

ISSUE	AMENDMENT	DATE

EVERY CARE HAS BEEN TAKEN TO ENSURE THAT THE INFORMATION SHOWN ON THIS DRAWING IS ACCURATE, HOWEVER SOME VARIATIONS FROM RECORDS MAY EXIST, AND COMPLETE ACCURACY CANNOT BE GUARANTEED.
DESIGN DETAILS SHALL NOT BE ALTERED DURING CONSTRUCTION WITHOUT APPROPRIATE APPROVAL.

ROAD CROSS SECTIONS (CUTHBERTS ROAD)

SCALES

VERT. 0 2 4
HORIZ. 0 4 8

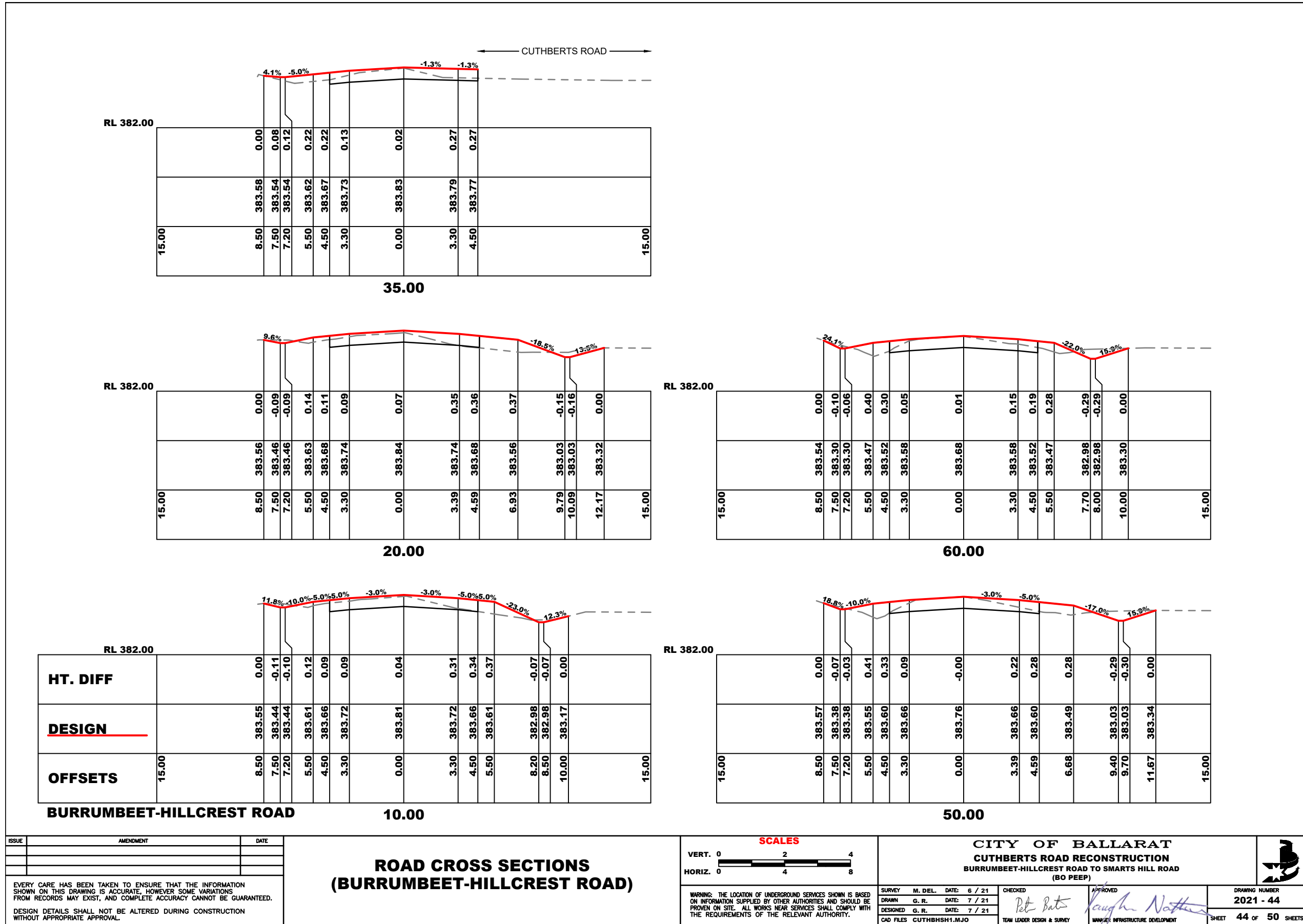
WARNING: THE LOCATION OF UNDERGROUND SERVICES SHOWN IS BASED ON INFORMATION SUPPLIED BY OTHER AUTHORITIES AND SHOULD BE PROVEN ON SITE. ALL WORKS NEAR SERVICES SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUTHORITY.

CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
(BO PEEP)

SURVEY M. DEL. DATE: 6 / 21
DRAWN G. R. DATE: 7 / 21
DESIGNED G. R. DATE: 7 / 21
CAD FILES CUTHBHS1.MJO

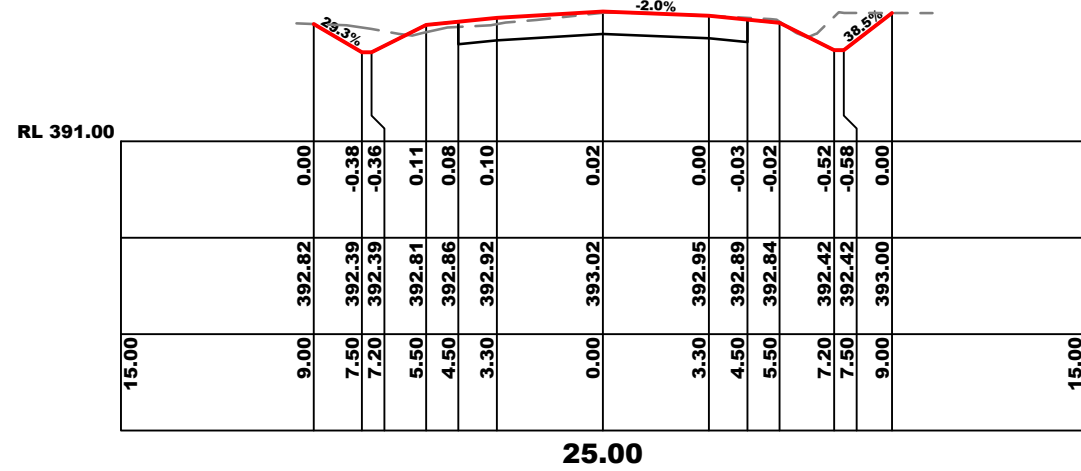
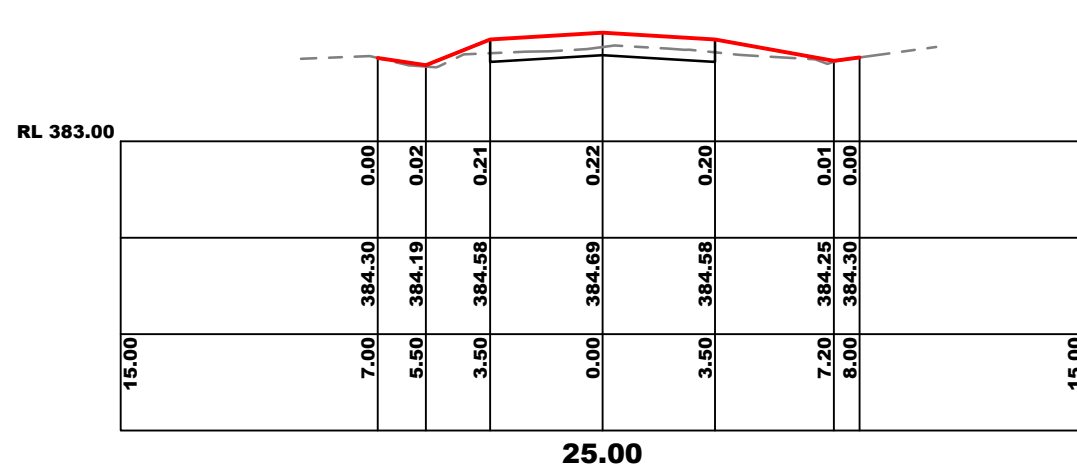
CHECKED: *Pete Bates*
APPROVED: *Lauren Nether*
TEAM LEADER DESIGN & SURVEY
MANAGER INFRASTRUCTURE DEVELOPMENT

DRAWING NUMBER: 2021 - 44
SHEET 43 OF 50 SHEETS

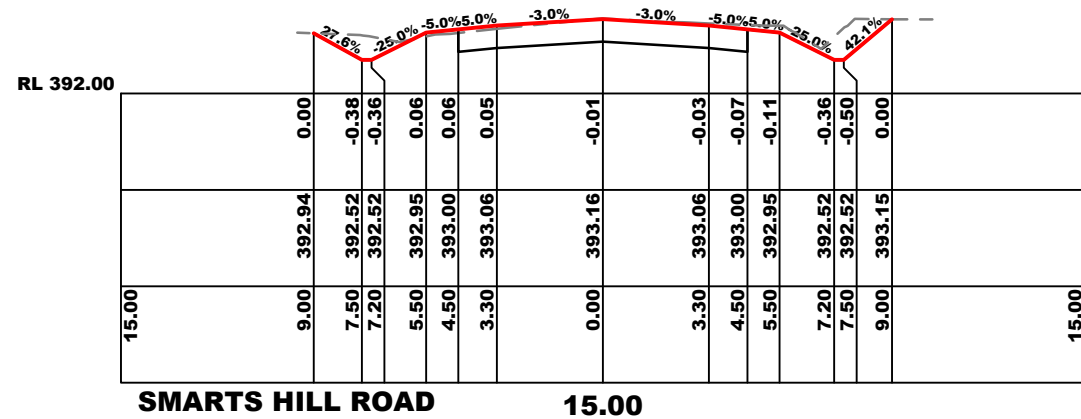


PIT SCHEDULE

Pit No.	Type	Pit Size	Inlet1	Inlet1 R.L.	Inlet2	Inlet2 R.L.	Inlet3	Inlet3 R.L.	Outlet	Outlet R.L.	F.S.L	Depth to invert	Remarks
		mm	mm	m	mm	m	mm	m	mm	m	m	m	
10	J.P.	600 x 600	300	384.14	300	384.14	-	-	300	384.13	384.57	0.44	REFER TO VICROADS STANDARD DRAWING SD 1131
36	J.P.	600 x 600	300	392.70	300	392.61	-	-	300	392.60	393.17	0.57	REFER TO VICROADS STANDARD DRAWING SD 1131



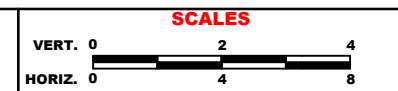
HT. DIFF	DESIGN	OFFSETS
		15.00
WHITE LANE		
15.00		



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PIT SCHEDULE ROAD CROSS SECTIONS (WHITE LANE) (SMARTS HILL ROAD)



CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
(BO PEEP)



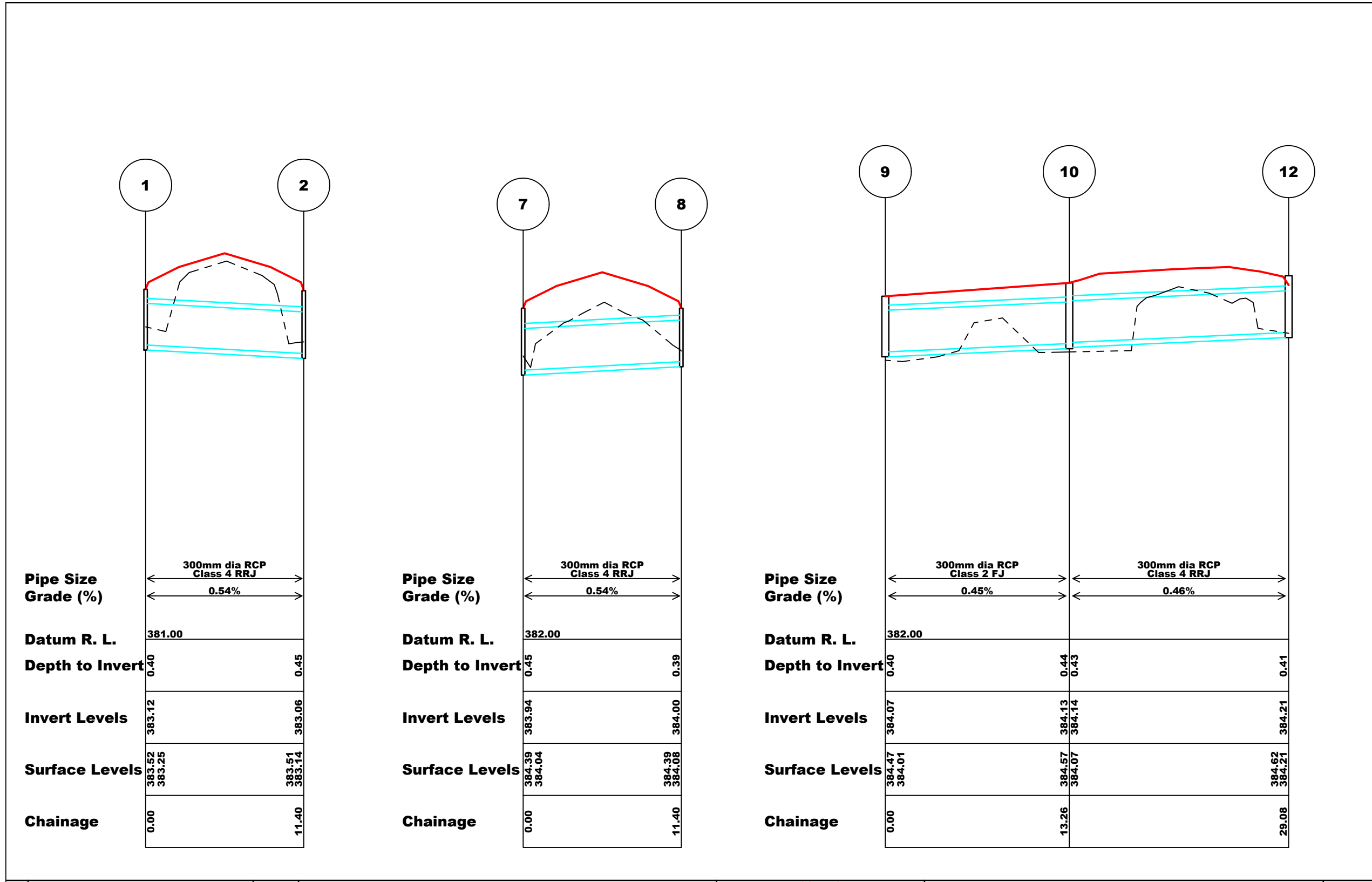
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SURVEY	M. DEL.	DATE: 6 / 21
DRAWN	G. R.	DATE: 7 / 21
DESIGNED	G. R.	DATE: 7 / 21
CAD FILES	CUTHBHS1.MJO	

CHECKED: *Pet Bates*
TEAM LEADER DESIGN & SURVEY

APPROVED: *Vaughn Natter*
MANAGER INFRASTRUCTURE DEVELOPMENT

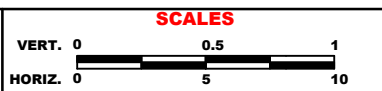
DRAWING NUMBER	2021 - 44
SHEET	45 of 50 SHEETS



ISSUE	AMENDMENT	DATE

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DRAINAGE LONGITUDINAL SECTIONS



