budget for maintenance and renewal and the added pressure of rate capping, a planned and measured approach to the management of community assets is necessary to ensure a fair and fiscally appropriate response to asset maintenance and renewal.

Asset management is a systematic process to guide the planning, acquisition, operation and maintenance, renewal and disposal of both natural and constructed assets. Its objective is to maximise asset service delivery potential and manage related risks and costs over the asset's useful life. Asset management principles can also be applied to the preservation of historical and culturally important assets. These assets have an unquantifiable value beyond their function, such as bluestone kerb and channel or designated significant trees.

Council applies a life-cycle approach to meet service delivery needs in an informed, transparent and sustainable way. This maximises the useful life of assets and provides for present needs while ensuring resourcing for future maintenance, preservation and renewal of assets.

## 2. Scope

This policy applies to all Council employees, Councillors and contractors, recognising that efficient asset management is an organisation-wide responsibility.

It directly supports staff working in the area of maintenance, property and capital works to determine which assets require maintenance or renewal. This ensures the safety and suitability of assets given their location, frequency of use, condition and age, while guarding against overspending on maintenance.

It is acknowledged that data accuracy and completeness regarding assets will produce better quality asset management. New assets are added as recently constructed residential and commercial subdivisions are handed over to the municipality, and old assets such as underground drainage are constantly being discovered and entered into the system. Data not yet captured in the database is an opportunity to better inform our system and asset profile, with the aim being for continuous improvement. Periodic review of asset maintenance and renewal costs by asset type is also necessary for accurate cost and valuation reporting.

This policy links the strategic objectives of the Council Plan with the more specific Asset Management Strategy and Asset Management Plans. These work collaboratively to set out the framework and long-term goals for service delivery, programs for inspection and maintenance, financial management and performance measurement, and assigns responsibility for each component.



### 3. Policy Statement

#### 3.1 Objectives

A life-cycle approach to asset management requires that:

- Asset data is captured, organised and maintained in a suitable system;
- Assets are proactively and reactively inspected for specific defects and overall condition;
- Repair and maintenance are undertaken in a timely, risk adverse and fiscally appropriate manner, based on predetermined levels of service, the asset's age and stage in its life cycle;
- Use of existing assets is optimised, ensuring maximum return on asset spending;
- Asset valuation data is used to inform funding requirements to support and maintain our infrastructure;
- Maintenance data and costs captured in the system are used to inform decisions about future capital and maintenance decisions; and
- New assets are constructed only when existing assets are unable to meet the required level of service, and the whole life cost and responsibility for the asset has been determined and accepted.

#### 3.2 Responsibility for development and implementation

All departments that are responsible for asset acquisition, maintenance and disposal will work with Asset Management to:

- Provide input to the Asset Management Strategy and Asset Management Plans relevant to their assets;
- Determine acceptable levels of service, adhering to legislation and standards where applicable, and considering the Community Engagement Principles;
- Input data using uniform methodology, working to include all data, both historical and new;
- Capture defects and maintenance costs in the system to allow for accurate reporting and financial planning;
- Participate in reviews to ascertain how we're tracking in level of service provision; and
- Understand the implications funding gaps may have on the delivery of services to future generations and work to remedy them

#### 3.3 Community engagement

Council will work with the community and user groups to:

- Determine appropriate levels of service;
- Provide services and infrastructure that supports the agreed levels of service in a way that's sustainable and allows for these services to be available for future generations; and
- Be transparent in our decision-making processes.

### 4 Supporting documents and references

#### 4.1 Legislation

- *Local Government Act 2020*

#### 4.2 Associated Documents

- *Local Government Asset Management Better Practice Guide, 2015*
- *The Ballarat Strategy, 2015*



- *Council Plan, 2015-2019*
- *Asset Management Strategy*
- *All asset management plans*

#### 4.3 Definitions

<b>Asset</b>	An owned, physical resource that provides benefit to the community.
<b>Asset management</b>	A systematic process to guide the planning, acquisition, operation, maintenance, renewal and disposal of assets.
<b>Levels of service/service levels</b>	The standard to which an asset needs to perform, and how quickly and to what standards it needs to be maintained.
<b>Life-cycle approach</b>	The process of balancing maintenance and maintenance expenditure with planned renewal of an asset, getting the longest possible useful life from an asset before it's more economical to renew rather than continue to maintain and extend the useful life of an asset.
<b>Useful life</b>	The length of time an asset can perform as intended before it's no longer able to meet agreed service levels.
<b>Maintenance</b>	The activities required to repair asset defects, ensuring assets remain operational and reach their expected useful life. Spending on such is considered operational expenditure.
<b>Renewal</b>	Replacing an existing asset, ideally that has reached the end of its useful life, with a new version of that asset. Spending is considered capital expenditure.

#### 5. Policy owner

Executive Manager Infrastructure

#### 6. Authorisation

Adopted by Ballarat City Council on XX.

## **10.7. TENDER 2020/21-7 CONSTRUCTION OF THREE (3) SOCCER PITCHES AT WENDOUREE WEST RECREATION RESERVE**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Trent Bursill - Project Manager

### **OFFICER RECOMMENDATION**

**Council resolves to:**

**Enter into contract number 2020/21-7 for the Construction of three (3) soccer pitches at Wendouree West Recreation Reserve with Pitchcraft Pty Ltd for the total tendered price of \$1,583,706.21 (ex GST) / \$1,742,076.83 (Inc GST).**

### **EXECUTIVE SUMMARY**

This report recommends that Council approves the award of Contract 2020/21-7 - Construction of three (3) soccer pitches at Wendouree West Recreation Reserve to Pitchcraft Pty Ltd.

The Wendouree West Community Project is to deliver upgraded community recreation facilities and supporting infrastructure for community groups within Wendouree and surrounding neighborhoods. A key desire of the project is to blend residents from a number of communities; to see them sharing spaces, enjoying the new community facilities provided, to improve access, and reduce negative perceptions about the Wendouree West community.

The project involves several core deliverables which were identified following the development and subsequent staged implementation of a comprehensive masterplan for the Wendouree West Recreation Reserve and adjoining Wyndholm Reserve. The masterplan was informed by a local community engagement process; and the need to adopt a fresh, health and place-based approach to regeneration in Wendouree West.

A key component of this project involves delivery of three (3) grass soccer pitch upgrades at the reserve.

The project is fully funded by the Victorian Labour Government represented by Sport & Recreation Victoria (Local Sports Grants), following the 2018 State Election.

**10.8. COUNCILLOR ROLE STATEMENTS**

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Cameron Montgomery – Executive Manager Governance and Risk

**OFFICER RECOMMENDATION**

**Council resolves to:**

- 1. Adopt the Role Statements for Mayor, Deputy Mayor and Councillors with a commencement date of 24 October 2020.**
- 2. Revoke the Role Statements for Mayor, Deputy Mayor and Councillors endorsed by Council on 24 July 2013 (R285/13) with an effective date of 24 October 2020.**

**EXECUTIVE SUMMARY**

The report requests for Council to adopt the updated Role Statements for Mayor, Deputy Mayor and Councillors to reflect the changes in the *Local Government Act 2020* (the Act); and to the previous Role Statements.

**RATIONALE**

The Role Statements for Mayor, Deputy Mayor and Councillors have been populated into an updated template to align with the Act and Council's Governance Rules. The purpose of the Role Statements is to provide clarity and expectations for Councillor's, Mayor and Deputy Mayor in line with principles contained within the Act.

Section 19 of the Act stipulates specific powers of the Mayor which come into force on 24 October 2020 which have been incorporated into the Mayors Role Statement. The Mayor has the following specific powers:

- To appoint a Councillor to be the chair of a Delegated Committee;
- To direct a Councillor, subject to any procedures or limitation specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the council from conducting its business; and
- To require the Chief Executive Officer to report to Council on the implementation of a Council decision.

Section 21 of the Act provides further guidance on the roles and powers of the Deputy Mayor and similarly, Section 28 of the Act highlights the role of a Councillor. The Role Statements have been amended to reflect the requirements and principles contained within the Act.

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

- *Charter of Human Rights and Responsibilities Act 2006*
- City of Ballarat Council Plan 2017-2021
- *Local Government Act 2020*

**REPORTING AND COMPLIANCE STATEMENTS**

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

**Risk Management** – The Mayors powers identified in the Act come into force on 24 October 2020 and the Role Statements ensure clarity and expectations of the Mayor, Deputy Mayor and Councillors.

**Implementation and Marketing** – The Role Statements of the Mayor, Deputy Mayor and Councillors will be provided to Councillors and form part of the induction materials.

**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**

- Council Report and Minutes from 24 July 2013.