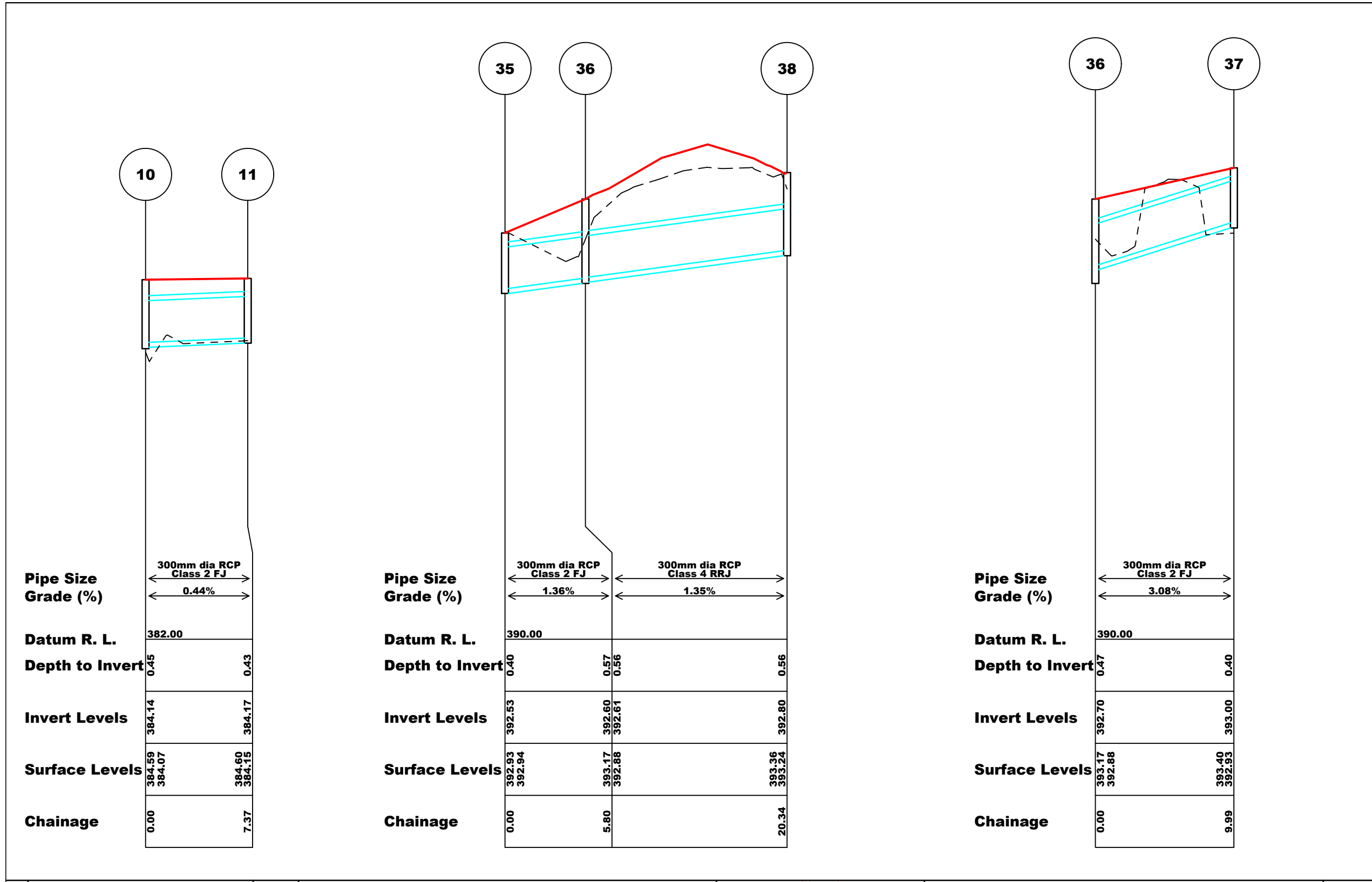
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CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
(BO PEEP)

SURVEY M. DEL. DATE: 6 / 21	CHECKED <i>Pete Bates</i>	APPROVED <i>Lauren Natter</i>
DRAWN G. R. DATE: 7 / 21	DESIGNED G. R. DATE: 7 / 21	TEAM LEADER DESIGN & SURVEY
CAD FILES CUTHBHS1.MJO	MANAGER INFRASTRUCTURE DEVELOPMENT	

DRAWING NUMBER
2021 - 44

SHEET **46** OF **50** SHEETS



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DRAINAGE LONGITUDINAL SECTIONS


SCALES

VERT. 0 0.5 1
HORIZ. 0 5 10

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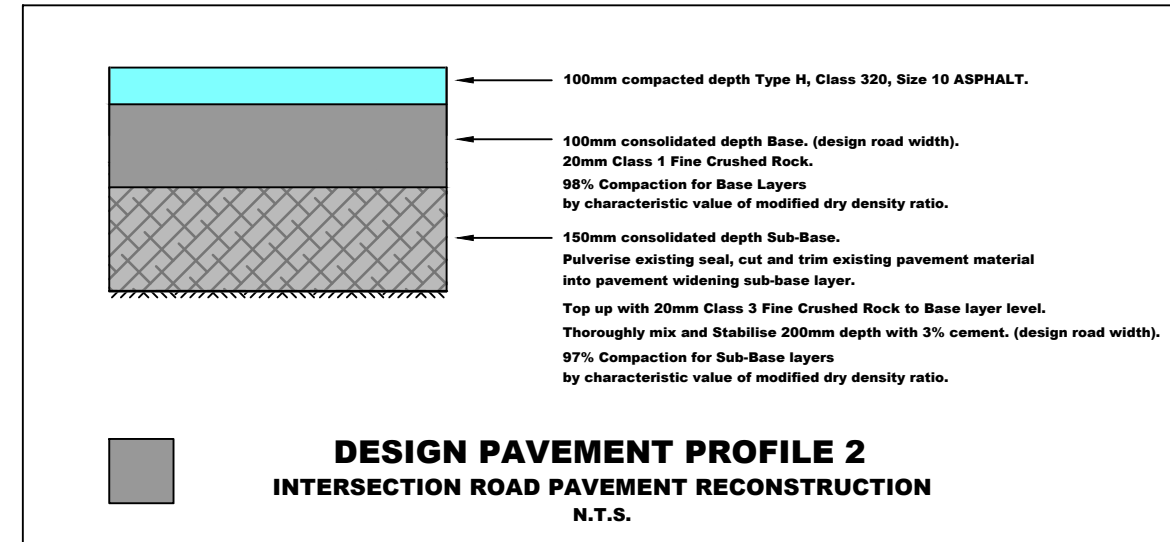
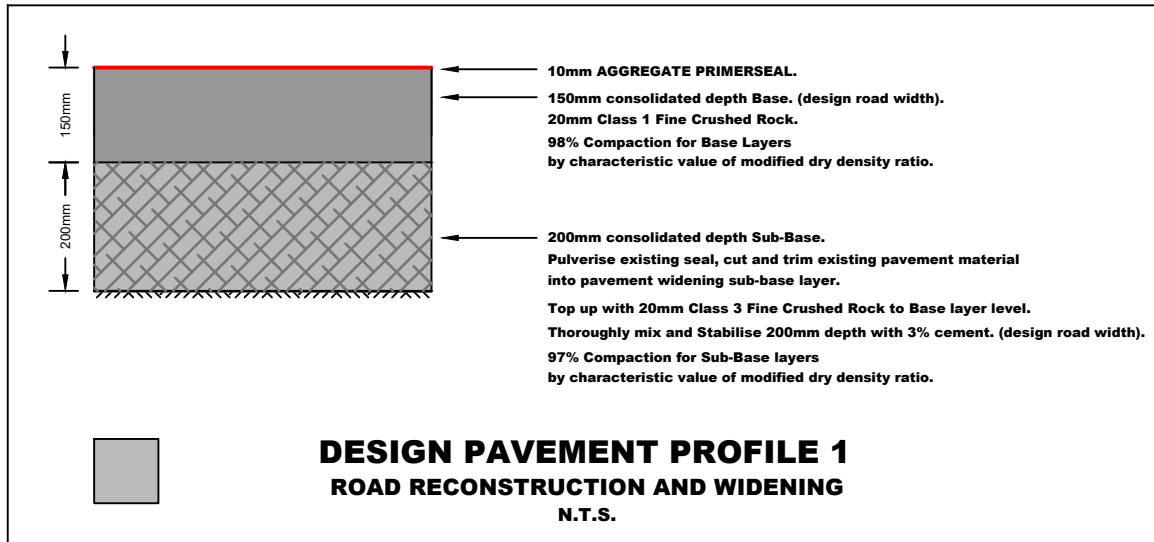
CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
(BO PEEP)

SURVEY M. DEL. DATE: 6 / 21	CHECKED	APPROVED
DRAWN G. R. DATE: 7 / 21	<i>Pete Bate</i>	<i>Kaylene Nathan</i>
DESIGNED G. R. DATE: 7 / 21	TEAM LEADER DESIGN & SURVEY	MANAGER INFRASTRUCTURE DEVELOPMENT
CAD FILES CUTHBHS1.MJO		



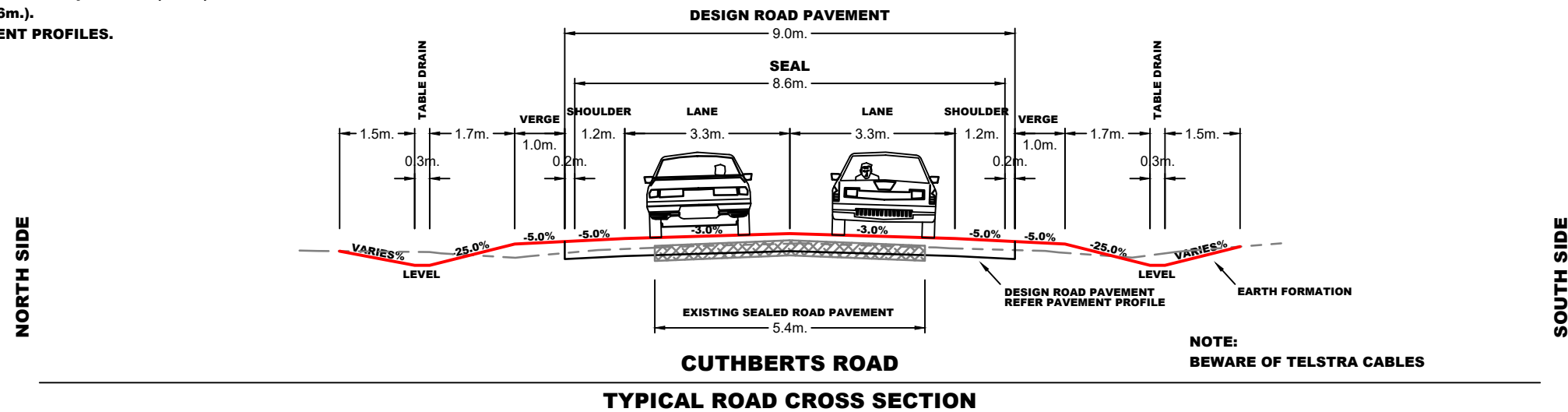
DRAWING NUMBER
2021 - 44

SHEET **47** OF **50** SHEETS



DESIGN PAVEMENT NOTES:

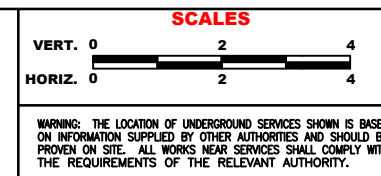
- Cut & trim existing road pavement and pulverised seal into widening trenches.
- Top up sub-base with 20mm Class 3 F.C.R. & stabilise with 3% cement & compact.
- Construct new full width base pavement (9.0m.).
- Primerseal width (8.6m.).
- See DESIGN PAVEMENT PROFILES.



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DESIGN PAVEMENT PROFILES
TYPICAL CROSS SECTION



CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
(BO PEEP)

SURVEY M. DEL. DATE: 6 / 21
DRAWN G. R. DATE: 7 / 21
DESIGNED G. R. DATE: 7 / 21
CAD FILES CUTHBHS1.MJO

CHECKED
APPROVED
TEAM LEADER DESIGN & SURVEY
MANAGER INFRASTRUCTURE DEVELOPMENT

DRAWING NUMBER 2021 - 44
SHEET 48 OF 50 SHEETS

DESIGN CUTHBERTS ROAD CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
734032.728	5842353.304	383.83	0.00
734042.577	5842351.571	383.72	10.00
734052.426	5842349.838	383.71	20.00
734062.274	5842348.106	383.72	30.00
734072.123	5842346.373	383.73	40.00
734081.972	5842344.640	383.74	50.00
734091.821	5842342.908	383.75	60.00
734101.669	5842341.175	383.76	70.00
734111.518	5842339.442	383.77	80.00
734121.367	5842337.710	383.78	90.00
734131.216	5842335.977	383.79	100.00
734141.064	5842334.245	383.80	110.00
734150.913	5842332.512	383.81	120.00
734160.762	5842330.779	383.82	130.00
734170.611	5842329.047	383.83	140.00
734180.459	5842327.314	383.84	150.00
734190.308	5842325.581	383.85	160.00
734200.157	5842323.849	383.86	170.00
734210.006	5842322.116	383.87	180.00
734219.854	5842320.383	383.88	190.00
734229.703	5842318.651	383.89	200.00
734239.552	5842316.918	383.90	210.00
734249.401	5842315.185	383.91	220.00
734259.249	5842313.453	383.92	230.00
734269.098	5842311.720	383.93	240.00
734278.947	5842309.987	383.94	250.00
734288.796	5842308.255	383.95	260.00
734298.644	5842306.522	383.94	270.00
734308.493	5842304.789	383.93	280.00
734318.342	5842303.057	383.92	290.00
734328.191	5842301.324	383.91	300.00
734338.039	5842299.591	383.90	310.00
734347.888	5842297.859	383.89	320.00
734357.737	5842296.126	383.88	330.00
734367.586	5842294.393	383.87	340.00
734377.434	5842292.661	383.86	350.00
734387.283	5842290.928	383.85	360.00
734397.132	5842289.195	383.84	370.00
734406.981	5842287.463	383.83	380.00
734416.829	5842285.730	383.82	390.00
734426.678	5842283.997	383.81	400.00
734436.527	5842282.265	383.80	410.00
734446.376	5842280.532	383.79	420.00
734456.224	5842278.799	383.78	430.00
734466.073	5842277.067	383.79	440.00

DESIGN CUTHBERTS ROAD CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
734475.922	5842275.334	383.80	450.00
734485.771	5842273.601	383.81	460.00
734495.619	5842271.869	383.82	470.00
734505.468	5842270.136	383.83	480.00
734515.317	5842268.403	383.84	490.00
734525.166	5842266.671	383.85	500.00
734535.014	5842264.938	383.86	510.00
734544.863	5842263.205	383.87	520.00
734554.712	5842261.473	383.88	530.00
734564.561	5842259.740	383.89	540.00
734574.409	5842258.007	383.90	550.00
734584.258	5842256.275	383.91	560.00
734594.107	5842254.542	383.92	570.00
734603.956	5842252.809	383.93	580.00
734613.804	5842251.077	383.94	590.00
734623.653	5842249.344	383.95	600.00
734633.502	5842247.611	383.96	610.00
734643.351	5842245.879	383.97	620.00
734653.199	5842244.146	383.98	630.00
734663.048	5842242.413	383.99	640.00
734672.897	5842240.681	384.00	650.00
734682.746	5842238.948	384.01	660.00
734692.594	5842237.215	384.02	670.00
734702.443	5842235.483	384.03	680.00
734712.292	5842233.750	384.04	690.00
734722.141	5842232.017	384.05	700.00
734731.989	5842230.285	384.06	710.00
734741.838	5842228.552	384.07	720.00
734751.687	5842226.819	384.08	730.00
734761.536	5842225.087	384.09	740.00
734771.384	5842223.354	384.10	750.00
734781.233	5842221.621	384.11	760.00
734791.082	5842219.889	384.12	770.00
734800.931	5842218.156	384.14	780.00
734810.779	5842216.423	384.15	790.00
734820.628	5842214.691	384.17	800.00
734830.477	5842212.958	384.19	810.00
734840.326	5842211.226	384.21	820.00
734850.174	5842209.493	384.23	830.00
734860.023	5842207.760	384.26	840.00
734869.872	5842206.028	384.28	850.00
734879.721	5842204.295	384.31	860.00
734889.569	5842202.562	384.34	870.00
734899.418	5842200.830	384.37	880.00
734909.267	5842199.097	384.41	890.00

DESIGN CUTHBERTS ROAD CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
734919.116	5842197.364	384.44	900.00
734928.964	5842195.632	384.48	910.00
734938.813	5842193.899	384.51	920.00
734948.662	5842192.166	384.55	930.00
734958.511	5842190.434	384.59	940.00
734968.359	5842188.701	384.64	950.00
734978.208	5842186.968	384.68	960.00
734988.057	5842185.236	384.73	970.00
734997.906	5842183.503	384.78	980.00
735007.754	5842181.770	384.83	990.00
735017.603	5842180.038	384.88	1000.00
735027.452	5842178.305	384.93	1010.00
735037.301	5842176.572	384.99	1020.00
735047.149	5842174.840	385.04	1030.00
735056.998	5842173.107	385.10	1040.00
735066.847	5842171.374	385.16	1050.00
735076.696	5842169.642	385.22	1060.00
735086.544	5842167.909	385.28	1070.00
735096.393	5842166.176	385.34	1080.00
735106.242	5842164.444	385.40	1090.00
735116.091	5842162.711	385.46	1100.00
735125.939	5842160.978	385.52	1110.00
735135.788	5842159.246	385.58	1120.00
735145.637	5842157.513	385.64	1130.00
735155.486	5842155.780	385.71	1140.00
735165.334	5842154.048	385.77	1150.00
735175.183	5842152.315	385.83	1160.00
735185.032	5842150.582	385.91	1170.00
735194.881	5842148.850	385.99	1180.00
735204.729	5842147.117	386.09	1190.00
735214.578	5842145.384	386.20	1200.00
735224.427	5842143.652	386.31	1210.00
735234.276	5842141.919	386.44	1220.00
735244.124	5842140.186	386.58	1230.00
735253.973	5842138.454	386.73	1240.00
735263.822	5842136.721	386.89	1250.00
735273.671	5842134.988	387.05	1260.00
735283.519	5842133.256	387.23	1270.00
735293.368	5842131.523	387.42	1280.00
735303.217	5842129.790	387.62	1290.00
735313.066	5842128.058	387.83	1300.00
735322.914	5842126.325	388.05	1310.00
735332.763	5842124.592	388.28	1320.00
735342.612	5842122.860	388.50	1330.00
735352.461	5842121.127	388.71	1340.00

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SET OUT DATA

SCALES

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CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
 BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
 (BO PEEP)

SURVEY M. DEL. DATE: 6 / 21	CHECKED	APPROVED	DRAWING NUMBER
DRAWN G. R. DATE: 7 / 21	<i>Pet Butts</i> <i>Keogh</i> <i>Nathan</i>		2021 - 44
DESIGNED G. R. DATE: 7 / 21	TEAM LEADER DESIGN & SURVEY	MUNICIPAL INFRASTRUCTURE DEVELOPMENT	SHEET 49 of 50 SHEETS
CAD FILES CUTHBHSH1.MJO			



DESIGN CUTHBERTS ROAD CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
735362.309	5842119.394	388.91	1350.00
735372.158	5842117.662	389.10	1360.00
735382.007	5842115.929	389.28	1370.00
735391.856	5842114.196	389.45	1380.00
735401.704	5842112.464	389.61	1390.00
735411.553	5842110.731	389.77	1400.00
735421.402	5842108.998	389.91	1410.00
735431.251	5842107.266	390.04	1420.00
735441.099	5842105.533	390.17	1430.00
735450.948	5842103.800	390.30	1440.00
735460.797	5842102.068	390.43	1450.00
735470.646	5842100.335	390.56	1460.00
735480.494	5842098.602	390.69	1470.00
735490.343	5842096.870	390.81	1480.00
735500.192	5842095.137	390.94	1490.00
735510.041	5842093.404	391.06	1500.00
735519.889	5842091.672	391.18	1510.00
735529.738	5842089.939	391.30	1520.00
735539.587	5842088.206	391.42	1530.00
735549.436	5842086.474	391.54	1540.00
735559.284	5842084.741	391.65	1550.00
735569.133	5842083.009	391.77	1560.00
735578.982	5842081.276	391.88	1570.00
735588.831	5842079.543	391.99	1580.00
735598.679	5842077.811	392.11	1590.00
735608.528	5842076.078	392.22	1600.00
735618.377	5842074.345	392.33	1610.00
735628.226	5842072.613	392.44	1620.00
735638.074	5842070.880	392.55	1630.00
735647.923	5842069.147	392.65	1640.00
735657.772	5842067.415	392.75	1650.00
735667.621	5842065.682	392.84	1660.00
735677.469	5842063.949	392.92	1670.00
735687.318	5842062.217	393.00	1680.00
735697.167	5842060.484	393.07	1690.00
735707.016	5842058.751	393.14	1700.00
735716.864	5842057.019	393.21	1710.00
735726.713	5842055.286	393.27	1720.00
735736.562	5842053.553	393.33	1730.00
735746.411	5842051.821	393.39	1740.00
735756.259	5842050.088	393.45	1750.00
735766.108	5842048.355	393.52	1760.00
735775.957	5842046.623	393.58	1770.00
735785.806	5842044.890	393.64	1780.00
735795.654	5842043.157	393.70	1790.00

DESIGN CENTRE/TOP OF PIT SET OUT DATA			
EASTING	NORTHING	LEVEL	PIT
734995.009	5842176.550	384.57	10
735776.431	5842055.457	393.17	36

DESIGN CENTRE/INLET OF PIPE SET OUT DATA			
EASTING	NORTHING	LEVEL	PIT
734455.677	5842284.683	383.12	1
734453.702	5842273.456	383.06	2
734585.485	5842248.596	383.28	3
734598.289	5842246.344	383.29	4
734954.208	5842198.653	383.94	5
734967.012	5842196.401	383.93	6
734970.964	5842194.030	383.94	7
734968.989	5842182.803	384.00	8
734981.948	5842178.847	384.07	9
734995.510	5842169.202	384.17	11
735010.585	5842173.809	384.21	12
735256.716	5842145.434	386.12	13
735269.520	5842143.181	386.33	14
735340.381	5842115.789	387.84	15
735353.184	5842113.537	388.11	16
735365.384	5842126.316	388.31	17
735378.187	5842124.064	388.55	18
735372.488	5842110.141	388.49	19
735385.292	5842107.888	388.73	20
735402.656	5842104.833	389.01	21
735415.459	5842102.581	389.21	22
735507.614	5842086.369	390.41	23
735522.387	5842083.770	390.59	24
735540.285	5842095.547	390.78	25
735553.088	5842093.294	390.93	26
735593.175	5842086.242	391.40	27
735605.979	5842083.989	391.54	28
735626.523	5842065.449	391.79	29
735645.236	5842062.157	392.02	30
735654.219	5842060.577	392.10	31
735667.023	5842058.324	392.24	32
735736.030	5842061.110	392.69	33
735748.834	5842058.857	392.76	34
735777.861	5842061.075	392.53	35
735785.918	5842052.333	393.00	37
735772.746	5842041.393	393.80	38
735775.004	5842039.327	393.03	39
735783.376	5842037.855	393.08	40
735766.194	5842078.757	392.32	41
735768.561	5842091.539	392.15	42

DESIGN WHITE LANE CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
735000.673	5842167.786	384.69	25.00
735003.272	5842182.559	384.80	40.00

DESIGN BURRUMBEET-HILLCREST ROAD CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
734026.664	5842318.833	383.77	0.00
734028.397	5842328.682	383.82	10.00
734030.129	5842338.531	383.84	20.00
734032.728	5842353.304	383.83	35.00
734035.327	5842368.077	383.76	50.00
734037.060	5842377.926	383.68	60.00
734038.793	5842387.774	383.57	70.00

DESIGN SMARTS HILL ROAD CENTRELINE SET OUT DATA			
EASTING	NORTHING	LEVEL	CHAINAGE
735767.978	5842048.026	393.53	0.00
735770.709	5842062.776	393.16	15.00
735772.530	5842072.608	393.02	25.00
735774.351	5842082.441	392.89	35.00
735776.172	5842092.274	392.76	45.00

ISSUE	AMENDMENT	DATE

EVERY CARE HAS BEEN TAKEN TO ENSURE THAT THE INFORMATION SHOWN ON THIS DRAWING IS ACCURATE, HOWEVER SOME VARIATIONS FROM RECORDS MAY EXIST, AND COMPLETE ACCURACY CANNOT BE GUARANTEED.
DESIGN DETAILS SHALL NOT BE ALTERED DURING CONSTRUCTION WITHOUT APPROPRIATE APPROVAL.


SET OUT DATA

SCALES

WARNING: THE LOCATION OF UNDERGROUND SERVICES SHOWN IS BASED ON INFORMATION SUPPLIED BY OTHER AUTHORITIES AND SHOULD BE PROVEN ON SITE. ALL WORKS NEAR SERVICES SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUTHORITY.

CITY OF BALLARAT
CUTHBERTS ROAD RECONSTRUCTION
BURRUMBEET-HILLCREST ROAD TO SMARTS HILL ROAD
(BO PEEP)

SURVEY M. DEL. DATE: 6 / 21	CHECKED	APPROVED
DRAWN G. R. DATE: 7 / 21	<i>Pete Batts</i> <i>Naughton</i>	
DESIGNED G. R. DATE: 7 / 21	TEAM LEADER DESIGN & SURVEY	MANAGER INFRASTRUCTURE DEVELOPMENT
CAD FILES CUTHBHS1.MJO		



DRAWING NUMBER
2021 - 44

SHEET **50** OF **50** SHEETS

8.9. CITY OF BALLARAT FINANCIAL PLAN 2021-2031

Division: Corporate Services
Director: John Hausler
Author/Position: Jason Clissold – Executive Manager Financial Services

PURPOSE

1. The purpose of this report is to present Council with the City of Ballarat Financial Plan 2021-2031 for consideration and adoption.
2. This report addresses the legislative requirements for Council to consider and formally adopt the Financial Plan 2021-2031 for the City of Ballarat.

BACKGROUND

3. Per Section 91 of the LGA 2020, Council is required to prepare, adopt and keep in force a Financial Plan. The attached 10 Year Financial Plan has been prepared utilising the Local Government Victoria model template and meets the requirements of both the Act and the Local Government (Planning and Reporting) Regulations 2020.
4. The Financial Plan forms part of the new Integrated Strategic Planning and Reporting Framework and must be prepared in accordance with the strategic planning principles outlined in section 89 of the Act and the financial management principles in section 101 of the Act.
5. There are some key strategic documents currently being prepared that will further impact the Financial Plan - the Asset Plan and Workforce Plan.
6. It will be important for the Financial Plan to be reviewed and updated once such documents are finalised. Officers propose to do this as part of an annual review of the Plan in line with preparation of the annual budget.

KEY MATTERS

7. The first four years of the Financial Plan represent the financial projections and assumptions adopted in Council's 2021/22 four-year budget, with minor adjustments to capital works based on updated asset renewal demand.
8. This initial Financial Plan has been prepared based on the following broad principles:
 - a. The renewal component of the capital works program from 2025/26 has been set to meet the expected depreciation charge to ensure the asset renewal ratio of 100% is achieved;
 - b. Expenditure and Revenue from year 5 (2025/26) is indexed in line with CPI assumptions;
 - c. Expected inflows and outflows resulting from the DCP (Developer Contribution Plan) have been incorporated;

- d. Council is forecasting to continue to receive capital grant funding and specifically, Council is planning to seek \$5m and \$3m in capital grant funding to deliver a new Collection Store for the Art Gallery and new Animal Shelter respectively;
 - e. Borrowings will be repaid per existing repayment schedules, including the repayment of a \$23.1m interest only loan in 2025/26; and
 - f. Additional borrowings of \$21.5 m (2025/26 \$9.561m and 2026/27 \$11.912m) will need to be undertaken to deliver new DCP infrastructure and buildings in line with the current projected timing of works.
9. The following key assumptions have been utilised in developing the Financial Plan:
- a. Consumer Price Index (CPI) - 1.5% Years 1 to 4, 2.25% Years 5 to 10 (In line with Victorian Treasury Long Term Modelling);
 - b. Rates assumed to increase as per the cap which has traditionally been CPI. Assumed Cap growth equal to CPI;
 - c. Growth in number of rateable properties and supplementary valuations (combined) equate to 1.5% of rate revenue in Years 1 to 4 and 2% for Years 5 to 10; and
 - d. FTE to remain fixed at 761.35 for Years 1 to 4 (as per 2021/22 Budget, then assumed to increase by 5 FTE per annum thereafter)
10. The financial indicators demonstrate that Council remains in a financially sustainable position for the term of the plan, with consistent Adjusted Underlying surpluses and an improving cash and working capital balance over the ten years.
11. The following community engagement activities have contributed to the development of the Financial Plan:
- a. Ballarat: Our Future engagement process conducted in developing the Council Plan and Community Vision;
 - b. 14-day public exhibition and submission period - 30 August to 13 September (2 submissions received);
 - c. Community Engagement Evening On-line Session – 6 September; and
 - d. Consideration of submissions – 15 September (1 submitter presented)
12. The two submissions considered, broadly provided feedback on the following issues:
- a. levels of asset renewal;
 - b. development and growth challenges;
 - c. planning scheme;
 - d. detail of capital expenditure;
 - e. whole of life project costing;
 - f. borrowings and grants;
 - g. impacts of rate capping; and
 - h. consideration of investment in tram infrastructure for the CBD.
-

13. The evening online session discussion focused on the ability to be able to use the financial plan in the future as a tool to improve Councils planning for improving and maintaining its assets as well as planning for new assets in the future.
14. Following consideration of the submissions there are no material changes recommended to the Final Financial Plan by officers. There are four minor changes recommended to the plan:
- a. Inserting the following footnote on pages 9 and 35 to clarify the source of the Target figures being utilised:

The targets outlined in the table above equal the targets contained in Local Government Victoria's Financial Plan - Better Practice Guide, which reflect what is widely considered best practice, as City of Ballarat do not currently have documented targets relating to these indicators.
 - b. Inserting the following commentary relating to Rates and Charges on page 12 to clarify the future variability in the level of increase in rates:

These assumptions will vary year on year based on rate caps set by the State Government and any future potential associated rate cap variation requests. This was the best information available at the time of preparing the Plan.
 - c. Correcting the Performance Indicator for Total Borrowings / Rate Revenue on page 35 to 'Below 60%' rather than 40% to ensure consistency with the Financial Policy Statements target of 60% on page 9 of the plan.
 - d. Correcting the Performance Indicator for Indebtedness / Own Source Revenue on page 35 to 'Below 60%' rather than 40% to ensure consistency with the *Local Government Victoria's Financial Plan - Better Practice Guide*.
15. These changes have been incorporated into the attached updated Financial Plan.
16. Consideration will also be given to how we can further engage with the community in the design of the 2022/23 Budget process.
17. Council is required under the LGA 2020 to adopt its first financial plan by October 31.

OFFICER RECOMMENDATION

18. That Council:

- 18.1 Resolves it has considered all submissions and presentations made to Council at its Unscheduled meeting held on 15 September 2021.**
- 18.2 Note that the development of the draft Financial Plan 2021-2031 has complied with Council's Community Engagement Policy in respect to hearing verbal presentations in support of written submissions as requested by respondents.**
- 18.3 Adopt the Financial Plan 2021-2031 as attached.**

ATTACHMENTS

1. Governance Review [**8.9.1** - 2 pages]
2. City of Ballarat Financial Plan 2021-2031 [**8.9.2** - 39 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Financial Plan has been prepared in accordance with the requirements of the *Local Government Act 2020*.

COMMUNITY IMPACT

2. The Financial Plan explains to the community how the plan will impact Council's financial capability over the coming years.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. Any Council expenditure on environmental sustainability will be funded in accordance with the plan

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. Council expenditure on economic sustainability relies on funding calculated according to the plan.

FINANCIAL IMPLICATIONS

5. The plan broadly sets out Council's ongoing financial performance over the ten-year period to 30 June 2031. It presents key indicators as to Council's ongoing financial sustainability position.

LEGAL AND RISK CONSIDERATIONS

6. The Local Government Act 2020 requires Council to prepare and adopt a Financial Plan.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. In addition to the 14-day public exhibition and submission period, community engagement was also sought over recent months during the process of developing the Council Plan and Community Vision.

GENDER EQUALITY ACT 2020

9. There are no gender equality implications identified for the subject of this report.

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CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

10. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

OFFICIAL



CITY OF BALLARAT
Financial Plan
2021–2031





—
The City of Ballarat acknowledges the Traditional Custodians of the land we live and work on, the Wadawurrung and Dja Dja Wurrung People, and recognises their continuing connection to the land and waterways.

We pay our respects to their Elders past, present and emerging and extend this to all Aboriginal and Torres Strait Islander People.

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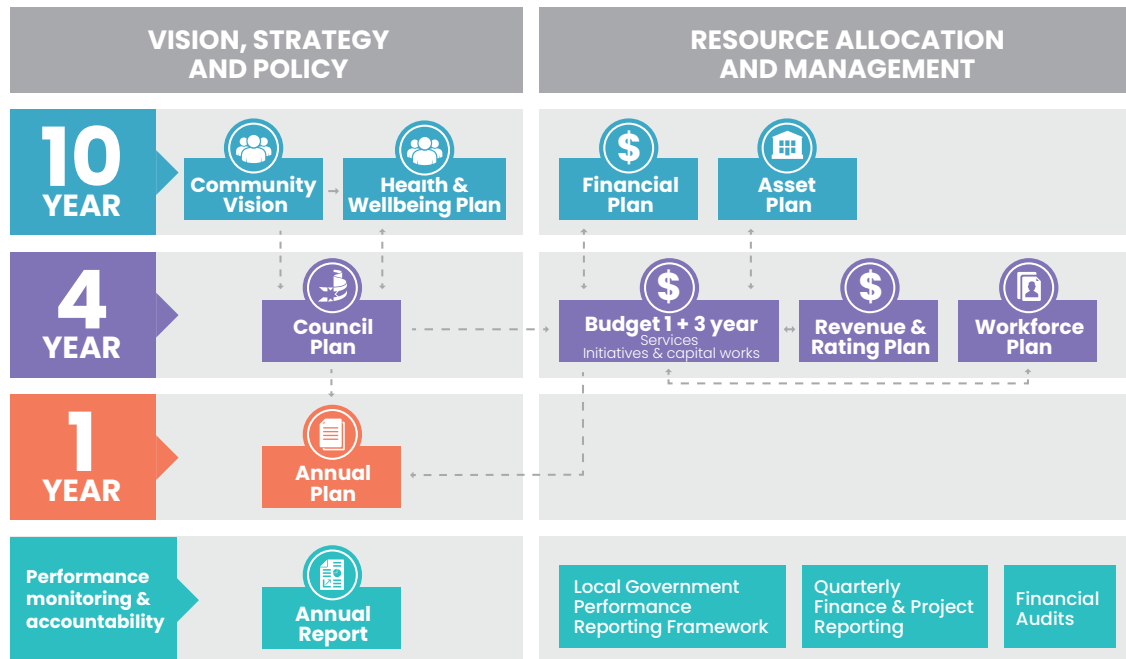
1. Legislative Requirements

This section describes how the Financial Plan links to the achievement of the Community Vision and the Council Plan within the Integrated Strategic Planning and Reporting Framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision), medium term (Council Plan) and short term (Annual Budget) and then holding itself accountable (Annual Report).

The following figure demonstrates how each element might inform or be informed by other parts of the integrated framework.

The following table (on page 5) provides an overview of the core legislated elements of an Integrated Strategic Planning and Reporting Framework and outcomes.