**ATTACHMENTS**

1. Role Statement - Councillor [10.8.1 - 3 pages]
2. Role Statement - Deputy Mayor [10.8.2 - 3 pages]
3. Role Statement - Mayor [10.8.3 - 4 pages]

# Councillor Role Statement



## 1. ORGANISATIONAL CONTEXT

The community of Ballarat democratically elects nine representatives, (Councillors) to govern and oversee service delivery to the municipality, under the *Local Government Act 2020*.

Once elected, Councillors take an Oath of Office to carry out their role impartially, to the best of their ability, and in the best interests of the municipality.

As an individual a Councillor is expected to represent the interests of the community. This includes providing community leadership and guidance, facilitating communication between the community and Council, making strategic decisions and setting policy for the organisation to then implement.

A Councillor makes decisions as a member of the Council at formally constituted Council Meetings, which Councillors must attend.

Councillors at the City of Ballarat take on Portfolios, where, along with one or two Councillor Colleagues they oversee a particular issue, project or part of the organisation. This structure ensures equitable distribution of the Councillor workload and makes best use of Councillor skill sets. In this role of Portfolio Councillor, a Councillor will be asked to act as a spokesperson or representative.

A Councillors term of office lasts four years.

## 2. ROLE OF A COUNCILLOR

Section 28 of the Act comes into operation on 24 October 2020 and stipulates that the role of every Councillor is:

- a) to participate in the decision making of the Council;
- b) to represent the interest of the municipal community in that decision making; and
- c) to contribute to the strategic direction of the Council through the development and review of key strategic documents of the Council, including the Council Plan.

In performing the role of a Councillor, a Councillor must:

- consider the diversity of interests and needs of the municipal community;
- support the role of the Council;
- acknowledge and support the role of the Mayor;
- act lawfully and in accordance with the oath and affirmation of office;
- act in accordance with the standards of conduct; and
- comply with Council procedures required for good governance.

The role of a Councillor does not include the performance of any responsibility or functions of the Chief Executive Officer.



## Councillor Role Statement



### 3. RELATIONSHIPS

<b>Reports to:</b>	Community of Ballarat Fellow Councillors
<b>Supervises:</b>	Nil
<b>Internal Liaisons:</b>	Chief Executive Officer Directors and Executive Managers Civic Support
<b>External Liaisons:</b>	Local community Media – local, state, national and international as well as trade and industry State and Federal Government politicians State and Federal Government agencies and departments Businesses Local agencies such as police and health services Other Local Governments Key Stakeholders Community Groups Not for Profit Organisations

### 4. ACCOUNTABILITY

A Councillor is accountable to the community and fellow Councillors.

### 5. SPECIALIST SKILLS AND KNOWLEDGE

A Councillor should demonstrate a range of leadership skills, and have an interest in and commitment to the local community.

In support of the overarching governance principles outlined in the Act, the characteristics of good governance include:

- Accountability
- Transparency
- Following the rules
- Responsive
- Equitable and inclusive
- Effective and efficient
- Participatory

In addition to these areas of competency, a number of behavioural qualities are sought in a Councillor:

- Strong communication and interpersonal skills;

## Councillor Role Statement



- Political acumen and awareness;
- Fairness and objectivity; and
- Passion for and commitment to the municipality.

### 6. MANAGEMENT SKILLS

- Understanding of legalisation; and
- Ability to work constructively as a part of a diverse team.

### 7. INTERPERSONAL SKILLS

A Councillor should demonstrate:

- Commitment to and involvement in the Ballarat and surrounding community;
- High motivation;
- Passion for the region's future and success;
- Political astuteness and awareness;
- An enjoyment of and ability to meet the demands of a public profile;
- Effective communication skills;
- A positive and professional demeanour; and
- An ability to work with a wide range of people from diverse backgrounds and groups.

### 8. QUALIFICATIONS AND EXPERIENCE

A Councillor must be democratically elected to the City of Ballarat and have taken the Oath of Office or Affirmation.

Date:

# Deputy Mayor Role Statement



## 1. ORGANISATIONAL CONTEXT

The community of Ballarat democratically elects nine representatives (Councillors) to govern and oversee service delivery to the municipality, under the *Local Government Act 2020*.

In accordance with section 20A of the Act, the Council may establish the Office of the Deputy Mayor to assist the Mayor to carry out his or her day to day duties. The Deputy Mayor may then carry out the functions of the Mayor in his or her absence.

If the Office of the Deputy Mayor is established by Council, the Deputy Mayor must then be elected by the Councillors. The Deputy Mayor role is to provide assistance to the Mayor in the leadership of Councillors and organisation and in pursuing the objectives of the Council Plan and other strategic priorities of the community.

If Council chooses to establish the office of Deputy Mayor, it should be consistent with that of the Mayoral term, or until a vacancy in the office of Deputy Mayor occurs.

## 2. ROLE OF THE DEPUTY MAYOR

Section 21 of the Act comes into operation on 24 October 2020 and stipulates that the Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if:

- a) the Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
- b) the Mayor is incapable of performing the duties of the office of Mayor for any reason, including illness; or
- c) the office of Mayor is vacant.

The objectives of the role of Deputy Mayor include:

- Support the Mayor in the development and maintenance of an effective, appropriate and professional relationship between the Council and organisation to ensure achievement of Council goals; and
- To assist the Mayor in creating and maintaining political stability amongst Councillor Colleagues.

## 3. RELATIONSHIPS

<b>Reports to:</b>	Community of Ballarat Fellow Councillors
<b>Supervises:</b>	Nil
<b>Internal Liaisons:</b>	Chief Executive Officer Directors and Executive Managers Civic Support

## Deputy Mayor Role Statement



### External Liaisons:

Local community  
Media – local state, national and international as well as trade and industry  
State and Federal government politicians  
State and Federal government agencies and Departments  
Businesses  
Local agencies such as police and health services  
Other Local Governments  
Key Stakeholders  
Community Groups  
Not for Profit Organisations

#### 4. ACCOUNTABILITY

The Deputy Mayor is accountable to Council and responsible for:

1. Performing the role and function of the Mayor:
  - a. if there is a vacancy in the office of the Mayor,
  - b. in the event that the Mayor is absent, or
  - c. incapable of or refusing to act.
2. Presiding, as Chairperson, at any Council meeting at which he or she is present, and the Mayor is absent.

#### 5. SPECIALIST SKILLS AND KNOWLEDGE

The Deputy Mayor should demonstrate a range of leadership and strategic thinking skills and have an interest in and willingness to learn about specific areas of governance expertise.

They should have an interest in and commitment to the local community.

In support of the overarching governance principles outlined in the Act, the characteristics of good governance include:

- Accountability
- Transparency
- Following the rules
- Responsive
- Equitable and inclusive
- Effective and efficient
- Participatory

In addition to these areas of competency, a number of behavioural qualities are sought in the role of Deputy Mayor:

- High quality communication and interpersonal skills;
- High degree of political acumen and awareness;
- Fairness and objectivity;

## Deputy Mayor Role Statement



- Ability to work with and within a culture of change;
- Passion for and commitment to the municipality;
- Conflict resolution and negotiation skills;
- Interest in and knowledge and understanding of the local government operating environment including legislative requirements; and
- Active and sympathetic listening skills.

The role of the Deputy Mayor also requires the following skills:

- A commitment to ongoing learning and professional development to keep abreast of policy and political developments;
- Good organisation and time management skills;
- Follow through to ensure policies are adopted and implemented;
- Attention to detail to ensure statutory obligations are met;
- Inclusion and commitment to consultation; and
- Understanding of legislative requirements.

### 6. MANAGEMENT SKILLS

- Understanding of legalisation; and
- Ability to lead, direct, engage and support diverse colleagues.

### 7. INTERPERSONAL SKILLS

The Deputy Mayor should demonstrate:

- Commitment to and involvement in the Ballarat and surrounding community;
- High motivation;
- Passion for the region's future and success;
- Political astuteness and awareness;
- Innovation and the ability to motivate those around them;
- An enjoyment and ability to meet the demands of a public profile;
- Highly effective communication skills;
- A positive and professional demeanour;
- An ability to work with a wide range of people from diverse backgrounds and groups

### 8. QUALIFICATIONS AND EXPERIENCE

The Deputy Mayor must be a democratically elected Councillor of the City of Ballarat and have taken the Oath of Office or Affirmation.

Date:

# Mayor Role Statement



## 1. ORGANISATIONAL CONTEXT

The community of Ballarat democratically elects nine representatives, (Councillors) to govern and oversee service delivery to the municipality, under the *Local Government Act 2020*.

Under Section 25 of the *Local Government Act 2020* (the Act) the Councillors must elect a Councillor to be the Mayor of the Council.