> City of Ballarat Integrated Strategic Planning Framework



Source: Department of Jobs, Precincts and Regions, Financial Plan, Better Practice Guide - <https://www.localgovernment.vic.gov.au/strengthening-councils/sector-guidance-planning-and-reporting>

ELEMENT	OVERVIEW	OUTCOME
<p>Community Vision 10-year aspiration for the community</p>	<p>A community vision reflects a consensus view of the future community wants and needs, and the high level actions required to achieve desired outcomes.</p> <p>Vision statements reflect shared values and aspirations and create active tension between the current and desired future state.</p>	<p>There is a consensus view of the desired future (10+ years) for the community and potential pathway to achieve this.</p> <p>Intended directions, pathways and investments have legitimacy.</p> <p>Council's jurisdiction and targets for advocacy are understood.</p> <p>There is an understanding of community, civil society and broader partnerships required to achieve the Vision.</p>
<p>Financial Plan 10-year financial framework to support achievement of Community Vision and Council Plan</p> <p>Asset Plan 10-year asset management framework to support achievement of Community Vision and Council Plan</p>	<p>A Financial Plan is used by Council, community and the organisation to ensure the long-term viability and sustainability of the Council. It supports the achievement of the Community Vision and establishes investment and spending thresholds.</p> <p>The Asset Plan ensures effective management and stewardship of community assets.</p>	<p>Improved understanding of Council's capability to achieve its vision.</p> <p>Clear view of the fiscal capacity and constraints of Council.</p> <p>Financial risk and potential areas of volatility are managed.</p> <p>Council Plan, strategies, programs and projects can be resourced.</p> <p>Council is a trusted and responsible steward and community assets meet future community needs.</p>
<p>Council Plan 4-year plan to support achievement of Community Vision strategic objectives, major initiatives, strategies and indicators</p> <p>Revenue and Rating Plan 4-year plan to support achievement of Community Vision and Council Plan</p>	<p>Council Plan outlines the agenda for a new Council and supports the achievement of the Community Vision through strategic objectives and strategies.</p> <p>Revenue and Rating Plan outlines a medium-term view of how Council will raise revenue to support activities and achievement of Council Plan strategies and objectives.</p>	<p>Council owns the Council Plan and the community is clear on its strategic direction.</p> <p>There is clarity on how strategic objectives will be achieved and consistency with available resources.</p> <p>There is alignment with, and progress towards, the Community Vision.</p> <p>It is clear how Council will collect revenue to support activities.</p>
<p>Annual Budget 1 + 3-year budget supporting Council Plan delivery, includes description of services, major initiatives and performance measures</p> <p>Workforce Plan 4-year plan reflecting organisational structure and staffing requirements to support delivery of Council Plan</p>	<p>Council will develop and adopt a budget each year that describes in more detail the way in which revenue will be raised and expenditure directed.</p> <p>The budget must include 3-year financial projections as well as description of services, major initiatives and performance measures.</p> <p>The CEO must prepare and maintain a 4-year Workforce Plan.</p>	<p>Strategies and initiatives to achieve Council Plan are clearly articulated, mapped and resourced.</p> <p>Programs and initiatives have quality and cost standards.</p> <p>Resources (including people) required to deliver on commitments are understood.</p> <p>The community had an opportunity for deliberative engagement.</p>
<p>Annual Report Report on operation including implementation of Council Plan and major initiatives, service performance indicators, Financial Performance Statements</p> <p>LGPRF Local Government Performance Reporting Framework</p>	<p>The Council is accountable for its performance through the Annual Report, Local Government Performance Reporting Framework and mandatory quarterly financial reports that are presented to Council.</p> <p>Many Councils develop and maintain additional mechanisms to ensure public accountability, these include: quarterly reporting on achievement of capital works and Council Plan initiatives, routine reporting on project, program and policy initiatives.</p>	<p>Transparent monitoring of financial, service and program performance.</p> <p>Improved accountability to Council and community for achievement of objectives.</p> <p>Improvement opportunities captured and incorporated into planning.</p>

> 1.1 Strategic Planning Principles

The Financial Plan provides a 10-year financially sustainable projection regarding how the actions of the Council Plan may be funded to achieve the Community Vision. The Financial Plan is developed in the context of the following strategic planning principles:

- a) Council has an integrated approach to planning, monitoring and performance reporting.
- b) The Financial Plan addresses the Community Vision by funding the aspirations of the Council Plan. The Council Plan aspirations and actions are formulated in the context of the Community Vision.
- c) The Financial Plan statements articulate the 10-year financial resources necessary to implement the goals and aspirations of the Council Plan to achieve the Community Vision.
- d) Council's strategic planning principles identify and address the risks to effective implementation of the Financial Plan. The financial risks are included at section 1.2.2 below.
- e) The Financial Plan provides for the strategic planning principles of progress monitoring and reviews to identify and adapt to changing circumstances.

> 1.2 Financial Management Principles

The Financial Plan demonstrates the following financial management principles:

- 1.2.1 Revenue, expenses, assets, liabilities, investments and financial transactions are managed in accordance with Council's financial policies and strategic plans.
- 1.2.2 Management of the following financial risks:
 - a) the financial viability of the Council (refer to section 2.1 Financial Policy Statements).
 - b) the management of current and future liabilities of the Council. The estimated 10 year-liabilities are disclosed in section 3.2 Budgeted Balance Sheet.
 - c) the beneficial enterprises of Council (where appropriate).
- 1.2.3 Financial policies and strategic plans are designed to provide financial stability and predictability to the community.
- 1.2.4 Council maintains accounts and records that explain its financial operations and financial position (refer section 3 Financial Plan Statements)

> 1.3 Engagement Principles

Council has developed the following consultation process in line with Council's Community Engagement Policy to ensure due consideration and feedback is received from relevant stakeholders.

- a) Draft Financial Plan prepared taking into consideration strategic discussions undertaken during the deliberative process conducted in developing the Community Vision, Council Plan and Financial Plan.
- b) Draft Financial Plan endorsed to be placed on public exhibition at (August) Council meeting for a period of 14 days and calling for public submissions.
- c) Community engagement is conducted using local news outlets and social media.
- d) Hearing of any public submissions to the Financial Plan (September).
- e) Draft Financial Plan, including any revisions, presented to (October) Council meeting for adoption.

> 1.4 Service Performance Principles

Council services are designed to be purposeful, targeted to community needs and provide value for money. The service performance principles are listed below:

- a) Services are provided in an equitable manner and are responsive to the diverse needs of the community. The Council Plan is designed to identify the key services and projects to be delivered to the community. The Financial Plan provides the mechanism to demonstrate how the service aspirations within the Council Plan may be funded.
- b) Services are accessible to the relevant users within the community.
- c) Council provides quality services that provide value for money to the community. The Local Government Performance Reporting Framework (LGPRF) is designed to communicate council's performance regarding the provision of quality and efficient services.
- d) Council is developing a performance monitoring framework to continuously improve its service delivery standards.
- e) Council is developing a service delivery framework that considers and responds to community feedback and complaints regards service provision.

> 1.5 Asset Plan Integration

At the time of preparing this Financial Plan, Council is in the process of developing its first Asset Plan as required under Section 92 of the *Local Government Act 2020*.

Under this section, Council is required to develop, adopt and keep in force an Asset Plan in accordance with its deliberative engagement practices. This initial plan must be adopted by 30 June 2022, with subsequent plans to be adopted by 31 October in the year following a general election.

Integration to the Asset Plan must be a key principle of the Council's strategic financial planning principles. The purpose of this integration is designed to ensure that future funding is allocated in a manner that supports service delivery in terms of the plans and the effective management of Council's assets into the future.

The Asset Plan will identify the operational and strategic practices which will ensure that Council

manages assets across their life cycle in a financially sustainable manner. The Asset Plan, and associated asset management policies, will provide council with a sound base to understand the risk associated with managing its assets for the community's benefit.

The Asset Plan is designed to inform the Financial Plan by identifying the amount of capital renewal, backlog and maintenance funding that is required over the life of each asset category. The level of funding will incorporate knowledge of asset condition, the risk assessment issues as well as the impact of reviewing and setting intervention and service levels for each asset class.

In addition to identifying the operational and strategic practices that ensure that Council manages assets across their life cycle in a financially sustainable manner, the Asset Plan quantifies the asset portfolio and the financial implications of those practices. Together the Financial Plan and Asset Plan seek to balance projected investment requirements against projected budgets.

2. Financial Plan Context

This section describes the context and external / internal environment and consideration in determining the 10-year financial projections and assumptions. As a starting point, the first four years of the Financial Plan represent the financial projections and assumptions adopted in Council's 2021/22 four-year budget with the following amendment

The first four years of the Financial Plan represent the financial projections and assumptions adopted in Council's 2021/22 four-year budget, with minor adjustments to capital works based on updated asset renewal demand.

It is important to note that at the time of preparing the Financial Plan, and the 2021/22 budget, Council had not yet completed some key strategic documents including the Asset Plan (due by 30 June 2022) and Workforce Plan (due by 31 December 2021). The Asset Plan will give further consideration to the specific new capital works required for Council and consider what further opportunities there may be to seek grant funding for eligible projects.

It is acknowledged that the development of the Finance Plan will be an iterative process with the document to be reviewed and updated annually in line with changes in the four-year budget and to reflect critical strategies such as the Asset Plan and Workforce Plan.

> 2.1 Financial Policy Statements

This section defines the policy statements, and associated measures, that demonstrates Council's financial sustainability to fund the aspirations of the Community Vision and the Council Plan.

The targets outlined in the table on page 9 reflect what is widely considered best practice as City of Ballarat do not currently have documented targets relating to these indicators.

> 2.1 Financial Policy Statements

Policy Statement	Measure	Target*	Forecast Actual										
			2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Consistent underlying surplus results	Adjusted underlying result greater than \$0	\$0	\$1,931	\$6,798	\$5,988	\$2,987	\$9,039	\$7,906	\$5,356	\$6,235	\$8,157	\$13,242	\$12,375
Ensure Council maintains sufficient working capital to meet its debt obligations as they fall due.	Current Assets / current liabilities greater than 1.25	1.25	2.74	1.44	1.16	1.31	1.00	1.38	1.51	1.33	1.59	1.98	2.27
Allocate adequate funds towards renewal capital in order to replace assets and infrastructure as they reach the end of their service life.	Asset renewal and upgrade expenses / depreciation above 100%	100%	128%	191%	156%	109%	89%	100%	101%	104%	106%	104%	106%
That Council applies loan funding to new capital and maintains total borrowings in line with rate income and growth of the municipality.	Total borrowings / rate revenue to remain below 60%	60%	32%	27%	23%	20%	18%	8%	13%	11%	10%	8%	7%
Council maintains sufficient unrestricted cash to ensure ongoing liquidity as well as to address unforeseen cash imposts if required.	Unrestricted cash / current liabilities to be maintained above 80%	80%	168%	32%	1%	13%	27%	3%	10%	31%	53%	79%	107%
Council generates sufficient revenue from rates plus fees and charges to ensure a consistent funding for new and renewal capital.	Capital outlays as a % of own source revenue to remain above 30%	30%	48%	72%	43%	32%	28%	33%	32%	33%	24%	23%	24%

The above indicators demonstrate that Council remains in a financially sustainable position for the term of the plan, with consistent adjusted underlying surpluses and an improving cash and working capital balance over the ten years.

*The targets outlined in the table above equal the targets contained in Local Government Victoria's Financial Plan - Better Practice Guide, which reflect what is widely considered best practice, as City of Ballarat do not currently have documented targets relating to these indicators.

> 2.2 Strategic Actions

Following a series of community engagement activities, Council has identified the following strategic actions that will support the aspirations of the Council Plan.

The strategic actions are included in the Financial Plan and, where appropriate, referenced in the commentary associated with the 10-year Comprehensive Income Statement and the 10-year Statement of Capital Works.

1. Ensure Council reduces the asset renewal gap and the asset renewal indicator achieves a minimum of 100 per cent (asset renewal and upgrade as a percentage of depreciation)
2. Rolling service review program to ensure best value to community.
3. Deliver infrastructure works that provide for our growing community including requirements of developer contribution plans.
4. Ensure appropriate provision of facilities to ensure we can responsibly manage waste streams
5. Delivery of the Bakery Hill Urban Renewal Plan (\$15m commitment)

6. Advocate for and seek grant funding to support our future capital needs. In particular, the following projects will rely on grant funding to be delivered:

- **Art Gallery Ballarat Collection Store**
(\$5m 100% grant funded)
2025/26 Financial Year
- **New Animal Shelter**
(\$3m 100% grant funded)
2025/26 Financial Year

> 2.3 Assumptions to the financial plan statements

This section presents information regarding the assumptions to the Comprehensive Income Statement for the 10 years from 2021/22 to 2030/31. The assumptions comprise the annual escalations / movement for each line item of the Comprehensive Income Statement.

> 2.3 Assumptions to the Financial Plan Statement

Assumption	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
CPI	1.50%	1.50%	1.50%	1.50%	2.25%	2.25%	2.25%	2.25%	2.25%	2.25%
General rates (rate cap)	1.50%	1.50%	1.50%	1.50%	2.25%	2.25%	2.25%	2.25%	2.25%	2.25%
Supplementary rates (\$'000)	1,616	1,694	1,745	1,798	2,487	2,594	2,706	2,822	2,943	3,070
Statutory fees and fines	9.14%	2.14%	1.52%	1.51%	2.25%	2.25%	2.25%	2.25%	2.25%	2.25%
User fees	1.50%	1.50%	1.50%	1.50%	2.25%	2.25%	2.25%	2.25%	2.25%	2.25%
Grants - operating	1.50%	1.50%	1.50%	1.50%	2.25%	2.25%	2.25%	2.25%	2.25%	2.25%
Grants - capital (\$'000)	33,500	24,692	21,033	12,533	20,006	14,458	14,156	13,217	12,571	14,178
Contributions - monetary (\$'000)	17,569	15,625	9,405	14,392	8,864	4,190	3,699	4,459	5,944	2,403
Contributions - non-monetary (\$'000)	27,455	22,550	24,881	25,613	18,926	24,844	19,495	15,555	14,650	13,179
Employee costs	5.49%	2.26%	1.12%	1.20%	3.90%	3.90%	3.90%	3.90%	3.90%	3.90%
FTE	761.35	761.35	761.35	761.35	766.35	771.35	776.35	781.35	786.35	791.35

2.3.1 Rates and charges

Based on the expected Consumer Price Index (CPI) and State Government rate cap, general rates will increase by an average of 1.5% for the first four years of the plan. In addition, supplementary rates (new growth properties) are expected to total 1.5% of general rates each year.

Following the initial four year period, general rates are forecast to increase by an average 2.25% per annum for the remaining years of the long term Financial Plan, with supplementary rates expected to total 2.0% of general rates each year.

These assumption will vary year on year based on rate caps set by the State Government and any future potential associated rate cap variation requests. This was the best information available at the time of preparing the Plan.

2.3.2 Statutory fees and fines

The Financial Plan indexes statutory fees, set by legislation, according to the estimated annual rate of CPI.

2.3.3 User fees

Revenue from user fees is projected to increase by 9.14% for the 2021/22 year. This is due to the impact closures relating to COVID-19 had on the amount of user fees generated during 2020/21. Facilities such as Ballarat Aquatic and Lifestyle Centre, Her Majesty's Theatre and child care centres were closed for extended periods of time during 2020/21.

Increases in individual user fees throughout the period of the plan are expected to be consistent with CPI. Details of user fees for the 2021/22 budget year can be found in Council's schedule of Fees and Charges which is adopted in conjunction with the budget.

2.3.4 Grants

Council currently receives grants for tied (specific purpose grants) and un-tied Financial Assistance grant funding received via the Victorian Local Government Grants Commission (VLGGC). Operating grants are expected to increase on an annual basis by an amount approximating CPI.

2.3.5 Contributions

Council receives contributions from developers. These contributions represent funds to enable council to provide the necessary infrastructure and infrastructure improvements to accommodate development growth. The contributions are for specific purposes and often require Council to outlay funds for infrastructure works before receipt of this income source. These contributions are statutory contributions and are transferred to a restricted reserve until utilised for a specific purpose through the capital works program or delivered as works in kind by developers.

2.3.6 Other income

Revenue from other income mainly comprises property rental received from the hire of Council buildings and investment income.

2.3.7 Employee costs

The 2021/22 year includes a 5.49% increase for employee costs that mainly reflects the salary increase for all staff pursuant to the Enterprise Bargaining Agreement, movement within band levels, as well as a further 2.16 Full Time Equivalent (FTE) staff.

As Council works through the process of developing a workforce plan in 2021/22 it has taken a conservative approach in assuming that FTE will remain steady at 761.35 for the first four years of the plan, with moderate annual increases in employee costs - 2.26%, 1.12%, 1.20% respectively over the years 2022/23 to 2024/25.

The ensuing years, from 2025/26 to 2030/31, assume an increase of 5 FTE per year to accommodate the growing community and corresponding demand for services. The annual increase in employee costs totals 3.9% per annum, which provides for annual EBA increases, movements within band levels as well as the additional 5 FTE to meet the increasing demand for existing services.

2.3.8 Materials and services

Materials costs include items required for the maintenance and repairs of Council buildings, roads, drains and footpaths. Other associated costs included under this category are utilities, materials for the supply of Meals on Wheels and consumable items for a range of services. Council also uses external expertise on a range of matters, including legal services and audit. These costs are projected to increase by CPI levels year on year.

The 2021/22 materials and services budget of \$81m includes an additional \$4m relating to the increase in the EPA Landfill Levy, which is a compulsory amount collected for and then paid to the State Government. Materials and Services steadily increase to \$88.5m in 2024/25, before increasing by an average of 2.25% p.a. from 2025/26.

2.3.9 Depreciation & amortisation

Depreciation estimates have been based on the projected capital spending contained within this Financial Plan document. Depreciation has been further increased by the indexing of the replacement cost of Council's fixed assets.

2.3.10 Borrowing costs

Borrowing costs comprise the interest expense to service Council's loan portfolio that is described in Section 5.1 Borrowing Strategy.

2.3.11 Other expenses

Other expenses include administration costs such as Councillor allowances, election costs, sponsorships, partnerships, community grants, lease expenditure, fire services property levy, audit costs and other costs associated with the day to day running of Council.

> 2.4 Other Matters impacting the 10-year financial projections

Description of the current challenges and expected future events likely to impact the Financial Plan projections.

Completion of Asset Plan

Once the Asset Plan is finalised and adopted it will provide additional information relating to the level of funding required for Community Assets. Current modelling is based on broad estimates and expenditure commitments relating to development. An Asset Plan must be adopted by 30 June 2022.

Completion of Workforce Plan

Council is in the process of developing a Workforce Plan which will outline the future demands of the City of Ballarat workforce. This plan will need to address how Council is going to meet the additional demand for services resulting from the growth the city is experiencing. Currently, Council has assumed it can meet this demand within existing resources for the first four years of the Financial Plan. It has assumed FTE will remain at 761 from 2021/22 through to 2024/25.

It will be essential that this Financial Plan be reviewed in 2022, following the development and adoption of these two key strategic documents.



3. Financial Plan Statements

This section presents information regarding the Financial Plan Statements for the 10 years from 2021/22 to 2030/31.

- Comprehensive Income Statement
- Balance Sheet
- Statement of Changes in Equity
- Statement of Cash Flows
- Statement of Capital Works
- Statement of Human Resources

> 3.1 Comprehensive Income Statement

**Ballarat City Council
Budgeted Comprehensive Income Statement**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Income											
Rates and charges	126,665	134,030	137,674	141,659	145,684	151,611	157,297	163,535	170,028	176,789	183,828
Statutory fees and fines	4,969	5,423	5,539	5,623	5,708	5,836	5,968	6,102	6,239	6,380	6,523
User fees	16,420	20,428	25,564	25,995	26,819	27,422	28,039	28,670	29,315	29,975	30,649
Grants - operating	24,931	25,325	24,412	24,730	25,128	25,693	26,271	26,863	27,467	28,085	28,717
Grants - capital	27,760	33,500	24,692	21,033	12,533	20,006	14,458	14,156	13,217	12,571	14,178
Contributions - monetary	9,936	17,569	15,625	9,405	14,392	8,864	4,190	3,699	4,459	5,944	2,403
Contributions - non-monetary	33,332	27,455	22,550	24,881	25,613	18,926	24,844	19,495	15,555	14,650	13,179
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	-	1,200	200	200	200	200	200	200	200	200	200
Fair value adjustments for investment property	-	-	-	-	-	-	-	-	-	-	-
Net gain/(loss) on disposal of investment property	-	-	-	-	-	-	-	-	-	-	-
Net gain/(loss) on disposal of intangible assets	-	-	-	-	-	-	-	-	-	-	-
Share of net profits/(losses) of associates and joint ventures	-	-	-	-	-	-	-	-	-	-	-
Other income	2,752	2,605	2,624	2,644	2,669	2,712	2,756	2,801	2,848	2,895	2,943
Total Income	246,765	267,535	258,880	256,170	258,746	261,271	264,024	265,522	269,329	277,488	282,621

**Ballarat City Council
Budgeted Comprehensive Income Statement (continued)**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Expenses											
Employee costs	(69,015)	(72,803)	(74,450)	(75,283)	(76,186)	(79,157)	(82,244)	(85,452)	(88,785)	(92,247)	(95,845)
Materials and services	(69,879)	(81,414)	(85,884)	(86,272)	(88,535)	(90,527)	(92,564)	(94,647)	(96,776)	(98,954)	(101,180)
Depreciation	(39,867)	(41,420)	(41,430)	(41,961)	(42,492)	(44,158)	(44,905)	(45,767)	(46,531)	(46,150)	(46,417)
Amortisation - intangible assets	-	-	-	-	-	-	-	-	-	-	-
Amortisation - right of use assets	-	-	-	-	-	-	-	-	-	-	-
Bad and doubtful debts	(529)	(747)	(757)	(762)	(762)	(512)	(648)	(631)	(649)	(672)	(696)
Borrowing costs	(1,900)	(1,563)	(1,358)	(1,149)	(1,100)	(777)	(691)	(862)	(771)	(684)	(593)
Finance costs - leases	-	-	-	-	-	-	-	-	-	-	-
Other expenses	(2,552)	(1,835)	(1,771)	(1,842)	(2,486)	(2,028)	(1,972)	(2,016)	(2,712)	(2,228)	(2,155)
Total expenses	(183,742)	(199,782)	(205,650)	(207,269)	(211,561)	(217,074)	(223,195)	(229,284)	(236,136)	(240,843)	(246,886)
Surplus/(deficit) for the year	63,023	67,753	53,230	48,901	47,185	44,112	41,000	36,147	33,106	36,553	35,734
Other comprehensive income											
Items that will not be reclassified to surplus or deficit in future periods:											
Net asset revaluation increment / (decrement)	-	-	-	-	-	-	-	-	-	-	-
Share of other comprehensive income of associates and joint ventures	-	-	-	-	-	-	-	-	-	-	-
Items that may be reclassified to surplus or deficit in future periods	-	-	-	-	-	-	-	-	-	-	-
Total comprehensive result	63,023	67,753	53,230	48,901	47,185	44,112	41,000	36,147	33,106	36,553	35,734

> 3.2 Balance Sheet

**Ballarat City Council
Budgeted Balance Sheet**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Assets											
Current assets											
Cash and cash equivalents	100,247	47,195	33,986	38,663	50,404	39,985	46,955	38,120	47,911	63,916	76,248
Trade and other receivables	12,673	12,526	11,769	11,007	10,245	13,867	13,604	14,011	14,342	14,808	15,210
Other financial assets	-	-	-	-	-	-	-	-	-	-	-
Inventories	400	400	400	400	400	400	400	400	400	400	400
Non-current assets classified as held for sale	-	-	-	-	-	-	-	-	-	-	-
Other assets	1,187	1,187	1,187	1,187	1,187	1,187	1,187	1,187	1,187	1,187	1,187
Total current assets	114,507	61,308	47,342	51,257	62,236	55,439	62,146	53,718	63,840	80,311	93,045
Non-current assets											
Trade and other receivables	746	746	746	746	746	746	746	746	746	746	746
Investments in associates and joint ventures	-	-	-	-	-	-	-	-	-	-	-
Property, infrastructure, plant & equipment	1,924,358	2,042,038	2,105,251	2,147,893	2,180,707	2,217,190	2,261,086	2,303,106	2,324,557	2,342,945	2,364,195
Right-of-use assets	2,834	2,125	1,416	707	2,834	2,126	1,417	709	-	-	-
Investment property	-	-	-	-	-	-	-	-	-	-	-
Intangible asset	-	-	-	-	-	-	-	-	-	-	-
Landfill rehabilitation intangible asset	-	-	-	-	-	-	-	-	-	-	-
Total non-current assets	1,927,938	2,044,909	2,107,413	2,149,346	2,184,287	2,220,061	2,263,249	2,304,560	2,325,303	2,343,691	2,364,941
Total assets	2,042,445	2,106,217	2,154,755	2,200,603	2,246,523	2,275,500	2,325,395	2,358,279	2,389,144	2,424,003	2,457,986

**Ballarat City Council
Budgeted Balance Sheet (continued)**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Liabilities											
Current liabilities											
Trade and other payables	9,089	9,089	9,089	9,089	9,089	9,916	10,205	10,480	10,861	11,153	11,480
Trust funds and deposits	11,288	11,788	11,788	11,788	11,788	11,788	11,788	11,788	11,788	11,788	11,788
Provisions	15,560	15,560	15,560	15,560	15,560	15,560	15,560	15,560	15,560	15,560	15,560
Interest-bearing loans and borrowings	4,481	4,692	3,053	1,265	24,417	2,105	2,816	1,899	1,986	2,078	2,173
Lease liabilities	1,302	1,302	1,302	1,302	1,302	723	723	723	-	-	-
Total current liabilities	41,720	42,431	40,792	39,004	62,156	40,092	41,091	40,450	40,196	40,579	41,001
Non-current liabilities											
Provisions	11,729	11,729	11,729	11,729	11,729	11,729	11,729	11,729	11,729	11,729	11,729
Interest-bearing loans and borrowings	35,739	31,047	27,994	26,729	2,312	9,386	18,005	16,106	14,119	12,042	9,869
Lease liabilities	1,591	1,591	1,591	1,591	1,591	1,447	723	-	-	-	-
Total non-current liabilities	49,059	44,367	41,314	40,049	15,632	22,561	30,457	27,835	25,848	23,771	21,598
Total liabilities	90,779	86,798	82,106	79,053	77,788	62,653	71,549	68,285	66,044	64,350	62,599
Net assets	1,951,666	2,019,419	2,072,649	2,121,550	2,168,735	2,212,847	2,253,847	2,289,994	2,323,100	2,359,653	2,395,387
Equity											
Accumulated surplus	1,258,327	1,323,030	1,376,260	1,425,161	1,472,346	1,511,444	1,548,254	1,601,603	1,633,608	1,665,213	1,700,330
Reserves	693,339	696,389	696,389	696,389	696,389	701,403	705,593	688,391	689,492	694,440	695,057
Total equity	1,951,666	2,019,419	2,072,649	2,121,550	2,168,735	2,212,847	2,253,847	2,289,994	2,323,100	2,359,653	2,395,387

> 3.3 Statement of Changes in Equity

Ballarat City Council Budgeted Statement of Changes in Equity

	Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
	\$'000	\$'000	\$'000	\$'000
2020/21				
Balance at beginning of the financial year	1,888,643	1,203,539	674,488	10,616
Surplus/(deficit) for the year	63,023	63,023	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(8,235)	-	8,235
Balance at end of financial year	1,951,666	1,258,327	674,488	18,851
2021/22				
Balance at beginning of the financial year	1,951,666	1,258,327	674,488	18,851
Surplus/(deficit) for the year	67,753	67,753	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(3,050)	-	3,050
Balance at end of financial year	2,019,419	1,323,030	674,488	21,901
2022/23				
Balance at beginning of the financial year	2,019,419	1,323,030	674,488	21,901
Surplus/(deficit) for the year	53,230	53,230	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	2,072,649	1,376,260	674,488	21,901
2023/24				
Balance at beginning of the financial year	2,072,649	1,376,260	674,488	21,901
Surplus/(deficit) for the year	48,901	48,901	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	2,121,550	1,425,161	674,488	21,901
2024/25				
Balance at beginning of the financial year	2,121,550	1,425,161	674,488	21,901
Surplus/(deficit) for the year	47,185	47,185	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	2,168,735	1,472,346	674,488	21,901
2025/26				
Balance at beginning of the financial year	2,168,735	1,472,346	674,488	21,901
Surplus/(deficit) for the year	44,112	44,112	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(5,014)	-	5,014
Balance at end of financial year	2,212,847	1,511,444	674,488	26,915

Ballarat City Council
Budgeted Statement of Changes in Equity (continued)

	Total	Accumulated Surplus	Revaluation Reserve	Other Reserves
	\$'000	\$'000	\$'000	\$'000
2026/27				
Balance at beginning of the financial year	2,212,847	1,511,444	674,488	26,915
Surplus/(deficit) for the year	41,000	41,000	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(4,190)	-	4,190
Balance at end of financial year	2,253,847	1,548,254	674,488	31,105
2027/28				
Balance at beginning of the financial year	2,253,847	1,548,254	674,488	31,105
Surplus/(deficit) for the year	36,147	36,147	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	17,202	-	(17,202)
Balance at end of financial year	2,289,994	1,601,603	674,488	13,903
2028/29				
Balance at beginning of the financial year	2,289,994	1,601,603	674,488	13,903
Surplus/(deficit) for the year	33,106	33,106	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(1,101)	-	1,101
Balance at end of financial year	2,323,100	1,633,608	674,488	15,004
2029/30				
Balance at beginning of the financial year	2,323,100	1,633,608	674,488	15,004
Surplus/(deficit) for the year	36,553	36,553	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(4,948)	-	4,948
Balance at end of financial year	2,359,653	1,665,213	674,488	19,952
2030/31				
Balance at beginning of the financial year	2,359,653	1,665,213	674,488	19,952
Surplus/(deficit) for the year	35,734	35,734	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	(617)	-	617
Balance at end of financial year	2,395,387	1,700,330	674,488	20,569

> 3.4 Statement of Cash Flows

**Ballarat City Council
Budgeted Statement of Cash Flows**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Inflows (Outflows)											
Cash flows from operating activities											
Rates and charges	126,365	133,730	137,674	141,659	145,684	149,637	156,686	162,814	169,250	176,005	183,013
Statutory fees and fines	4,969	5,423	5,539	5,623	5,708	6,336	6,543	6,688	6,837	6,992	7,149
User fees	16,120	20,128	25,564	25,995	26,819	29,769	30,743	31,422	32,123	32,851	33,591
Grants - operating	24,931	25,325	24,412	24,730	25,128	25,356	26,186	26,764	27,362	27,982	28,611
Grants - capital	27,760	33,500	24,692	21,033	12,533	19,744	14,720	14,136	13,231	12,573	14,058
Contributions - monetary	9,936	17,569	15,625	9,405	14,392	8,864	4,190	3,699	4,459	5,944	2,403
Interest received	750	750	750	750	750	750	750	750	750	750	750
Dividends received	-	-	-	-	-	-	-	-	-	-	-
Trust funds and deposits taken	600	500	-	-	-	-	-	-	-	-	-
Other receipts	2,002	1,855	1,874	1,894	1,919	2,889	2,880	2,636	2,688	2,843	2,841
Net GST refund / payment	10,487	10,173	10,573	10,281	10,386	10,003	11,655	12,285	10,995	10,647	11,490
Employee costs	(69,015)	(72,803)	(74,450)	(75,283)	(76,186)	(78,795)	(82,075)	(85,289)	(88,589)	(92,057)	(95,648)
Materials and services	(90,541)	(91,587)	(96,252)	(96,139)	(98,458)	(99,125)	(101,698)	(104,001)	(106,310)	(108,718)	(111,164)
Short-term, low value and variable lease payments	-	-	-	-	-	-	-	-	-	-	-
Trust funds and deposits repaid	-	-	-	-	-	-	-	-	-	-	-
Other payments	(2,552)	(1,835)	(1,771)	(1,842)	(2,486)	(2,221)	(2,172)	(2,215)	(2,940)	(2,480)	(2,375)
Net cash provided by/(used in) operating activities	61,812	82,728	74,230	68,106	66,189	73,206	68,408	69,687	69,855	73,332	74,720

**Ballarat City Council
Budgeted Statement of Cash Flows (continued)**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Inflows (Outflows)											
Cash flows from investing activities											
Payments for property, infrastructure, plant and equipment	(76,387)	(130,936)	(81,384)	(59,013)	(51,820)	(67,326)	(69,794)	(74,561)	(57,110)	(55,097)	(60,157)
Proceeds from sale of property, infrastructure, plant and equipment	-	1,200	200	200	200	440	440	440	440	440	440
Payments for investment property	-	-	-	-	-	-	-	-	-	-	-
Proceeds from investment property	-	-	-	-	-	-	-	-	-	-	-
Payments for intangible assets	-	-	-	-	-	-	-	-	-	-	-
Proceeds from intangible assets	-	-	-	-	-	-	-	-	-	-	-
Payments for investments	-	-	-	-	-	-	-	-	-	-	-
Proceeds from investments	-	-	-	-	-	-	-	-	-	-	-
Loan and advances made	-	-	-	-	-	-	-	-	-	-	-
Repayments of loans and advances	-	-	-	-	-	-	-	-	-	-	-
Net cash provided by/(used in) investing activities	(76,387)	(129,736)	(81,184)	(58,813)	(51,620)	(66,886)	(69,354)	(74,121)	(56,670)	(54,657)	(59,717)
Cash flows from financing activities											
Finance costs	(1,776)	(1,563)	(1,563)	(1,563)	(1,563)	(777)	(691)	(862)	(771)	(684)	(593)
Proceeds from borrowings	-	-	-	-	-	9,561	11,912	-	-	-	-
Repayment of borrowings	(5,206)	(4,481)	(4,692)	(3,053)	(1,265)	(24,800)	(2,582)	(2,816)	(1,899)	(1,986)	(2,078)
Interest paid - lease liability	-	-	-	-	-	-	-	-	-	-	-
Repayment of lease liabilities	-	-	-	-	-	(723)	(723)	(723)	(723)	-	-
Net cash provided by/(used in) financing activities	(6,982)	(6,044)	(6,255)	(4,616)	(2,828)	(16,739)	7,916	(4,401)	(3,394)	(2,671)	(2,671)
Net increase/(decrease) in cash & cash equivalents	(21,557)	(53,052)	(13,209)	4,677	11,741	(10,419)	6,970	(8,835)	9,791	16,005	12,332
Cash and cash equivalents at the beginning of the financial year	121,804	100,247	47,195	33,986	38,663	50,404	39,985	46,955	38,120	47,911	63,916
Cash and cash equivalents at the end of the financial year	100,247	47,195	33,986	38,663	50,404	39,985	46,955	38,120	47,911	63,916	76,248