The Mayor is elected by the Councillors to provide leadership to the Councillors and organisation in pursuing the objectives of the Council Plan and other strategic priorities of the community, as well as to be the ceremonial representative of the Council and community.

The Mayor is usually elected for a twelve-month term, or until a vacancy in the office of Mayor occurs. Council may resolve to elect the Mayor for a term of two years.

## 2. ROLE OF THE MAYOR

Section 18 of the Act comes into operation on 24 October 2020 and stipulates the role of the Mayor is to:

- chair Council meetings;
- be the principal spokesperson for the Council;
- lead engagement with the municipal community on the development of the Council Plan;
- report to the municipal community, at least once each year, on the implementation of the Council Plan;
- promote behaviour among Councillors that meets the standards of conduct set out in the Councillors Code of Conduct;
- assist Councillors to understand their role;
- take a leadership role in ensuring the regular review of the performance of the Chief Executive Officer;
- provide advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings; and
- perform civic and ceremonial duties on behalf of the Council.

## 3. RELATIONSHIPS

<b>Reports to:</b>	Community of Ballarat Fellow Councillors
<b>Supervises:</b>	Chief Executive Officer
<b>Internal Liaisons:</b>	Chief Executive Officer Directors and Executive Managers Civic Support
<b>External Liaisons:</b>	Local community Media – local state, national and international as well as trade and industry.

## Mayor Role Statement



State and Federal government politicians  
State and Federal government agencies and Departments  
Businesses  
Local agencies such as police and health services  
Other Local Governments  
Key Stakeholders  
Community Groups  
Not for Profit Organisations

#### **4. SPECIFIC POWERS OF THE MAYOR**

Section 19 of the Act comes into operation on 24 October 2020 and stipulates that the Mayor has the following specific powers:

- to appoint a Councillor to be the chair of a delegated committee;
- to direct a Councillor, subject to any procedures or limitations specified in the Governance Rules, to leave a Council meeting if the behaviour of the Councillor is preventing the Council from conducting its business; and
- to require the Chief Executive to report to the Council on the implementation of a Council decision.

#### **5. ACCOUNTABILITY**

The Mayor is accountable to Council and responsible for:

- Regularly reviewing the progress towards achievement of goals and objectives set by the Council in the Council Plan and other relevant policy documents.
- The effective communication to all stakeholders of Council decisions, priorities and policies.
- Public awareness of the Council's policies, objectives and priorities.
- Ensuring that the Council is represented in political forums.
- Ensuring Council is represented at all other appropriate civic, social and political functions as required.
- The achievement and promotion of a positive public image of the Council.
- The process of consultation on Council decision and policies.

#### **6. SPECIALIST SKILLS AND KNOWLEDGE**

The Mayor should demonstrate a range of leadership and strategic thinking skills and have an interest in and willingness to learn about specific areas of governance expertise.

In support of the overarching governance principles outlined in the Act, the characteristics of good governance include:

- Accountability
- Transparency
- Following the rules

## Mayor Role Statement



- Responsive
- Equitable and inclusive
- Effective and efficient
- Participatory

In addition to these areas of competency, a number of behavioural qualities are sought in the role of Mayor:

- High quality communication and interpersonal skills;
- High degree of political acumen and awareness;
- Fairness and objectivity;
- Ability to work with and within a culture of change;
- Passion for and commitment to the municipality;
- Conflict resolution and negotiation skills;
- Interest in and knowledge and understanding of the local government operating environment including legislative requirements; and
- Active and sympathetic listening skills.

The role of the Mayor also requires the following skills:

- A commitment to ongoing learning and professional development to keep abreast of policy and political developments;
- Good organisation and time management skills;
- Follow through to ensure policies are adopted and implemented;
- Attention to detail to ensure statutory obligations are met;
- Inclusion and commitment to consultation; and
- Understanding of legislative requirements.

### 7. MANAGEMENT SKILLS

- Ability to develop, implement, monitor and manage a senior executive performance management regime;
- Understanding of legalisation; and
- Ability to lead, direct, influence and support diverse colleagues.

### 8. INTERPERSONAL SKILLS

The Mayor should demonstrate:

- Commitment to and involvement in the Ballarat and surrounding community;
- High motivation;
- Passion for the region's future and success;
- Political astuteness and awareness;
- Innovation and the ability to motivate those around them;
- An enjoyment and ability to meet the demands of a public profile;
- Highly effective communication skills;
- A positive and professional demeanour;



## Mayor Role Statement



- An ability to work with a wide range of people from diverse backgrounds and groups; and
- Fairness, impartiality and objectivity.

### 9. QUALIFICATIONS AND EXPERIENCE

The Mayor must be a democratically elected Councillor of the City of Ballarat and have taken the Oath of Office or Affirmation; and affirm they will abide by the Councillor Code of Conduct.

Date:

**10.9. S6 INSTRUMENT OF DELEGATION**

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis - Statutory Compliance Officer

**OFFICER RECOMMENDATION**

**Exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Ballarat City Council resolves 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:

It is proposed that the Instrument of Delegation be granted to the positions of members of Council staff rather than to the individual staff members. This means that the delegation will still apply to the incumbent of the position should there be a change in personnel or any staff acting in the role. It is imperative that Council staff have the correct delegation for dealing with matters under the various Acts and Regulations.

Changes to the Instrument of delegation since the last approved iteration include:

- changes to legislative provisions within the *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020* and *Residential Tenancies Act 1997*.

The revised delegation has been reviewed at officer level and is considered appropriate for the ongoing administrative efficiency of Council. The draft revised Instrument is presented at Attachment 1. Attachment 2 outlines the proposed changes and new legislative provisions marked up that have been allocated to an appropriate Officer.

## RATIONALE

Section 11 of the *Local Government Act 2020* (the Act) enables Councils to delegate any power, duty or function of a Council under this Act or any other Act other than:

- The power of delegation;
- The power to elect a Mayor or Deputy Mayor;
- The power to grant a reasonable request for leave under section 35;
- Subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;
- The power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
- The power to approve or amend the Council Plan;
- The power to adopt or amend any policy that the Council is required to adopt under the Act;
- The power to adopt or amend the Governance rules;
- The power to appoint the chair or the members to a delegated committee
- The power to make, amend or revoke a Local Law;
- The power to approve the budget or revised budget;
- The power to borrow money;
- Subject to section 181H(1)(b) of the *Local Government Act 1989* (the 1989 Act), the power to declare general rates, municipal charges, service rates and charges and special rates and charges; and
- Any power, duty, or function prescribed by the regulation for the purposes of this subsection.

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

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

## LEGISLATION, COUNCIL PLAN, STRATEGIES AND POLICY IMPACTS

- *Charter of Human Rights and Responsibilities Act 2006*;
- *Planning and Environment Act 1987*;
- *Local Government Act 1989*;
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020*;
- *Residential Tenancies Act 1997*;
- *Local Government (General) Regulations 2015*; and
- 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>	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** - The endorsement of a revised S6 Instrument of Delegation ensures that the core operational functions of the Council are not impeded.

Council's delegations are continuously maintained and periodically monitored to ensure that appropriate Council officers have the power to carry out their duties lawfully. This is a key component in Council meeting its essential legislative compliance obligations.

Section 11(7) of the *Local Government Act 2020* requires Council to review all delegations within 12 months of a general election. Section 11(9) of the *Local Government Act 2020* also requires Council to update all their delegations by 1 September 2020.

**Implementation/Marketing** - Section 11(8) of the *Local Government Act 2020* requires Council to keep a public register of delegations.

**Evaluation and Review** - Council reviews Instruments within 12 months of Local Government Elections and when there are legislative and position title updates.

**CONSULTATION**

There has been consultation with relevant managers to ensure the correct delegations have been included.

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.

Council subscribes to the Maddocks Delegations and Authorisations Service which allows for regular updates to keep abreast of changes in legislation and to ensure the effective allocation and control of decision-making powers.

**OFFICERS DECLARATIONS OF INTEREST**

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

## **REFERENCE DOCUMENTS**

- Council report and resolution 12 August 2020.