> 3.5 Statement of Capital Works

**Ballarat City Council
Budgeted Capital Works Statement**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Property											
Land	1,000	10,000	-	-	-	-	-	-	-	-	-
Land improvements	-	200	500	500	-	-	-	-	-	-	-
Total land	1,000	10,200	500	500	-	-	-	-	-	-	-
Buildings	2,064	6,196	5,950	1,000	3,000	21,352	10,961	13,942	3,590	3,665	3,747
Heritage buildings	2,250	3,117	5,500	2,000	-	-	500	-	621	-	656
Building improvements	5,840	9,511	5,101	4,495	4,330	3,000	3,000	3,584	3,584	3,665	3,747
Leasehold improvements	-	-	-	-	-	-	-	-	-	-	-
Total buildings	10,154	18,824	16,551	7,495	7,330	24,352	14,461	17,526	7,796	7,330	8,151
Total property	11,154	29,024	17,051	7,995	7,330	24,352	14,461	17,526	7,796	7,330	8,151
Plant and equipment											
Heritage plant and equipment	-	-	-	-	-	-	-	-	-	-	-
Plant, machinery and equipment	4,058	5,379	3,472	3,522	3,572	3,470	3,525	3,506	3,584	3,665	3,747
Fixtures, fittings and furniture	20	-	-	-	-	-	-	-	-	-	-
Computers and telecommunications	2,104	5,542	1,870	1,630	1,630	1,750	2,000	2,337	2,390	2,443	2,498
Library books	449	414	420	426	432	440	450	467	478	489	500
Total plant and equipment	6,631	11,335	5,762	5,578	5,634	5,660	5,975	6,310	6,452	6,597	6,745

**Ballarat City Council
Budgeted Capital Works Statement (continued)**

For the ten years ending 30 June 2031	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Infrastructure											
Roads	23,213	33,841	25,394	23,020	24,783	17,551	30,674	28,227	21,519	19,566	20,773
Bridges	173	377	382	482	489	420	588	605	621	638	656
Footpaths and cycleways	779	2,479	2,463	916	936	1,458	918	605	1,242	638	1,312
Drainage	976	3,680	4,898	1,416	934	1,112	605	605	1,242	1,277	1,312
Recreational, leisure and community facilities	21,625	27,460	4,854	5,411	5,357	2,291	2,353	4,232	3,727	4,468	5,902
Waste management	4,227	4,068	6,434	4,554	3,679	4,013	2,942	4,837	4,970	5,106	5,246
Parks, open space and streetscapes	1,622	7,588	1,281	2,070	2,098	3,820	4,353	4,232	3,727	3,830	3,935
Aerodromes	80	-	5,000	5,000	-	-	-	-	-	-	-
Off street car parks	600	2,070	-	-	-	-	-	-	-	-	-
Other infrastructure	5,308	9,014	7,864	2,571	581	529	580	605	621	638	656
Total infrastructure	58,603	90,577	58,570	45,440	38,857	31,193	43,012	43,946	37,670	36,161	39,792
Total capital works expenditure	76,388	130,936	81,383	59,013	51,821	61,206	63,449	67,782	51,919	50,088	54,688
Represented by											
New asset expenditure	25,384	51,751	16,659	13,405	13,913	17,561	18,687	20,901	3,358	1,890	5,393
Asset renewal expenditure	46,723	63,049	50,774	38,608	37,908	42,499	43,291	44,463	46,076	45,645	46,672
Asset expansion expenditure	-	-	-	-	-	-	-	-	-	-	-
Asset upgrade expenditure	4,281	16,136	13,950	7,000	-	1,145	1,471	2,418	2,485	2,553	2,623
Total capital works	76,388	130,936	81,383	59,013	51,821	61,206	63,449	67,782	51,919	50,088	54,688
Funding sources represented by											
Grants	27,760	39,304	24,692	21,033	15,033	20,006	14,458	14,156	13,217	12,571	14,178
Contributions	-	-	1,000	-	-	850	-	-	-	-	-
Council Cash	39,159	87,507	55,691	37,980	36,788	30,788	37,079	53,627	38,701	37,517	40,510
Borrowings	9,469	4,125	-	-	-	9,561	11,912	-	-	-	-
Total capital works expenditure	76,388	130,936	81,383	59,013	51,821	61,206	63,449	67,782	51,919	50,088	54,688

> 3.6 Statement of Human Resources

**Ballarat City Council
Budgeted Statement of Human Resources**

For the four years ending 30 June 2025	Forecast Actual	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Staff expenditure											
Employee costs - operating	(67,635)	(71,347)	(72,961)	(73,777)	(74,662)	(77,574)	(80,599)	(83,743)	(87,009)	(90,402)	(93,928)
Employee costs - capital	(1,380)	(1,456)	(1,489)	(1,506)	(1,524)	(1,583)	(1,645)	(1,709)	(1,776)	(1,845)	(1,917)
Total staff expenditure	(69,015)	(72,803)	(74,450)	(75,283)	(76,186)	(79,157)	(82,244)	(85,452)	(88,785)	(92,247)	(95,845)
Staff numbers	EFT	EFT	EFT	EFT	EFT	EFT	EFT	EFT	EFT	EFT	EFT
Employees	761	761	761	761	761	766	771	776	781	786	791
Total staff numbers	761	761	761	761	761	766	771	776	781	786	791

> 3.7 Planned Human Resource Expenditure

For the ten years ended 30 June 2031	Budget	Projections								
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
CEO Department										
Permanent - full time	3,456	3,497	3,539	3,582	3,700	3,822	4,047	4,182	4,320	4,583
Female	1,758	1,779	1,800	1,822	1,882	1,944	2,008	2,075	2,143	2,214
Male	1,612	1,631	1,651	1,671	1,726	1,783	1,842	1,903	1,966	2,151
Self-described gender	-	-	-	-	-	-	99	102	105	109
Vacant	86	87	88	89	92	95	98	102	106	109
Permanent - part time	369	373	378	382	486	597	617	639	765	791
Female	369	373	378	382	395	408	421	435	449	464
Male	-	-	-	-	91	94	98	102	210	217
Self-described gender	-	-	-	-	-	95	98	102	106	109
Vacant	-	-	-	-	-	-	-	-	-	-
Total CEO Department	3,825	3,870	3,917	3,964	4,186	4,419	4,664	4,821	5,085	5,374
Community Wellbeing Department										
Permanent - full time	12,698	12,850	13,005	13,161	13,595	14,139	14,725	15,212	15,698	16,371
Female	8,231	8,330	8,430	8,531	8,812	9,103	9,404	9,714	10,019	10,349
Male	3,109	3,146	3,184	3,222	3,329	3,438	3,671	3,793	3,918	4,203
Self-described gender	-	-	-	-	-	95	98	102	106	109
Vacant	1,358	1,374	1,391	1,407	1,454	1,502	1,551	1,603	1,656	1,710
Permanent - part time	9,099	9,208	9,319	9,431	9,833	10,158	10,493	10,927	11,392	11,768
Female	8,023	8,119	8,217	8,315	8,590	8,873	9,166	9,468	9,781	10,104
Male	658	666	674	682	704	728	752	863	892	921
Self-described gender	-	-	-	-	91	94	98	102	210	217
Vacant	418	423	428	433	448	462	478	493	510	526
Total Community Wellbeing Department	21,797	22,059	22,323	22,591	23,428	24,296	25,218	26,138	27,090	28,139

> 3.7 Planned Human Resource Expenditure (continued)

For the ten years ended 30 June 2031	Budget	Projections								
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Corporate Services Department										
Permanent - full time	7,331	7,419	7,508	7,598	7,849	8,108	8,375	8,771	9,167	9,469
Female	2,327	2,355	2,383	2,412	2,491	2,574	2,659	2,866	2,960	3,058
Male	4,008	4,056	4,105	4,154	4,291	4,433	4,579	4,730	4,886	5,047
Self-described gender	-	-	-	-	-	-	-	-	106	109
Vacant	996	1,008	1,020	1,032	1,066	1,102	1,138	1,175	1,214	1,254
Permanent - part time	456	461	467	473	580	694	792	819	846	958
Female	456	461	467	473	488	504	521	538	556	659
Male	-	-	-	-	91	94	173	178	184	190
Self-described gender	-	-	-	-	-	95	98	102	106	109
Vacant	-	-	-	-	-	-	-	-	-	-
Total Corporate Services Department	7,787	7,880	7,975	8,071	8,428	8,802	9,167	9,590	10,012	10,428
Development and Growth Department										
Permanent - full time	11,379	11,516	11,654	11,794	12,183	12,585	13,110	13,645	14,222	14,560
Female	5,210	5,273	5,336	5,400	5,578	5,762	5,952	6,149	6,479	6,561
Male	5,108	5,169	5,231	5,294	5,469	5,649	5,946	6,142	6,345	6,554
Self-described gender	-	-	-	-	-	-	-	102	105	109
Vacant	1,061	1,074	1,087	1,100	1,136	1,173	1,212	1,252	1,293	1,336
Permanent - part time	3,951	3,998	4,046	4,095	4,321	4,545	4,695	4,937	5,100	5,360
Female	2,853	2,887	2,922	2,957	3,055	3,155	3,259	3,367	3,478	3,593
Male	948	959	971	983	1,015	1,129	1,166	1,291	1,334	1,470
Self-described gender	-	-	-	-	91	94	98	102	105	109
Vacant	150	152	154	155	161	166	171	177	183	189
Total Development and Growth Department	15,330	15,514	15,700	15,889	16,504	17,130	17,805	18,582	19,322	19,920

> 3.7 Planned Human Resource Expenditure (continued)

For the ten years ended 30 June 2031	Budget	Projections								
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Infrastructure and environment										
Permanent - full time	20,390	20,635	20,882	21,133	21,830	22,660	23,498	24,274	25,179	26,134
Female	2,570	2,601	2,632	2,664	2,752	2,952	3,139	3,243	3,470	3,708
Male	14,793	14,971	15,150	15,332	15,838	16,361	16,900	17,458	18,019	18,614
Self-described gender	-	-	-	-	-	-	-	-	-	-
Vacant	3,027	3,063	3,100	3,137	3,241	3,348	3,458	3,572	3,690	3,812
Permanent - part time	620	627	635	643	755	780	806	833	861	889
Female	303	307	310	314	324	335	346	358	369	382
Male	282	285	289	292	302	312	322	333	344	355
Self-described gender	-	-	-	-	91	94	98	102	105	109
Vacant	35	35	36	36	37	39	40	41	43	44
Total infrastructure and environment	21,010	21,262	21,517	21,775	22,585	23,440	24,304	25,107	26,040	27,023
Casuals, temporary and other expenditure	1,799	2,594	2,565	2,595	2,681	2,769	2,860	2,960	3,058	3,267
Casuals, temporary and other expenditure	1,255	1,270	1,285	1,301	1,344	1,388	1,434	1,587	1,639	1,694
Total staff expenditure	72,803	74,449	75,283	76,186	79,157	82,244	85,452	88,785	92,247	95,845

> 3.7 Planned Human Resource Expenditure (continued)

For the ten years ended 30 June 2031	Budget	Projections								
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
CEO Department										
Permanent - full time	26	26	26	26	26	26	27	27	27	28
Female	15	15	15	15	15	15	15	15	15	15
Male	10	10	10	10	10	10	10	10	10	11
Self-described gender	-	-	-	-	-	-	1	1	1	1
Vacant	1	1	1	1	1	1	1	1	1	1
Permanent - part time	5	5	5	5	6	7	7	7	8	8
Female	5	5	5	5	5	5	5	5	5	5
Male	-	-	-	-	1	1	1	1	2	2
Self-described gender	-	-	-	-	-	1	1	1	1	1
Vacant	-	-	-	-	-	-	-	-	-	-
Total CEO Department	31	31	31	31	32	33	34	34	35	36
Community Wellbeing Department										
Permanent - full time	119	119	119	119	119	120	121	121	121	122
Female	81	81	81	81	81	81	81	81	81	81
Male	25	25	25	25	25	25	26	26	26	27
Self-described gender	-	-	-	-	-	1	1	1	1	1
Vacant	13	13	13	13	13	13	13	13	13	13
Permanent - part time	102	102	102	102	103	103	103	104	105	105
Female	88	88	88	88	88	88	88	88	88	88
Male	9	9	9	9	9	9	9	10	10	10
Self-described gender	-	-	-	-	1	1	1	1	2	2
Vacant	5	5	5	5	5	5	5	5	5	5
Total Community Wellbeing Department	221	221	221	221	222	223	224	225	226	227

> 3.7 Planned Human Resource Expenditure (continued)

For the ten years ended 30 June 2031	Budget	Projections								
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
Corporate Services Department										
Permanent - full time	69	69	69	69	69	69	69	70	71	71
Female	23	23	23	23	23	23	23	24	24	24
Male	33	33	33	33	33	33	33	33	33	33
Self-described gender	-	-	-	-	-	-	-	-	1	1
Vacant	13	13	13	13	13	13	13	13	13	13
Permanent - part time	7	7	7	7	8	9	10	10	10	11
Female	7	7	7	7	7	7	7	7	7	8
Male	-	-	-	-	1	1	2	2	2	2
Self-described gender	-	-	-	-	-	1	1	1	1	1
Vacant	-	-	-	-	-	-	-	-	-	-
Total Corporate Services Department	76	76	76	76	77	78	79	80	81	82
Development and Growth Department										
Permanent - full time	105	105	105	105	105	105	106	107	108	107
Female	50	50	50	50	50	50	50	50	51	50
Male	44	44	44	44	44	44	44	45	45	45
Self-described gender	-	-	-	-	-	-	-	1	1	1
Vacant	11	11	11	11	11	11	11	11	11	11
Permanent - part time	52	52	52	52	53	54	54	55	55	56
Female	37	37	37	37	37	37	37	37	37	37
Male	13	13	13	13	13	14	14	15	15	16
Self-described gender	-	-	-	-	1	1	1	1	1	1
Vacant	2	2	2	2	2	2	2	2	2	2
Total Development and Growth Department	157	157	157	157	158	159	160	162	163	163

> 3.7 Planned Human Resource Expenditure (continued)

For the ten years ended 30 June 2031	Budget	Projections								
	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE	FTE
Infrastructure and environment										
Permanent - full time	241	241	241	241	241	242	243	243	244	245
Female	26	26	26	26	26	27	28	28	29	30
Male	177	177	177	177	177	177	177	177	177	177
Self-described gender	-	-	-	-	-	-	-	-	-	-
Vacant	38	38	38	38	38	38	38	38	38	38
Permanent - part time	7	7	7	7	8	8	8	8	8	8
Female	4	4	4	4	4	4	4	4	4	4
Male	3	3	3	3	3	3	3	3	3	3
Self-described gender	-	-	-	-	1	1	1	1	1	1
Vacant	-	-	-	-	-	-	-	-	-	-
Total infrastructure and environment	248	248	248	248	249	250	251	251	252	253
Casuals, temporary and other expenditure	15	15	15	15	15	15	15	15	15	16
Casuals, temporary and other expenditure	13	13	13	13	13	13	13	14	14	14
Total staff expenditure	761	761	761	761	766	771	776	781	786	791

4. Financial Performance Indicators

The following table highlights Council’s projected performance across a range of key financial performance indicators. These indicators provide an analysis of Council’s 10-year financial projections and should be interpreted in the context of the organisation’s objectives and financial management principles.

> Financial Performance Indicators

Indicator	Measure	Forecast Actual	Budget	Projections										Trend
		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	+/-	
Operating position														
Adjusted underlying result	Adjusted underlying surplus (deficit) / adjusted underlying revenue	1.0%	3.3%	2.8%	1.4%	4.1%	3.5%	2.3%	2.6%	3.3%	5.2%	4.8%	+	
Liquidity														
Working capital	Current assets / current liabilities	274.5%	144.5%	116.1%	131.4%	100.1%	138.3%	151.2%	132.8%	158.8%	197.9%	226.9%	+	
Unrestricted cash	Unrestricted cash / current liabilities	168.0%	31.8%	0.7%	12.8%	26.9%	3.2%	9.9%	30.7%	52.5%	79.3%	107.0%	+	
Obligations														
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	31.8%	26.7%	22.6%	19.8%	18.4%	7.7%	13.5%	11.2%	9.6%	8.1%	6.7%	+	
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue	5.5%	4.5%	4.5%	3.3%	1.9%	17.2%	2.1%	2.3%	1.6%	1.5%	1.5%	+	
Indebtedness	Non-current liabilities / own source revenue	32.5%	27.1%	24.1%	22.7%	8.6%	13.0%	16.6%	14.7%	13.1%	11.4%	10.1%	+	
Asset renewal	Asset renewal and upgrade expense / Asset depreciation	127.9%	191.2%	156.2%	108.7%	89.2%	100.5%	101.3%	104.0%	106.0%	104.4%	106.2%	o	

> Financial Performance Indicators (continued)

Indicator	Measure	Forecast Actual	Budget	Projections									Trend
		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	+ / O / -
Stability													
Rates concentration	Rate revenue / adjusted underlying revenue	68.1%	64.8%	65.0%	67.3%	66.0%	68.6%	68.9%	69.3%	69.6%	70.0%	70.3%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality	0.6%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	o
Efficiency													
Expenditure level	Total expenses/ no. of property assessments	\$3,341	\$3,568	\$3,546	\$3,513	\$3,526	\$3,561	\$3,604	\$3,652	\$3,705	\$3,723	\$3,758	+
Revenue level	Total rate revenue / no. of property assessments	\$1,936	\$1,979	\$1,956	\$1,969	\$1,981	\$1,993	\$2,005	\$2,017	\$2,029	\$2,041	\$2,054	+
Workforce turnover	No. of permanent staff resignations & terminations / average no. of permanent staff for the financial year	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%	o
Sustainable Capacity													
Population	Total expenses/ municipal population	\$1,649.97	\$1,794.00	\$1,846.70	\$1,861.24	\$1,899.78	\$1,754.58	\$1,774.31	\$1,796.33	\$1,821.05	\$1,828.18	\$1,845.48	o
Population	Value of infrastructure / municipal population	\$17,280.36	\$18,330.74	\$18,918.56	\$19,295.11	\$19,608.88	\$16,696.12	\$16,623.52	\$16,508.87	\$16,309.08	\$16,089.11	\$15,899.91	o
Population	Municipal population / kilometres of local roads	76.2	76.2	76.2	76.2	76.2	77.9	78.1	78.3	78.5	78.8	79.0	o
Own-source revenue	Own source revenue / municipal population	\$1,354.21	\$1,469.87	\$1,540.94	\$1,581.53	\$1,626.06	\$1,581.45	\$1,577.86	\$1,604.65	\$1,641.96	\$1,685.21	\$1,692.88	o
Recurrent grants	Recurrent grants / municipal population	\$223.88	\$227.41	\$219.21	\$222.07	\$225.64	\$230.63	\$232.14	\$233.67	\$235.21	\$236.74	\$238.48	+

Key to Forecast Trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

5. Strategies and Plans

This section describes the strategies and plans that support the 10-year financial projections included to the Financial Plan.