## **ATTACHMENTS**

1. S6 Instrument of Delegation - Members of Staff [**10.9.1** - 117 pages]
2. Legislative Updates [**10.9.2** - 9 pages]



## **Ballarat City Council**

### **Instrument of Delegation**

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



## Instrument of Delegation

In exercise of the powers conferred by the 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:

Title	Position
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



Title	Position
CRM	Coordinator Road Maintenance
CSS	Construction Site Supervisor
CSTP	Coordinator Statutory Planning
CSTPO	Coordinator Statutory Planning Operations
DCS	Director Corporate Services
DDG	Director Development and Growth
DIE	Director Infrastructure and Environment
EHO	Environmental Health Officer
EMDF	Executive Manager Development Facilitation
EMEG	Executive Manager Economic Growth
EMGR	Executive Manager Governance and Risk
EMI	Executive Manager Infrastructure
EMO	Executive Manager Operations
EMPSFM	Executive Manager Property Services and Facilities Management
EMRS	Executive Manager Regulatory Services
GAFO	Growth Areas Facilitation Officer
HSO	Health Services Officer
LLEO	Local Laws Events Officer
MBS	Municipal Building Surveyor
MED	Manager Economic Development





Title	Position
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



Title	Position
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
TOBS	Technical Officer Building Services
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;

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



(a) policy; or

(b) strategy

adopted by Council;

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or

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

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

..... Mayor/Councillor

..... Chief Executive Officer



## Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- 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 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CPG, DIE, EMO, 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, EMO, 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, EMO, 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, EMO, EMPSFM	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	CPG, DIE, EMO, EMPSFM	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	CPG, DIE, EMO, EMPSFM	
s 15(4)	Duty to keep records of delegations	AOSC, CRC, DCS, EMGR, SCO	
s 17(1)	Power to employ any persons necessary	DIE, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CPG, DIE, EMO, 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, EMO, EMPSFM	
s 19	Power to carry out or permit the carrying out of works	CPG, DIE, EMO, EMPSFM	
s 20(1)	Duty to set aside areas for the interment of human remains	CPG, DIE, EMO, EMPSFM	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CPG, DIE, EMO, EMPSFM	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CPG, DIE, EMO, EMPSFM	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CPG, DIE, EMO, 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, EMO, EMPSFM	Subject to the approval of the Minister



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	CPG, DIE, EMO, EMPSFM	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CPG, DIE, EMO, 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	DCS	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, EMO, EMPSFM	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	CPG, DIE, EMO, 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	DCS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	CPG, DIE, EMO, EMPSFM	
s 64B(d)	Power to permit interments at a reopened cemetery	CPG, DIE, EMO, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, EMO, 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, EMO, EMPSFM	
s 70(2)	Duty to make plans of existing place of interment available to the public	CPG, DIE, EMO, EMPSFM	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	CPG, DIE, EMO, EMPSFM	
s 71(2)	Power to dispose of any memorial or other structure removed	CPG, DIE, EMO, EMPSFM	
s 72(2)	Duty to comply with request received under s 72	CPG, DIE, EMO, EMPSFM	
s 73(1)	Power to grant a right of interment	CPG, DIE, EMO, EMPSFM	
s 73(2)	Power to impose conditions on the right of interment	CPG, DIE, EMO, EMPSFM	





Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CPG, DIE, EMO, EMPSFM	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	CPG, DIE, EMO, 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, EMO, EMPSFM	
s 80(2)	Function of recording transfer of right of interment	CPG, DIE, EMO, EMPSFM	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCS	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DCS	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	CPG, DIE, EMO, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	CPG, DIE, EMO, EMPSFM	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	CPG, DIE, EMO, 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, EMO, 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; 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.	DIE, EMPSFM	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DIE, EMPSFM	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DIE, EMPSFM	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	DIE, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DIE, EMPSFM	
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	DIE, EMPSFM	
s.86(5)	duty to provide notification before taking action under s.86(4)	DIE, EMPSFM	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DIE, EMPSFM	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	DIE, EMPSFM	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DIE, EMPSFM	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DIE, EMPSFM	
s 91(3)	Duty to publish notice of intention to cancel right of interment	CPG, DIE, EMO, 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, DCS, DIE, EMO, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	CPG, DIE, EMO, EMPSFM	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	CPG, DIE, EMO, 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, EMO, 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, EMO, EMPSFM	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	CPG, DIE, EMO, 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, EMO, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, EMO, EMPSFM	
s 103(1)	Power to require a person to remove a building for ceremonies	CPG, DIE, EMO, 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, EMO, EMPSFM	
s 103(3)	Power to recover costs of taking action under s 103(2)	CPG, DIE, EMO, 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, EMO, EMPSFM	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	CPG, DIE, EMO, 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	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CPG, DIE, EMO, EMPSFM	
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, EMO, EMPSFM	
s 109(1)(a)	Power to open, examine and repair a place of interment	DIE, EMPSFM	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	DIE, EMPSFM	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	CPG, DIE, EMO, 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, EMO, 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, EMO, EMPSFM	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	DCS	
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, EMO, EMPSFM	
s 112	Power to sell and supply memorials	CPG, DIE, EMO, EMPSFM	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	CPG, DIE, EMO, EMPSFM	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	CPG, DIE, EMO, 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, EMO, 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, EMO, EMPSFM	Subject to s 133(2)



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	CPG, DIE, EMO, 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, EMO, 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, EMO, EMPSFM	
sch 1 cl 8(8)	Power to regulate own proceedings	CPG, CSS, DIE, EMO, EMPSFM	Subject to cl 8





Domestic Animals Act 1994			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 41A(1)	Power to declare a dog to be a menacing dog	CCPE, DIE, EMRS	Council may delegate this power to a Council authorised officer

Environment Protection Act 1970			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	CEH, CSTP, CSTPO, DDG, EHO, 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, DDG, EHO, 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



Environment Protection Act 1970			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 53M(6)	Power to refuse to issue septic tank permit	CEH, DDG, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	CEH, EHO, TLEH, TOEH	Refusal must be ratified by Council or it is of no effect

Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEH, DDG, 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, DDG, 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, DDG, EHO, TLEH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	DDG	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, DDG, EHO, TLEH	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEH, EHO, TLEH	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and 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, DDG, EHO, TLEH	Where Council is the registration authority



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, DDG, 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, DDG, EHO, TLEH	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	Not Delegated	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOBS	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, DDG, 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, DDG, EHO, TLEH	Where Council is the registration authority



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EHO, TLEH	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOBS	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, TLRATS, TOBS	Where Council is the registration authority



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, DDG, EHO, TLEH	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEH, DDG, 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, DDG, 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, DDG, EHO, TLEH	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEH, DDG, 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, TLRATS, TOBS	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEH, DDG, EHO, TLEH	Where Council is the registration authority not exceeding the prescribed time limit defined under s 38E(5)



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEH, DDG, EHO, TLEH	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEH, DDG, EHO, TLEH	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CEH, DDG, EHO, TLEH	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	CEH, DDG, EHO, TLEH	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEH, DDG, TLEH	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEH, DDG, 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



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, 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, DDG, EHO, TLEH	Where Council is the registration authority

Heritage Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DDG, DIE	Must first obtain Executive Director's written consent  Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation





Local Government Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	DDG, EMDF	
s 185L(4)	Power to declare and levy a cladding rectification charge	Not Delegated	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 4H	Duty to make amendment to Victoria Planning Provisions available	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 4I	Duty to keep Victorian Planning Provisions and other documents available	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 8A(5)	Function of receiving notice of the Minister's decision	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSP, MSTP, PSTP	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PSTP	
s 12B(1)	Duty to review planning scheme	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PPSP, PSTP, SP, SPAO, SSP	
s 17(2)	Duty of giving copy s 173 agreement	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 18	Duty to make amendment etc. available	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSTP, CSTPO, DDG, EMDF, EMEG, 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  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, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 21(2)	Duty to make submissions available	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 21A(4)	Duty to publish notice	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 22	Duty to consider all submissions	CSTP, CSTPO, DDG, EMDF, EMEG, EMO, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	Except submissions which request a change to the items in s 22(5)(a) and (b)



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP	
s 26(1)	Power to make report available for inspection	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 26(2)	Duty to keep report of panel available for inspection	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPAO, SSP, SSTP, STP	
s 27(2)	Power to apply for exemption if panel's report not received	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 28	Duty to notify the Minister if abandoning an amendment	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, MSP, MSTP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 30(4)(b)	Duty to provide information in writing upon request	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 32(2)	Duty to give more notice if required	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PPSP, PSTP, SP, SSP	
s 33(1)	Duty to give more notice of changes to an amendment	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP	
s 36(2)	Duty to give notice of approval of amendment	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 38(5)	Duty to give notice of revocation of an amendment	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP	





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Function of lodging copy of approved amendment	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 41	Duty to make approved amendment available	CSTP, CSTPO, DDG, EMDF, EMEG, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP	
s 42	Duty to make copy of planning scheme available	CSTP, CSTPO, DDG, EMDF, EMEG, 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  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	DDG, EMDF, EMEG	Where Council is a responsible public entity