> 5.1 Borrowing Strategy

5.1.1 Current Debt Position

The total amount borrowed as at 30 June 2022 is \$35.7 million, including a \$23.1m interest only loan due for repayment in 2025/26.

Repayment of this \$23.1m loan in 2025/26 will significantly reduce available cash. Additional borrowings are projected to be sought to fund Council’s contribution to new infrastructure related to development growth in 2025/26 and 2026/27.

Specifically, Council will be required to borrow a further \$21.5m over these two years to meet its commitments under the Ballarat West Development Scheme.

5.1.2 Future Borrowing Requirements

The following table highlights Council’s projected loan balance, including new loans and loan repayments for the 10 years of the Financial Plan.

> 5.1.2 Future Borrowing Requirements

	Forecast	Budget	Projections								
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Opening balance	45,426	40,220	35,739	31,048	27,995	26,729	11,490	20,820	18,005	16,106	14,119
Plus new loans	-	-	-	-	-	9,561	11,912	-	-	-	-
Less principal repayment	(5,206)	(4,481)	(4,691)	(3,053)	(1,266)	(24,800)	(2,582)	(2,816)	(1,899)	(1,986)	(2,078)
Closing balance	40,220	35,739	31,048	27,995	26,729	11,490	20,820	18,005	16,106	14,119	12,042
Interest payment	(1,776)	(1,563)	(1,563)	(1,563)	(1,563)	(777)	(691)	(862)	(771)	(684)	(593)

5.1.3 Performance Indicators

The following table highlights Council’s projected performance across a range of debt management performance indicators.

> 5.1.3 Performance Indicators

Performance Indicator	Target *	Forecast	Budget	Projections								
		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
		%	%	%	%	%	%	%	%	%	%	%
Total borrowings / rate revenue	Below 60%	31.8%	26.7%	22.6%	19.8%	18.4%	7.7%	13.5%	11.2%	9.6%	8.1%	6.7%
Debt servicing / rate revenue	Below 5%	1.4%	1.2%	1.1%	1.1%	1.1%	0.5%	0.4%	0.5%	0.5%	0.4%	0.3%
Debt commitment / rate revenue	Below 10%	4.9%	3.9%	3.8%	2.8%	1.6%	14.3%	1.8%	1.9%	1.3%	1.3%	1.2%
Indebtedness / own source revenue	Below 60%	32.5%	27.1%	24.1%	22.7%	8.6%	13.0%	16.6%	14.7%	13.1%	11.4%	10.1%

Council maintains its loan borrowing within prudent management limits as demonstrated by the following performance indicators.

**The targets outlined in the table above equal the targets contained in Local Government Victoria’s Financial Plan - Better Practice Guide, which reflect what is widely considered best practice, as City of Ballarat do not currently have documented targets relating to these indicators.*

Total borrowings / rate revenue

Total borrowings equate to 26.7% of annual rate revenue at the commencement of this plan in 2021/22 and reduce overall to only 6.7% at the conclusion of the plan. There are a series of loans, totalling \$21.5m, planned for 2025/26 and 2026/27 as detailed in section 5.1.1 above. These borrowings are necessary to support the delivery of Council's capital program.

Debt servicing / rate revenue

This indicator remains at very sustainable levels throughout the 10 year period of the plan, never exceeding 1.5%

Debt commitment / rate revenue

Except for 2025/26, when a \$23.1m interest only loan is due for repayment, this indicator also remains at very sustainable levels, indicating that Council is generating sufficient fund to meet its debt commitments.

Indebtedness / Own source revenue

Non-Current Liabilities equate to 32.5% of Own Source Revenue at the commencement of this plan in 2021/22 and reduce to 10.1% in 2030/31.

> 5.2 Reserves Strategy

Council maintains both statutory and discretionary reserves that acknowledge the receipt of funds from sources to be applied on programs that are consistent with the purpose of that Reserve fund.

Reserves represent a record of future obligations and to efficiently manage the application of these funds, requests for expenditure should form part of the Annual Budget program (and correlated capital program) as approved by Council.

5.2.1 Current Reserves**Subdividers Contributions Reserve**

- Purpose - The Subdividers Contributions Reserve holds funds contributed by landowners for works associated with developing and improving public open space and recreational facilities within Council. Funds are contributed in accordance with Section 18 of the Subdivision Act and transfers are restricted to the purpose of creating open space such as parks, playgrounds, pavilions and other such items where it is deemed that these works should occur at a later point than the initial development.

- Movements - transfers to the reserve (inflows) comprise contribution income from subdividers in lieu of the 5.0% Public Open Space requirement. Transfers from the reserve (outflows) are applied to fund open space capital projects on an as approved basis.

Developer Contributions Reserve

- Purpose – This reserve retains funds received from developers for infrastructure provision related to Council's Development Contributions Plan. Council has one (1) Development Contribution Plan relating to the development in Ballarat West.
- Movements – Transfers from this reserve will be for nominated capital works for Development Infrastructure projects and Community Infrastructure projects. These funds are tied directly to the income received or cash funds refunded to developers for capital works completed directly by the developer.

Asset Realisation Reserve

- Purpose – This reserve retains the proceeds from any sale of surplus land, for the purpose of purchasing other, strategic land. Purchase of land from this reserve can only occur on resolution of Council.
- Movements – This reserve is currently forecast to be fully expended during 2021/22.

Waste Reserve

- Purpose – to fund future infrastructure that supports our transition to a circular economy.
- Movements – This reserve is projected to maintain a balance of \$733k for the term of the Financial Plan.

5.2.2 Reserve Usage Projections

The table on the next page discloses the balance and annual movement for each reserve over the 10-year life of the Financial Plan. Total amount of reserves, for each year, is to align with the Statement of Changes in Equity. Restricted reserves are to be included to the disclosure of restricted cash assets.

> **5.2.2 Reserve Usage Projections**

Reserves	Restricted / Discretionary	Forecast	Budget	Projections								
		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Subdividers Contribution Reserve	Restricted											
Opening balance		1,960	2,960	3,210	3,210	3,210	3,210	3,210	3,210	3,210	3,210	3,210
Transfer to reserve		-	-	-	-	-	-	-	-	-	-	-
Transfer from reserve		1,000	250	-	-	-	-	-	-	-	-	-
Closing balance		2,960	3,210	3,210	3,210	3,210	3,210	3,210	3,210	3,210	3,210	3,210
Development Contributions Reserve	Restricted											
Opening balance		5,276	12,710	17,958	17,958	17,958	17,958	22,972	27,162	9,960	11,061	16,009
Transfer to reserve		9,936	17,569	-	-	-	8,014	4,190	3,699	4,459	5,944	2,403
Transfer from reserve		(2,502)	(12,321)	-	-	-	(3,000)	-	(20,901)	(3,358)	(996)	(1,786)
Closing balance		12,710	17,958	17,958	17,958	17,958	22,972	27,162	9,960	11,061	16,009	16,626
Reserves Summary	Total Restricted											
Opening balance		7,236	15,670	21,168	21,168	21,168	21,168	26,182	30,372	13,170	14,271	19,219
Transfer to reserve		9,936	17,569	-	-	-	8,014	4,190	3,699	4,459	5,944	2,403
Transfer from reserve		(1,502)	(12,071)	-	-	-	(3,000)	-	(20,901)	(3,358)	(996)	(1,786)
Closing balance		15,670	21,168	21,168	21,168	21,168	26,182	30,372	13,170	14,271	19,219	19,836

> 5.2.2 Reserve Usage Projections (continued)

Reserves	Restricted / Discretionary	Forecast	Budget	Projections								
		2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
		\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Waste Reserve	Discretionary											
Opening balance		-	-	733	733	733	733	733	733	733	733	733
Transfer to reserve		-	733	-	-	-	-	-	-	-	-	-
Transfer from reserve		-	-	-	-	-	-	-	-	-	-	-
Closing balance		-	733	733	733	733	733	733	733	733	733	733
Reserves Summary	Total Discretionary											
Opening balance		-	-	733	733	733	733	733	733	733	733	733
Transfer to reserve		-	733	-	-	-	-	-	-	-	-	-
Transfer from reserve		-	-	-	-	-	-	-	-	-	-	-
Closing balance		-	733	733	733	733	733	733	733	733	733	733
Reserves Summary	Restricted & Discretionary											
Opening balance		7,236	15,670	21,901	21,901	21,901	21,901	26,915	31,105	13,903	15,004	19,952
Transfer to reserve		9,936	18,302	-	-	-	8,014	4,190	3,699	4,459	5,944	2,403
Transfer from reserve		(1,502)	(12,071)	-	-	-	(3,000)	-	(20,901)	(3,358)	(996)	(1,786)
Closing balance		15,670	21,901	21,901	21,901	21,901	26,915	31,105	13,903	15,004	19,952	20,569



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August 2021

8.10. GAMING POLICY REVIEW

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Belinda Hynes – Coordinator Health and Social Planning
Pete Appleton – Executive Manager Engaged Communities

PURPOSE

1. The purpose of this report is to present the draft Gambling Harm Minimisation Policy and seek Council endorsement to release the draft policy for public exhibition for a period of four weeks.

BACKGROUND

2. Council's Gaming Machine Community Policy was adopted in August 2011. It outlined Council's commitment to a collaborative approach to managing the impacts of gaming.
3. Over the 10 years, since the adoption of the Gaming Machine Community Policy, progress has been made in relation to understanding gambling harms and best practice public health approaches to reducing harms.
4. In November 2018 Council endorsed a Social Policy Framework which articulates the principles, considerations, roles and responsibility that guide the City of Ballarat policy development in areas of social concern and wellbeing. The Preventing Gambling Harm Social Policy Position Statement provides an evidence base for the development of this policy.
5. The draft policy has been developed following research considering evidence and best practice in relation to gambling harm, review of other Council policies and incorporation of known community sentiment.
6. Under the *Planning and Environment Act 1987*, there is a statutory responsibility for councils to consider the social and economic impacts of gaming machines in their municipality, under Clause 52.28 of the Victorian Planning Provisions.
7. This new draft Gambling Harm Minimisation policy will guide the review of gaming clauses in the Ballarat Planning Scheme including 21.07-7 and 22.07, and include updating the clause 52.28 Gaming and the related schedule. Land use planning at the local level has a significant role in addressing and regulating the use of electronic gaming machines.
8. The *Gambling Regulation Act 2003* enables local government to make submissions to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) in the form of a social and economic impact assessment (SEIA) for potential new applications for Electronic Gaming Machines (EGM's) within its municipality or a neighbouring municipality.
9. The new draft policy will inform Council's submissions to the VCGLR in response to applications for a new gaming licence or amendments to an existing gaming licence and the assessment of applications considered under the relevant clauses of the Ballarat Planning Scheme.

10. The *Gender Equality Act 2020* requires defined entities, including councils, to conduct gender impact assessments so policies, programs and services are designed to benefit all members of the community.
11. The Gender Impact Assessment (GIA) undertaken to inform the development of the draft policy has identified that there are differences in both gambling behaviour and the experience of gambling harm between different sub-groups of men and women. As a result, the draft Policy has included specific statements and evidence within the body of the Policy and through the amendment of Policy Statements to reflect these needs. These inclusions will deliver a more inclusive and meaningful policy platform for the local community, encourage a more effective and responsive role for Council in reducing gambling harm, and promote gender equity.
12. The policy offers opportunities within the identified policy statements to investigate memberships with advocacy groups such as the Alliance for Gambling Reform

KEY MATTERS

13. The draft Gambling Harm Minimisation Policy will replace the City of Ballarat Gaming Machine Community Policy (2011). While the policy is relevant to all gambling activities that take place in the municipality, its primary focus is on EGM gambling. This form of gambling is where Council has a direct influence through its statutory roles and decision-making processes.
14. The Policy has been developed in response to the increased understanding we have about issues related to gambling, the requirement to consider gender impacts, and a change in the language used by the industry since the previous policy was adopted 10 years ago.
15. This new policy:
 - a. Strengthens Council's commitment to reducing harms from gambling
 - b. Improves clarity about roles, actions and outcomes Council can take within its legislative role.
 - c. Responds to the growth and changing population demographics in the Ballarat municipality.
 - d. Guides amendments to the Ballarat Planning Scheme clauses relating to Gaming to strengthen Council's capacity to manage and influence the location, operation and design of EGM facilities.
 - e. Considers gender impacts
 - f. Updates the context and language using a public health approach.
16. The draft policy focuses on areas that Council has legislative responsibilities, whilst still providing the required direction and incorporation of best practice to enable Council to effectively act to minimise gambling harm within the Ballarat community.

OFFICER RECOMMENDATION

17. That Council:

17.1 Endorse the draft Gambling Harm Minimisation Policy for public exhibition.

ATTACHMENTS

1. Governance Review [8.10.1 - 2 pages]
2. Gambling Harm Minimisation Policy 2021 (v 2) [8.10.2 - 7 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. Municipal Health and Wellbeing Plan 2021 - 2031 - Key priority area 'Reducing harm from smoking, gambling, alcohol and other drugs'.

COMMUNITY IMPACT

2. The policy includes actions and strategies to reduce the harms that result from gambling and supports the use of a broad range of measures and strategies to ensure the impacts of gambling are reduced in the municipality

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. There are no climate emergency and environmental sustainability implications arising from this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability implications arising from this report

FINANCIAL IMPLICATIONS

5. Costs incurred to implement actions from the Gambling Harm Minimisation Policy all fall within allocated annual budget parameters.

LEGAL AND RISK CONSIDERATIONS

6. The new Policy is in line with current health promotion and harm minimisation practice and replaces the Gaming Machine Community Policy.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. It is proposed to place the draft Gambling Harm Minimisation Policy on public exhibition for four weeks from Monday 27 September. During this consultation phase it is proposed to;
 - Establish MySay page with accompanying survey to gather community feedback
 - Correspond with key stakeholders seeking feedback.
9. The consultation report will be included with the returned Policy to be presented for adoption at the Council meeting on 22 December, or the next available meeting.

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GENDER EQUALITY ACT 2020

10. There are gender equality implications identified for the subject of this report, see Gender Impact Assessment attached.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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GAMBLING HARM MINIMISATION POLICY

1.0 Purpose

The City of Ballarat Gambling Harm Minimisation Policy 2021 is a 'whole of Council' approach to minimising gambling-related harm in the community. Local government does not have the power to regulate the number, location, and operation of EGMs; nor is it responsible for the regulation of other forms of electronic gambling, being either State or Federal government jurisdictions. However, local government does have a legislated responsibility to protect, promote and improve community health and wellbeing, and to apply the 'precautionary principle' to preventing and controlling public health risk under the Victorian Public Health and Wellbeing Act 2008. In addition, the Victorian Local Government Act 2020 requires councils to provide the best outcomes for the community, while having regard to the long-term cumulative effects of decisions. This includes seeking to protect communities from the risks and harms associated with gambling.

While Council's role and ability to influence positive change is limited, this policy outlines Council's position, responsibilities, commitments, and approach to preventing gambling related harms in the municipality. It replaces the City of Ballarat Gaming Machine Community Policy (2011) and integrates changes to the statutory and regulatory framework within which gambling takes place in the municipality. It also responds to the growth and changing population demographics in the Ballarat municipality, the increased understanding we have about issues related to gambling, the requirement to consider gender impacts, and a change in the language used by the industry.

The City of Ballarat recognises that gambling is legal activity. Unlike many other recreational activities, gambling has the potential to generate negative social and economic impacts for the player, their family and friends and the wider community. The experience of these harms can differ depending on a person's gender, cultural background, and age. Whilst there are many different forms of gambling, a significant source of financial loss and harm in Australia comes from Electronic Gaming Machines (EGMs). It is also recognised that sports betting and internet gambling are rapidly growing in the community.