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	DDG, EMDF, EMEG	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, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, 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, DCS, DDG, 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	DDG, EMDF	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DDG, EMDF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	AOGAF, CGAF, DDG, EMDF, GAFO	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DDG, EMDF	
s 46GP	Function of receiving a notice under s 46GO	DDG, EMDF	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	AOGAF, CGAF, DDG, EMDF, GAFO	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	AOGAF, CGAF, DDG, EMDF, GAFO	
s 46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the Minister	DDG, 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	DDG, EMDF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	DDG, EMDF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DDG, 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, DDG, EMDF, GAFO	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	AOGAF, CGAF, DDG, EMDF, GAFO	
s 46GU	Duty not to adopt an amendment under s.29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	AOGAF, CGAF, DDG, EMDF, GAFO	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	DCS, DDG, EMDF	Where Council is the collecting agency



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DDG, 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)	DDG, 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)	DDG, 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	DDG, 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	DDG, 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, DDG, 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	DDG, EMDF	Where Council is the collecting agency



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(1)	Duty to keep proper and separate accounts and records	AOGAF, CGAF, DCS, DDG, 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 2020	AOGAF, CGAF, DCS, DDG, 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, DCS, DDG, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	AOGAF, CGAF, DDG, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	AOGAF, CGAF, DCS, DDG, 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, DCS, DDG, EMDF, GAFO, MSTP, PSTP	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 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, DDG, 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)  Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	AOGAF, CGAF, CSTP, CSTPO, DCS, DDG, 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, DCS, DDG, 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	AOGAF, CGAF, CSTP, CSTPO, DCS,	If the VPA is the collecting agency under an approved infrastructure contributions plan





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DDG, EMDF, GAFO, MSTP, PSTP	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, DDG, EMDF, GAFO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	AOGAF, CGAF, DCS, DDG, 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, DDG, 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, DCS, DDG, EMDF, GAFO, MSTP, PSTP	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DCS, DDG, 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, DCS, DDG, 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, DCS, DDG, EMDF, GAFO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
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, DCS, DDG, 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, DCS, DDG, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	AOGAF, CGAF, DCS, DDG, EMDF, GAFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	AOGAF, CGAF, DDG, 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, DCS, DDG, 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, DCS, DDG, EMDF, GAFO	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, CSTPO, DDG, 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, DDG, EMDF, GAFO, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	AOGAF, CGAF, CSTP, CSTPO, DDG, 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, DDG, EMDF, GAFO, MSTP, PSTP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	AOGAF, CGAF, CSTP, CSTPO, DDG, 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, DDG, 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, DDG, EMDF, GAFO, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1)	Duty to keep proper accounts of levies paid	AOGAF, CGAF, CSTP, CSTPO, DCS, DDG, 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, DCS, DDG, 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, DDG, 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, DCS, DDG, EMDF, GAFO, MSTP, PSTP	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	AOGAF, CGAF, CSTP, CSTPO, DCS, DDG, 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



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CSTP, CSTPO, DDG, 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, DDG, 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, DCS, DDG, EMDF, GAFO, MSTP, PSTP	
s 46QD	Duty to prepare report and give a report to the Minister	CGAF, DDG, EMDF, GAFO	Where Council is a collecting agency or development agency
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CO, CSTP, CSTPO, DDG, EMDF, MSTP, POC, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 49(2)	Duty to make register available for inspection	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 50(4)	Duty to amend application	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 50(5)	Power to refuse to amend application	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 50(6)	Duty to make note of amendment to application in register	AOSC, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SCO, SO, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 50A(1)	Power to make amendment to application	CSTP, CSTPO, DDG, EMDF, EMEG, 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, DDG, EMDF, EMEG, 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, DDG, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 51	Duty to make copy of application available for inspection	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	AOSTP, CSTP, CSTPO, DDG, 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, DDG, 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, DDG, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 52(3)	Power to give any further notice of an application where appropriate	AOSTP, CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 54(1)	Power to require the applicant to provide more information	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SO, SSTP, STP, TSODF	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, CSTPO, DDG, EMDF, MSTP, PMUR, PPSP, PSTP, SO, SSTP, STP, TSODF	
s 54(1B)	Duty to specify the lapse date for an application	AOSTP, CSTP, CSTPO, DDG, 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, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	
s 57(5)	Duty to make available for inspection copy of all objections	AOSTP, CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 57A(5)	Power to refuse to amend application	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57A(6)	Duty to note amendments to application in register	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57C(1)	Duty to give copy of amended application to referral authority	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 58	Duty to consider every application for a permit	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 58A	Power to request advice from the Planning Application Committee	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 60	Duty to consider certain matters	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 60(1A)	Duty to consider certain matters	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CSTP, CSTPO, DDG, 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



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP, SO, SSTOP, 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, DDG, EMDF, MSTP, PSTP, SSTOP, 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, DDG, EMDF, MSTP, PSTP, SO, SSTOP, STP, TSODF	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTOP, STP, TSODF	
s 62(2)	Power to include other conditions	CSTP, CSTPO, DDG, EMDF, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SO, SSTP, STP, TSODF	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	AOSTP, CSTP, CSTPO, DDG, 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, DDG, 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, DDG, 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, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, TSODF	





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, 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, DDG, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64(3)	Duty not to issue a permit until after the specified period	AOSTP, CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	This provision applies also to a decision to grant an amendment to a permit - see s 75



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, 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, DDG, 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, DDG, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	AOSTP, CSTP, CSTPO, DDG, 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



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP, SAO, SSTP, STP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	AOSTP, CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 69(2)	Power to extend time	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 70	Duty to make copy permit available for inspection	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SAO, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 71(1)	Power to correct certain mistakes	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 71(2)	Duty to note corrections in register	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 73	Power to decide to grant amendment subject to conditions	AOSTP, CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 74	Duty to issue amended permit to applicant if no objectors	AOSTP, CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		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, DDG, 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, DDG, EMDF, MSTP, PSTP, SAO, SSTP, STP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	AOSTP, CSTP, CSTPO, DDG, 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, DDG, 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, DDG, EMDF, MSTP, PSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SO, SSTP, STP, TSODF	
s 83	Function of being respondent to an appeal	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 83B	Duty to give or publish notice of application for review	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, TSODF	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, TSODF	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84AB	Power to agree to confining a review by the Tribunal	AOGAF, CGAF, DCS, DDG, EMDF, GAFO, SO, TSODF	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 93(2)	Duty to give notice of VCAT order to stop development	CCPE, CSTP, CSTPO, DDG, EMDF, EMRS, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 95(3)	Function of referring certain applications to the Minister	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 95(4)	Duty to comply with an order or direction	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PSTP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 96F	Duty to consider the panel's report under s 96E	Not Delegated	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 96J	Power to issue permit as directed by the Minister	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CO, CSTP, CSTPO, DDG, EMDF, MSTP, POC, PSTP	
s 97C	Power to request Minister to decide the application	DDG, EMDF	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 97Q(4)	Duty to comply with directions of VCAT	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SAO, SSTP, STP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 101	Function of receiving claim for expenses in conjunction with claim	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s.107(1)	function of receiving claim for compensation	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 107(3)	Power to agree to extend time for making claim	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 114(1)	Power to apply to the VCAT for an enforcement order	CCPE, CSTP, CSTPO, DDG, EMDF, EMRS, MSTP, PSTP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CCPE, CSTP, CSTPO, DDG, 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, DDG, EMDF, EMRS, MSTP, PSTP	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CCPE, CSTP, CSTPO, DDG, EMDF, EMRS, MSTP, PSTP	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CSTP, CSTPO, DCS, DDG, EMDF, MSTP, PSTP	Except Crown Land



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 129	Function of recovering penalties	CSTP, CSTPO, DCS, DDG, EMDF, MSTP, PSTP	
s 130(5)	Power to allow person served with an infringement notice further time	CCPE, CSTP, CSTPO, DCS, DDG, EMDF, EMRS, MSTP, PSTP	
s 149A(1)	Power to refer a matter to the VCAT for determination	CSTP, CSTPO, DDG, 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, DDG, EMDF, EMRS, MSTP, PSTP	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B)power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	Where Council is the relevant planning authority



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 171(2)(g)	Power to grant and reserve easements	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, STP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DCS, DDG, 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)	DCS, DDG, 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)	DCS, DDG, EMDF	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CSTP, CSTPO, DCS, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	DCS, DDG, 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, DCS, DDG, 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, DCS, DDG, 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, DDG, 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, DCS, DDG, EMDF, MSTP, PSTP	
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP,	





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		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, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	If no objections are made under s 178D  Must consider matters in s 178B



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	If no objections are made under s 178D  Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	If no objections are made under s 178D  Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSP, MSTP, PMUR,	After considering objections, submissions and matters in s.178B



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PPSP, PSTP, SP, SSP, SSTP, STP	
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, CSTPO, DDG, 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, DDG, 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, DDG, 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, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SPAO, SSP, SSTP, STP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PSTP	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, CSTPO, DDG, EMDF, EMPSFM, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 179(2)	Duty to make available for inspection copy agreement	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
s 182	Power to enforce an agreement	CSTP, CSTPO, DDG, EMDF, EMRS, MSTP, PSTP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, CSTPO, DDG, 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, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, 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, DDG, 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, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SSP, SSTP, STP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 184G(3)	Duty to give notice as directed by the Tribunal	CSTP, CSTPO, DDG, EMDF, MSP, MSTP, PMUR, PPSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 198(1)	Function to receive application for planning certificate	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SAO, SSTP, STP	
s 199(1)	Duty to give planning certificate to applicant	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SPAO, SSTP, STP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 201(3)	Duty to make declaration	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	





Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	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, DDG, 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, DDG, EMDF, EMEG, MSP, MSTP, PPSP, PSTP	
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CSTP, CSTPO, DDG, EMDF, MSTP, PSTP	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, CSTPO, DDG, MSTP, PSTP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DDG, EMEG, MSP, PMUR, PPSP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DDG, EMEG, MSP, PMUR, PPSP	

Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	DIE, EMPSFM	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	DIE, EMPSFM	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes  Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	DIE, EMPSFM	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier



Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	DIE, EMPSFM	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 142D	Function of receiving notice regarding an unregistered rooming house	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOBS, 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, TLRATS, TOBS, TOEH	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	AOBS, AOEH, AOLLT, CEH, EHO, HSO, LLEO, RSSO, TLEH, TLRATS, TOBS, TOEH	



Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 206AZA(2)	Function of receiving written notification	DIE, EMPSFM	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	DIE, EMPSFM	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	DIE, EMPSFM	
s 317ZDA(2)	Function of receiving written notification	DIE, EMPSFM	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEH, EHO, EMPSFM, EMRS, TLEH, TOEH	
s 522(1)	Power to give a compliance notice to a person	CBS, CEH, EHO, EMRS, MBS, TLEH, TOEH	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DIE	
s 525(4)	Duty to issue identity card to authorised officers	AOSC, CRC, EMGR, SCO	



Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EHO, EMPSFM, EMRS, MBS, TLEH, TOEH	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DDG, DIE, EMDF, EMI, EMO	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	DDG, DIE, EMDF, EMI, EMO	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 11(9)(b)	Duty to advise Registrar	DDG, DIE, EMDF, EMI, EMO	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DDG, DIE, EMDF, EMI, EMO	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	DDG, DIE, EMDF, EMI, EMO	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	DDG, DIE, EMDF, EMI, EMO	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	DDG, DIE, EMDF, EMI, EMO	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DDG, DIE, EMDF, EMI, EMO	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	DDG, DIE, EMDF, EMI, EMO	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	DDG, DIE, EMDF, EMI, EMO	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CIT, DDG, DIE, EMDF, EMI, EMO	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CAM, CIT, DDG, DIE, EMDF, EMI, EMO	
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, DDG, DIE, EMDF, EMI, EMO	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, DIE, EMDF, EMI	
s 15(2)	Duty to include details of arrangement in public roads register	CAM, DDG, DIE, EMDF, EMI	
s 16(7)	Power to enter into an arrangement under s 15	CAM, DDG, DIE, EMDF, EMI	
s 16(8)	Duty to enter details of determination in public roads register	CAM, DDG, DIE, EMDF, EMI	
s 17(2)	Duty to register public road in public roads register	CAM, DDG, 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, DDG, 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, DDG, 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, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority





Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CAM, DDG, 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, DDG, DIE, EMDF, EMI	
s 19(4)	Duty to specify details of discontinuance in public roads register	CAM, DDG, DIE, EMDF, EMI	
s 19(5)	Duty to ensure public roads register is available for public inspection	CAM, DDG, DIE, EMDF, EMI	
s 21	Function of replying to request for information or advice	CAM, DDG, DIE, EMDF, EMI	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CAM, DDG, 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, EMO	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 22(5)	Duty to give effect to a direction under s 22	DIE, EMO	
s 40(1)	Duty to inspect, maintain and repair a public road.	CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CAM, CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	
s 42(1)	Power to declare a public road as a controlled access road	CAM, DDG, 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, DDG, 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, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority If road is a municipal road or part thereof



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CIT, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority  If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	DDG, DIE, EMDF, EMI, EMO	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	DDG, DIE, EMDF, EMI, EMO	
s 49	Power to develop and publish a road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 51	Power to determine standards by incorporating the standards in a road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 54(2)	Duty to give notice of proposal to make a road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 54(6)	Power to amend road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 54(7)	Duty to incorporate the amendments into the road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
s 63(1)	Power to consent to conduct of works on road	CAM, CRM, EMI, EMO, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CAM, DDG, 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, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 67(3)	Power to request information	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 68(2)	Power to request information	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CAM, CID, CIT, CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, SASU, TLPD, TLPSE, TLRS, TLSR, TLUR	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 72	Duty to issue an identity card to each authorised officer	AOSC, CRC, DCS, EMGR, SCO	
s 85	Function of receiving report from authorised officer	DDG, DIE, EMDF, EMI	
s 86	Duty to keep register re s 85 matters	DDG, DIE, EMDF, EMI	
s 87(1)	Function of receiving complaints	CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 87(2)	Duty to investigate complaint and provide report	CRM, DCS, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 112(2)	Power to recover damages in court	DDG, DIE, EMDF, EMI, EMO	
s 116	Power to cause or carry out inspection	CRM, DDG, DIE, EMDF, EMI, EMO,	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		RMCS, RMS, TLPD, TLRS, TLSR, TLUR	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DDG, DIE, EMDF, EMI, EMO	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CAM, DDG, DIE, EMDF, EMI, EMO, SASU	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	CAM, CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	
s 121(1)	Power to enter into an agreement in respect of works	CAM, DDG, DIE, EMDF, EMI, EMO	
s 122(1)	Power to charge and recover fees	CAM, DDG, DIE, EMDF, EMI, EMO	
s 123(1)	Power to charge for any service	CRM, DCS, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS,	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		TLPD, TLRS, TLSR, TLUR	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CAM, DDG, 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 the Head, Transport for Victoria	CAM, DDG, DIE, EMDF, EMI	
sch 2 cl 5	Duty to publish notice of declaration	CAM, DDG, 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, DDG, 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	CAM, DDG, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager





Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	installation of infrastructure or related works on a road or road reserve of any road		
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, DDG, DIE, EMDF, EMI, EMO, 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, DDG, DIE, EMDF, EMI	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CAM, DDG, 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, DDG, 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, DDG, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CAM, CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, SASU, TLPD, TLRS, TLSR, TLUR	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CAM, DDG, 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, DDG, DIE, EMDF, EMI	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CAM, DDG, 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, DDG, DIE, EMDF, EMI	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CAM, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority, responsible authority or infrastructure manager



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(5)	Power to consent to proposed works	CAM, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CAM, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CAM, DDG, DIE, EMDF, EMI, EMO	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, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CAM, DDG, 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, DDG, 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, DDG, DIE, EMDF, EMI, SASU	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 7A cl 2	Power to cause street lights to be installed on roads	DDG, DIE, EMDF, EMI	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DDG, 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	DDG, 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	DDG, 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			
Provision	Powers and Functions 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	



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DIE, EMPSFM	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	DIE, EMPSFM	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	DIE, EMPSFM	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	DIE, EMPSFM	
r 30(2)	Power to release cremated human remains to certain persons	DIE, EMPSFM	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	DIE, EMPSFM	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	DIE, EMPSFM	
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	



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, EMO, 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, EMO, EMPSFM	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	CPG, DIE, EMO, EMPSFM	
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	CPG, DIE, EMO, 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, EMO, EMPSFM	See note above regarding model rules



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, EMO, 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, EMO, 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, EMO, EMPSFM	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CPG, DIE, EMO, 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, EMO, 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, EMO, 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, EMO, 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, EMO, EMPSFM	See note above regarding model rules





Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CPG, DIE, EMO, 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, EMO, EMPSFM	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CPG, DIE, EMO, EMPSFM	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DDG, EMDF, EMEG, 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, DDG, EMDF, MSP, MSTP, PSTP, SAO, SP, SSP, SSTP, STP	



Planning and Environment Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, CSTPO, DDG, 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, DDG, EMDF, EMEG, 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	DDG, EMDF, EMEG, 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	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DDG, EMEG, MSP	



Planning and Environment (Fees) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DDG, 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	DDG, EMDF, EMEG, MSP, MSTP	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	CEH, EHO, EMPSFM, TLEH, TOEH	
r 10	Function of receiving application for registration	AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, RSSO, TLEH, TLRATS, TOBS, TOEH	
r 11	Function of receiving application for renewal of registration	DIE, EMPSFM	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH, TOEH	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEH, EHO, TLEH, TOEH	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DIE, EMPSFM	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DIE, EMPSFM	
r 12(4) & (5)	Duty to issue certificate of registration	CEH, EHO, TLEH, TOEH	
r 14(1)	Function of receiving notice of transfer of ownership	AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, RSSO, TLEH, TLRATS, TOBS, TOEH	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 14(3)	Power to determine where notice of transfer is displayed	CEH, EHO, TLEH, TOEH	
r 15(1)	Duty to transfer registration to new caravan park owner	CEH, EHO, TLEH, TOEH	
r 15(2)	Duty to issue a certificate of transfer of registration	CEH, EHO, TLEH, TOEH	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEH, EHO, EMPSFM, TLEH	
r 17	Duty to keep register of caravan parks	CEH, TLEH	
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEH, EHO, TLEH, TOEH	
r 18(6)	Power to determine where certain information is displayed	CEH, EHO, TLEH, TOEH	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEH, EHO, TLEH, TOEH	
r 22(2)	Duty to consult with relevant emergency services agencies	CEH, EHO, TLEH, TOEH	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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 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 25(3)	Duty to consult with relevant floodplain management authority	CEH, EHO, TLEH, TOEH	
r 40	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, TLRATS, TOBS, TOEH	
r 26	Duty to have regard to any report of the relevant fire authority	CEH, EHO, TLEH, TOEH	



<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Powers and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CBS, DDG, DIE, EMPSFM, EMRS, MBS	
r 41(4)	Function of receiving installation certificate	CBS, DDG, DIE, EMPSFM, EMRS, MBS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CBS, DDG, DIE, EMPSFM, EMRS, MBS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DDG, DIE, EMRS	

<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Powers and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 8(1)	Duty to conduct reviews of road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	



Road Management (General) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 9(2)	Duty to produce written report of review of road management plan and make report available	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
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, DDG, DIE, EMDF, EMGR, EMI, EMO	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, DDG, DIE, EMDF, EMGR, EMI, EMO	
r 13(1)	Duty to publish notice of amendments to road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	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, DDG, DIE, EMDF, EMGR, EMI, EMO	
r 16(3)	Power to issue permit	CAM, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CAM, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority





Road Management (General) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 23(2)	Power to make submission to Tribunal	CAM, DDG, DIE, EMDF, EMI, EMO	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, DDG, DIE, EMDF, EMI, EMO	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, DDG, DIE, EMDF, EMI, EMO, 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, DDG, DIE, EMDF, EMI, EMO	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CAM, DDG, DIE, EMDF, EMI, EMO	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DDG, DIE, EMDF, EMI, EMO	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			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 22(2)	Power to waive whole or part of fee in certain circumstances	DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority

## NEW Provisions

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 11	Function of receiving application for renewal of registration		
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations		
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration		

**CHANGED Provisions**

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
Residential Tenancies Act 1997	s 91ZU(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier	DIE, EMPSFM
Residential Tenancies Act 1997	s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier	DIE, EMPSFM
Residential Tenancies Act 1997	s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier	DIE, EMPSFM
Residential Tenancies Act 1997	s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January	DIE, EMPSFM

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
			2021, unless proclaimed earlier	
Residential Tenancies Act 1997	s 206AZA(2)	Function of receiving written notification	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier	DIE, EMPSFM
Residential Tenancies Act 1997	s 207ZE(2)	Function of receiving written notification	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier	DIE, EMPSFM
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 7	<del>function</del> Function of entering into a written agreement with a caravan park owner		CEH, EHO, EMPSFM, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 10	<del>function</del> Function of receiving application for registration		AOBS, AOEH, AOLLT, CEH, EHO, EMRS, HSO, LLEO, RSSO, TLEH, TLRSATS,

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
				TOBS, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(1)	<del>duty</del> Duty to grant the registration if satisfied that the caravan park complies with these regulations		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(1)	<del>power</del> Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations		CEH, EHO, TLEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(2)	<del>duty</del> Duty to renew the registration if satisfied that the caravan park complies with these regulations		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 12(4) & (5)	<del>duty</del> Duty to issue certificate of registration		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and	r 14(1)	<del>function</del> Function of receiving notice of transfer of ownership		AOBS, AOEH, AOLLT, CEH, EHO, EMRS,

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
Standards) Regulations 2020				HSO, LLEO, RSSO, TLEH, TLRATS, TOBS, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 14(3)	<del>power</del> Power to determine where notice of transfer is displayed		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 15(1)	<del>duty</del> Duty to transfer registration to new caravan park owner		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 15(2)	<del>duty</del> Duty to issue a certificate of transfer of registration		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 16(1)	<del>power</del> Power to determine the fee to accompany applications for registration or applications for renewal of registration		CEH, EHO, EMPSFM, TLEH

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 17	<del>duty</del> Duty to keep register of caravan parks		CEH, TLEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 18(4)	<del>power</del> Power to determine where the emergency contact person's details are displayed		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 18(6)	<del>power</del> Power to determine where certain information is displayed		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 22(1)	<del>duty</del> 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
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 22(2)	<del>duty</del> Duty to consult with relevant emergency services agencies		CEH, EHO, TLEH, TOEH



Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 23	<del>power</del> Power to determine places in which caravan park owner must display a copy of emergency procedures		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 24	<del>power</del> Power to determine places in which caravan park owner must display copy of public emergency warnings		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 28(c)	<del>power</del> Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 25(3)	<del>duty</del> Duty to consult with relevant floodplain management authority		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 40	<del>function</del> Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe		AOBS, AOEH, AOLLT, CBS, CEH, EHO, EMPSFM, EMRS, HSO,

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
				LLEO, MBS, RSSO, TLEH, TLRSATS, TOBS, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 26	<del>duty</del> Duty to have regard to any report of the relevant fire authority		CEH, EHO, TLEH, TOEH
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 40(b)	<del>power</del> Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe		CBS, DDG, DIE, EMPSFM, EMRS, MBS
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 41(4)	<del>function</del> Function of receiving installation certificate		CBS, DDG, DIE, EMPSFM, EMRS, MBS
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	r 43	<del>power</del> Power to approve use of a non-habitable structure as a dwelling or part of a dwelling		CBS, DDG, DIE, EMPSFM, EMRS, MBS

Delegation Source	Section	Powers and Functions Delegated	Conditions and Limitations	Delegate or Sub-Delegate
Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020	sch 3 cl 4(3)	<del>power</del> Power to approve the removal of wheels and axles from unregistrable movable dwelling		DDG, DIE, EMRS

## **10.10. OUTSTANDING QUESTION TIME ITEMS**

**Division:** Executive Unit  
**Director:** Janet Dore  
**Author/Position:** Sarah Anstis -Statutory Compliance Officer

### **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.

### **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 [**10.10.1** - 1 page]
2. QT71/20 & QT72/20 - Michael Moloney [**10.10.2** - 2 pages]
3. QT73/20 - Bob Hartmann [**10.10.3** - 1 page]
4. QT74/20 & QT75/20 - John Barnes [**10.10.4** - 2 pages]

Outstanding Question Time Items					
Meeting	Status	Requested	Question	Officer Responsible	Response
QT62/20 12/8/2020	Open	Neil Huybregts	I understand Daniel Siemensma was appointed last year to, among other things, liaise with environmental community groups who are doing volunteer work on Council land. What is Daniel's actual job description?	Natalie Robertson, Acting Director Development and Growth	Written response to be provided.
QT67/20 2/9/2020	Open	Stephanie Rosestone	Do Councilors have a concern for the potential impact of the Western Victorian Transmission Network Project on matters protected by planning overlays within the council boundaries, namely Environmental Significance, Vegetation Protection and Bushfire Management? How will Council represent these environmental and safety interests and issues within the project development and assessment processes?	Natalie Robertson, Acting Director Development and Growth	Written response to be provided.
QT68/20 2/9/2020	Open	Karolina Kuzmich	Are Council aware that the Wattle Flat community are very disappointed in the lack of support/communications they have received regarding the W.V. transmission project? How does Council see their role in this project and what action will they be taking?	Natalie Robertson, Acting Director Development and Growth	Written response to be provided.
QT69/20 2/9/2020	Open	Jane Neville	When did the planning department of Council become aware of the Western Victorian Transmission Network Project, and what actions have Councilors and relevant Council management and employees taken regarding the potential impact on particularly the North Ward by this project, on matters protected by planning overlays within the council boundaries, namely Environmental Significance, Vegetation Protection and Bushfire Management?  Are Council aware of a potential third route, recently communicated in writing by AusNet, that will go south of Glen Park State Forest?	Natalie Robertson, Acting Director Development and Growth	Written response to be provided.
QT70/20 2/9/2020	Open	Sue Quinlan	Last year our farm 'Banyandah Homestead' which is in Wattle Flat was used for training purposes for Aviation Victoria for training helicopter pilots for firefighting. As our lake is in close proximity to Ballarat airport and has access for 2 helicopters to be in use if a fire occurs it's essential for Ballarat and surrounds to be used. If this Western Victorian Transmission Network Project goes ahead the helicopter firefighters will not be able to use it. As our farmland adjoins Glen Park National Forest & Creswick State Forest if a Fire was to occur Ballarat would be highly at risk.  My question is to your Councilors, is how do you propose to assist the Wattle Flat Community Action Group in seeking to have the Transmission Towers built underground so our Ballarat and surrounding area feel safe in the future. I request that you come to our Banyandah Homestead Farm and see the area of interest.	Natalie Robertson, Acting Director Development and Growth	Written response to be provided.
QT71/20 2/9/2020	Closed	Michael Moloney	Council issued a press release on 19/8/20 informing the community that a Sydney-based architecture firm had been awarded the contract to design the \$2.4m Ballarat Library of the Future upgrade. Does council believe this decision is justifiable in light the current pandemic, financial crisis, and Council's own 'Be Kind' to local business initiative?	Sean Portelli, Acting Director Corporate Services	Sean Portelli, Director Corporate Services provided a written response (see attached)
QT72/20 2/9/2020	Closed	Michael Moloney	After following a 'thorough and transparent selection process under Council's new Procurement Policy' (footnote 1), Council has awarded a \$2.4M design project to a Sydney-based architecture firm. Considering that local award-winning architecture firms were denied the opportunity to tender on this project, does Council consider this new policy to be a success when it fails to support local jobs or give local businesses a fair go?	Sean Portelli, Acting Director Corporate Services	Sean Portelli, Director Corporate Services provided a written response (see attached)
QT73/20 2/9/2020	Closed	Bob Hartmann	Considering that at the 11 March 2020 Council meeting, two Councilors offered to chair the Koala Plan implementation committee. When will the first meeting of this committee be scheduled? (Covid 19 safe methods and procedures could be utilised).	Natalie Robertson, Acting Director Development and Growth	Natalie Robertson, Acting Director Development and Growth provided a written response (see attached)
QT74/20 2/9/2020	Closed	John Barnes	With carryover from last year to this of a record-breaking \$55m, and cash-flows showing no need to borrow \$22m adopted on July 8's Budget, what changes will be made to future budget processes to ensure decisions are made on accurate data and assumptions, and do you think in hindsight, you should have given yourselves until the end of August to better estimate the carryovers before adopting the budget, as I submitted at the time?	Sean Portelli, Acting Director Corporate Services	Sean Portelli, Director Corporate Services provided a written response (see attached)
QT75/20 2/9/2020	Closed	John Barnes	Excluding approximately \$20m of advanced payments, leaving \$35m for projects to go over more than one financial year, how much of the \$35m carryover is due to projects being budgeted either without an expenditure profile or running behind schedule, and with a capital spend for 2020/21 of now \$93m, what have you put in place to reassure the public that you are capable of delivering such a large program?	Sean Portelli, Acting Director Corporate Services	Sean Portelli, Director Corporate Services provided a written response (see attached)
QT76/20 2/9/2020	Open	Kevin Zibell	This question is regarding the planning applications for the proposed development PLP/2020/33 at 2001 Geelong Road and 1106 Warrenheip Street Buninyong PLP/2020/418. When did the Council decide to stop the mediation process? Will the Council require the mediation processes to occur as intended by utilising COVID Safe measures and thus meeting Council's new Public Transparency Policy?	Natalie Robertson, Acting Director Development and Growth	Written response to be provided.

**Sarah Anstis**

---

**From:** [REDACTED]  
**Sent:** Thursday, 10 September 2020 10:01 AM  
**To:** [REDACTED]  
**Subject:** Transcript of response to questions asked at Council Meeting of 2 September 2020  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Mr Moloney

Thank you for your two questions in relation to Procurement at Council's Meeting held on 2 September, 2020.

Below is my verbal response to your questions from that meeting:-

*The successful tenderer was awarded the Library of the Future Refurbishment contract following a thorough and transparent selection process under Council's new Procurement Policy.*

*This contract was awarded after a two- stage process, the first was an Expression of Interest which received 26 submissions. This was shortlisted down to three firms who were invited to tender.*

*Under the Local Government Act, Councils must conduct a fair and equitable selection process and cannot place restrictions on who can apply.  
The three finalists were evaluated on 6 criteria including Local Content, which carries a maximum weighting of 10 percent.*

*Local Content is based on the locality of the contractor and the economic benefit that the submitter may bring to the region.*

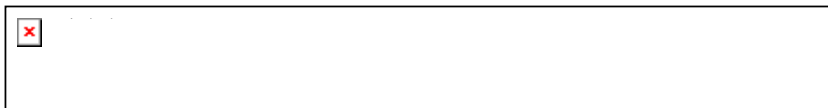
*Other criteria were:*

- Price*
- Level of understanding of site, responsiveness to the brief*
- Resolution of compliance issues addressed in early report of Building Surveyor*
- Innovation and creativity*
- Timelines for completion of design development and documentation*

*The successful company will be using several local contractors, creating jobs for local workers during the construction phase.*

**Sean Portelli** | Director Corporate Services

**City of Ballarat** | PO Box 655, Ballarat, Victoria, 3353  
**P:** (03) [REDACTED] | <http://www.ballarat.vic.gov.au>



Join us on [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#) | [mySay](#) | [myNews](#)

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

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Date: 9 September 2020

Our Ref: NR:tn:kr

Your Ref: QT73/20

Enquiries: (61) 03 5320 5500

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

Mr Bob Hartmann

Email: [REDACTED]

Dear Mr Hartmann,

**RE: OUTSTANDING QUESTION TIME ITEM – QT70/20**

Thank you for your question. The Koala Plan of Management will be reviewed as part of the draft Living Corridors Action Plan currently being developed by Council. Operational matters and the establishment of a Koala implementation committee noted during the 11 March Ordinary Council Meeting will also be considered in this review. There is no resolution of council to establish a Koala Implementation Committee, although Council would welcome a community partnership with Councillors in attendance to resolve Koala management concerns.

The Living Corridors Action Plan will provide governance and land-use actions alongside engagement actions to ensure the broadest possible reach to external stakeholders to assist in koala protection.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson  
Acting Director Development and Growth



**Sarah Anstis**

---

**From:** [REDACTED]  
**Sent:** Thursday, 10 September 2020 10:50 AM  
**To:** [REDACTED]  
**Subject:** Response to questions asked at Council Meeting of 2 September 2020

Dear Mr Barnes

Thank you for your two questions in relation to Procurement at Council's Meeting held on 2 September, 2020.

Below is my verbal response to your questions from that meeting:-

Q1. With carryover from last year to this of a record-breaking \$55m, and cash-flows showing no need to borrow \$22m adopted on July 8's Budget, what changes will be made to future budget processes to ensure decisions are made on accurate data and assumptions, and do you think in hindsight, you should have given yourselves until the end of August to better estimate the carryovers before adopting the budget, as I submitted at the time?

*Council will consider future budgets accounting for carryovers. Regarding timing, Council will endeavour to have budgets finalised as close to 1 July as possible giving managers certainty regarding their financial resources.*

Q2. Excluding approximately \$20m of advanced payments, leaving \$35m for projects to go over more than one financial year, how much of the \$35m carryover is due to projects being budgeted either without an expenditure profile or running behind schedule; and with a capital spend for 2020/21 of now \$93m, what have you put in place to reassure the public that you are capable of delivering such a large program?

*Ballarat historically has included the full cost of a project in its annual capital budget, even though the project may have a life cycle over several years. Unspent funds are then carried over into subsequent years.*

*Council is considering changing its budget process to remove the notion of carry overs and include works in progress and anticipated grants for future works in the Capital Works budget.*

*Further, only the annual budget of those projects with total end costs spread over several years will be disclosed.*

Kind regards  
 Sean

**Sean Portelli** | Director Corporate Services

**City of Ballarat** | PO Box 655, Ballarat, Victoria, 3353  
**P:** [REDACTED] | <http://www.ballarat.vic.gov.au>



Join us on [Facebook](#) | [Twitter](#) | [Instagram](#) | [YouTube](#) | [mySay](#) | [myNews](#)

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

**11. NOTICE OF MOTION**

Nil

**12. URGENT BUSINESS**

**13. SECTION 66 (IN CAMERA)**

**13.1. TENDER 2020/21-7 CONSTRUCTION OF THREE (3) SOCCER PITCHES AT WENDOUREE WEST RECREATION RESERVE**

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author/Position:** Trent Bursill - Project Manager

(confidential information)

**14. CLOSE**