Council is extremely concerned by the prevalence and accessibility of electronic gaming machines (EGMs) in the Ballarat area and their potential harmful impacts and acknowledges the large body of evidence that demonstrates the adverse consequences which result from problem gambling, including financial loss, relationship breakdown, emotional or psychological distress, issues with work or study, criminal activity and reduced health and wellbeing. The data and evidence underpinning this strategy can be found in the Preventing Gambling Harm Position Statement 2021 which has been developed and updated as identified in the Social Policy Framework.

It is a frustration of Council of how little influence local government has at a regulatory level regarding gambling within the community. However, in endeavouring to achieve a healthy and safe community the City of Ballarat is committed to reducing the harms that result from gambling and supports the use of a broad range of measures and strategies to ensure the impacts of gambling are reduced in the municipality.

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2.0 Scope

While the policy is relevant to all gambling activities that take place in the municipality, its primary focus is on gambling on EGMs and gambling at gaming venues, as this form of gambling continues to cause significant losses and community harm; and is also the form of gambling over which Council has greater influence through its statutory roles and decision-making processes.

Under the Planning and Environment Act 1987, there is a statutory responsibility for councils to consider the social and economic impacts of gaming machines in their municipality, under Clause 52.28 of the Victorian Planning Provisions. The Gambling Regulation Act 2003 enables local government to make submissions to the Victorian Commission for Gambling and Liquor Regulation (VCGLR) in the form of a social and economic impact assessment (SEIA) for potential new applications for EGMs within its municipality or a neighbouring municipality.

Land use planning at the local level has a role in addressing and regulating the use of EGMs. Local Government is the responsible authority for deciding whether to approve, or not approve, a planning permit application for electronic gaming machines. Like other land use planning processes, if Council rejects the application and decides not to issue a planning permit, the applicant has the right to appeal the decision to the Victorian Civil and Administrative Tribunal (VCAT).

The Policy will guide the review of gaming clauses in the Ballarat Planning Scheme including 21.07-7, and 22.07, and include updating the Clause 52.28 Gaming and the related Schedule. It will also inform Council's submissions to the VCGLR in response to applications for a new gaming licence or amendments to an existing gaming licence and the assessment of applications considered under the relevant clauses of the Ballarat Planning Scheme. While the Ballarat Planning Scheme provides an important role in assessing gaming related planning applications, it is important to note that local planning policies are limited to addressing locational issues and to a lesser extent operation and design issues.

In addition, the Gender Equality Act 2020 requires defined entities, including councils, to conduct gender impact assessments so policies, programs and services are designed to benefit all members of the community. The gender impact assessment undertaken related to the issue of gambling harm has identified that while overall males are more likely to participate in gambling activities, and in fact are more likely to be problem gamblers, females suffer disproportionately more gambling related harm than males. There are also differences in both gambling behaviour and the experience of gambling harm between different sub-groups of men and women, particularly between different age groups, and those from Aboriginal and Torres Strait Islander or migrant communities. A growing concern is the emerging research revealing the relationship between family violence and problem gambling, especially given the very high rates of family violence in the City of Ballarat and very high EGM losses. These findings should be considered when developing responses to reduce gambling related harm.

As the closest level of government to the community, local government is in a good position to understand the effects of gambling and to limit the negative impacts of gambling on their communities. As a result, the City of Ballarat undertakes roles as a planner and regulator, community partner, and advocate. The ways in which this will be undertaken are outlined in 3.3 Policy Statements.

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3.0 Policy Statement

3.1. Policy Principles

The Policy is founded on a public health approach to gambling-related harm. This approach acknowledges a shared responsibility for improving the health of population groups and subgroups rather than just the health of individuals. Two key principles underpin the public health approach to gambling-related harms:

1. A range of social, economic, and environmental factors affect a person's mental and physical health and wellbeing; and
2. It is important to implement an appropriate mix of actions with partners and the community to achieve improved health outcomes.

3.2. Policy Objectives

The Policy's objectives are to:

1. Planning, Regulation, and Enforcement

Demonstrate Council's commitment to protecting those most at risk of gambling related harms through its statutory roles and responsibilities, including strengthening Council's capacity to effectively guide the location of EGMs by providing the framework for the review of the Ballarat Planning Scheme.

2. Community Partnerships

Collaborate with partners and the community to reduce gambling related harm using a public health approach, increasing access to services and opportunities for alternative recreational activities.

3. Advocacy

Advocate for systemic and legislative change within the gambling industry, promote harm minimisation best practice and improve understanding to reduce gambling harm in the Ballarat community.

3.3. Policy Statements

The City of Ballarat adopts the following policy statements in relation to gambling. These statements are founded on three primary priorities that reflect Council's statutory roles, namely: planning, regulation, and enforcement; community partnerships; and advocacy. These will guide Council strategies and actions over the life of this Policy.

Planning, Regulation, and Enforcement

- Council will fulfil its various statutory roles to create and maintain a safe gambling environment and aim to protect the community from gambling related harms.
- Council will assess Gaming Machine planning permit applications on their merits, seeking to reduce the harm from EGMs in Ballarat, with consideration to venue location, relationship to known risk factors, and ensuring that vulnerable communities are protected.
- Council will consider the potential social and economic impacts of applications for new or amended gaming licences or applications to install, transfer or use EGMs, including consideration of gender and intersectional specific experiences of gambling harm.

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- Council will oppose any planning and licensing application for additional EGMs and the transfer of EGMs in the municipality where there is solid evidence that the application will have negative social and economic impacts and minimal community benefit.
- Council will discourage an increase in EGM density per 1,000 adults and EGM expenditure in vulnerable communities and neighbourhoods.
- Council will make relevant amendments to the Ballarat Planning Scheme to strengthen Council's capacity to manage and influence the location, operation, and design of EGM facilities in the municipality through the planning process, including the review of existing clauses 21.07-7, and 22.07, and updating the Schedule to Clause 52.28 Gaming.
- The following will be considered in the determination of any planning permit application:
 - Evidence of intentional design to limit access and exposure to gambling products (both visually and audibly), and promotion of gambling products, within all areas of premises that will attract minors, families and others seeking to avoid interactions with gambling products;
 - Prevention of access to gambling experiences for young people who may attend an establishment's bistro, family area, playground, or outdoor area has been prioritised, including ensuring that there is no visibility or promotion of products such as gaming machine areas, Keno, racing, sports betting, raffles, lucky cards, or envelopes;
 - For new gaming venues, this Policy recommends a minimum eight-hour shut down of the gaming floor, either between 1am-9am, or 3am-9am and 3pm-5pm daily;
 - Ensuring that EGMs are not located in close proximity (within 400m) to children's and community services, or vulnerable communities. This includes communities with lower SEIFA index of disadvantage or income, or those with higher levels of housing stress or unemployment than the City of Ballarat average; and
 - Ensuring that the already higher than State average density of electronic gaming machines within the municipality does not increase.
- Council will require that applications for planning permits to install or use EGMs, or new or amended gaming licences are accompanied by rigorous and transparent social and economic impact assessments and encourage applicants to have early engagement with Council to ensure harm minimisation design principles are employed.

Community Partnerships

- Council will work in partnership to support relevant organisations, providers, and agencies in their initiatives to increase access to services that address the impacts of gambling related harms, particularly for vulnerable groups.
- Council will support and assist coordination of collaborative work within the municipality in advocating for harm minimisation approaches and improved community awareness of gambling and related harms, including increased understanding of the different ways that gambling harm may be experienced depending on gender, culture, and other intersectional attributes.
- Council will deliver its activities and events in non-gaming (EGM) venues.
- Council will prohibit the siting and operation of any new EGMs on Council owned land.
- Council will prohibit permanent promotion or advertising of gambling products at Council-owned facilities. This pertains to sports betting, online gambling, and EGMs.

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- Council will support initiatives that reduce gaming operators' reliance on revenue from EGMs.
- Council will support opportunities which increase non-gambling social, leisure, entertainment and recreation opportunities which do not result in additional people being exposed to gambling related harms, including those providing safe alternative venues and activities for women.
- Council will maximise the opportunity for the community and relevant stakeholders to provide their input into Council's strategic, regulatory, and decision-making processes relating to gaming applications.

Advocacy

- Council will advocate in partnership with the community for systemic and legislative change to address gambling harm.
- Council will advocate to the Victorian Government for a reduction in the regional cap for Electronic Gaming Machines (currently 663 EGMS).
- Council will advocate to government and peak bodies for effective reform of the gambling industry consistent with the Productivity Commission and the Alliance for Gambling Reform.
- Council will support community, service providers and agencies in their efforts to advocate for necessary changes to the regulatory, statutory, and strategic framework.
- Council will research and access data on local gambling context and emerging needs to inform community awareness and advocacy, including online and sports betting, and gender and intersectional experiences of gambling harm, and include this information in the Gambling Harm Social Policy Position Statement.
- Council will encourage all gaming venues and community settings to adopt/continue gambling harm minimisation strategies.
- Council will support advocacy efforts that increase transparency, efficiency, and equity in the regulatory and decision-making processes.

3.4. Monitoring and Review

Intended outcomes to monitor the effectiveness of the Policy may include but are not limited to:

Objective 1. Planning, Regulation, and Enforcement

- The Ballarat Planning Scheme has been amended to strengthen Council's capacity to manage and influence the location, operation, and design of EGM facilities.
- All submitted planning permits related to EGM's have been assessed ensuring that harm minimisation principles are applied, and vulnerable populations have been protected.
- Social and Economic Impact Assessments have been undertaken and submitted to the VCGLR on all applications for new or amended gaming licences or applications to install, transfer or use EGMs.
- Any planning and licensing application for additional EGMs and the transfer of EGMs in the municipality where there is solid evidence that the application will have negative social and economic impacts and minimal community benefit has been opposed.

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**Objective 2. Community Partnerships**

- Council has worked with a range of partners to implement local gambling harm minimisation and awareness activities.
- Council has worked with partners to undertake community attitudes to gambling survey.
- There is increased availability of facilities and services that provide non-gambling social, leisure, entertainment and recreation activities, and safe alternative venues for women experiencing harm.
- There are no new or additional EGMs on Council land.
- Council business has only been conducted in environments where there is not exposure to gambling.
- Council has enabled opportunities for community members and stakeholders to participate in EGM decision making and gambling advocacy processes.

Objective 3. Advocacy

- Council has maintained its role as a supporter organisation to the Alliance for Gambling Reform and participated in relevant campaigns which advocate for state and federal government legislative change.
- Council has made submissions to appropriate enquiries, committees and policies calling for changes to gambling legislation and systems which reduce gambling harm.
- Council has updated the 'Preventing Gambling Harm' Social Policy Position Statement and made available on Council's website.
- Council has contributed to relevant gambling harm research projects through direct participation and promotion.

This Policy will be subject to review by June 2025.

4.0 Supporting Documents and References**4.1. Legislation**

- *Gambling Regulation Act 2003*
- *Gender Equality Act 2020*
- *Interactive Gambling Act 2001*
- *Local Government Act 1989*
- *Local Government Act 2020*
- *Planning and Environment Act 1987*
- *Public Health and Wellbeing Act 2008*
- *Victorian Commission for Gambling and Liquor Regulation Act 2011*

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4.2. Associated Documents

- Ballarat Planning Scheme
- Ballarat Strategy 2040
- City of Ballarat Community Attitudes to Gambling
- City of Ballarat Municipal Public Health and Wellbeing Plan
- Preventing Gambling Harm Position Statement
- Social Policy Framework
- Victorian Planning Schemes

4.3. Definitions

Council Ballarat City Council and/or City of Ballarat.

EGM An electronic gaming machine is a computerised gambling device that has a video screen displaying symbols on simulated reels. Cash is inserted into the machine and buttons are used to place bets. The machine randomly determines positions of symbols on the screen. Wins are returned as credits back into the machine.

Gambling The placement of a wager or bet on the outcome of a future uncertain event. It includes gaming, racing, and sports betting activities.

Gambling related harm Any initial or exacerbated adverse consequence due to an engagement with gambling that leads to a decrement to the health or wellbeing of an individual, family unit, community, or population.

VCGLR Victorian Commission for Gambling and Liquor Regulation, the independent statutory authority which regulates Victoria's gambling and liquor industries. The commission conducts hearings (both public and private) on matters such as approval for proposed gaming premises, or requests for increased gaming machines.

5.0 Policy Owner

Executive Manager Engaged Communities.

6.0 Authorisation

Adopted by Ballarat City Council on XX.

8.11. ADOPTION OF PROCUREMENT POLICY

Division: Corporate Services
Director: John Hausler
Author/Position: Trevor Harris, Procurement Coordinator

PURPOSE

1. To comply with the provisions of the *Local Government Act 2020* (the Act) pertaining to procurement which came into operation on 1 July 2021, by having Council adopt a new Procurement Policy.
2. Under the Act, Council has a six-month transition period to adopt a new Procurement Policy in accordance with the new framework, no later than 31 December 2021.
3. Until such time as a new policy is adopted under Section 108 of the Act, the pre-existing Procurement Policy as well as the restrictions on the power of Council to enter into a contract (refer to s186 and s186A of the *Local Government Act 1989*) continue to apply.
4. To ensure the Contracts Committee Terms of Reference is updated to align with changes proposed in the new Procurement Policy.

BACKGROUND

5. An internal working group was established to develop the new policy and based their work on Councils existing procurement policy (version 10). The working group was chaired by the Procurement Coordinator and had representatives from various areas of Council including Infrastructure and Environment, Major Projects, Recreation, Facilities Management, Economic Development, ICT, Aboriginal Liaison, Operations and Fleet.
6. The new policy has subsequently been reviewed by the Executive Leadership Team, discussed at a Councillor briefing and considered at the September Audit and Risk Committee meeting.
7. The Audit and Risk Committee did not recommend any material changes when presented with a draft of the new policy.
8. The new policy has also been updated to reflect actions outlined in the recent Procurement Internal Audit report, which was also discussed at the September Audit and Risk Committee meeting.

KEY MATTERS

9. Section 108 of the Act stipulates that the Procurement Policy must include the following:
 - 9.1. The contract value above which the Council must invite a tender or seek an expression of interest;
 - 9.2. A description of the criteria to be used by the Council to evaluate whether a proposed contract provides value for money;
 - 9.3. A description of how the Council will seek collaboration with other Councils and public bodies in the procurement of goods or services;

- 9.4. The conditions under which the Council may purchase goods or services without inviting a public tender or expression of interest;
 - 9.5. A description of the process to be undertaken in inviting a public tender or expression of interest, and
 - 9.6. Any other matters prescribed by the Regulations.
10. The new procurement policy includes a number of changes to the previous version (Version 10.0) including:
 - 10.1. Clause 3.1 - Values indicated in the policy are now exclusive of GST;
 - 10.2. Clause 3.4 - Market engagement for tenders is recommended at \$300,000 for all procurements. Up from \$150,000 for goods and services and \$200,000 for works;
 - 10.3. Clause 3.4.6 - New clause added for collaborative procurement outlining requirements for considering opportunities for collaborative procurement with other Councils and/or public bodies;
 - 10.4. Clause 3.4.7 - Detailing how Cumulative Spend is to be managed;
 - 10.5. Clause 3.5.1 – Detailing processes for tendering - 3.5.3 Expressions of Interest's and 3.5.4 Quotes;
 - 10.6. Clause 3.5.2 - Exemptions from Tendering – outlines the process required if an exemption from tendering is sought;
 - 10.7. Clause 3.6.7 - Clarifies requirements for reporting contract variances;
 - 10.8. Clause 3.8 – Outlines key points that should be considered when tender/quote specifications are being prepared; and
 - 10.9. Appendix 2 - Outlines procurements that are exempt from obtaining quotations.
 11. The report also recommends Council update the Terms of Reference for the Contracts Committee in line with the following proposed changes to delegated levels of contract approval:
 - 11.1 Increase the Chief Executive Officer (CEO) contract approval limit from \$250,000 to be a limit of \$500,000.
 - 11.2 Increase the Contracts Committee contract approval range from above \$250,000 to \$1,000,000 to be a range of above \$500,000 to \$2,000,000.
 - 11.3 Increase Councils contract approval level from above \$1,000,000 to be above \$2,000,000.
 12. These proposed increases are based on an assessment of the size of contracts currently being approved, which indicates that increasing the levels of contract approval as proposed, will not significantly vary the number of contracts considered by each approval level, based on the value of contracts approved having increased over time.
 13. A separate variation will also be sought to be approved to the level of delegation of the CEO and Contracts Committee in line with these proposed changes.
 14. The recommendations below seek to have the new policy come into effect on 1 December 2021 to enable existing incomplete procurements which are premised on the current policy to finish and for training on the requirements of the new policy to occur.

OFFICER RECOMMENDATION

15. That Council:

- 15.1 Adopt the updated attached Procurement Policy (Version 11) to take effect from 1 December 2021.

15.2 Adopt the updated Terms of Reference for Contracts Committee to take effect from 1 December 2021.

15.3 Note that any existing procurement which has not been completed prior to 1 December 2021 will be evaluated, assessed and approved based on version 10 of the Procurement policy.

ATTACHMENTS

1. Procurement Policy V 11.0 LG A 2020 FINAL DRAFT - Council 21 Oct 21 [**8.11.1** - 32 pages]
2. Updated Terms Of Reference - Contracts Approval Delegated Committee [**8.11.2** - 6 pages]
3. Governance Review [**8.11.3** - 2 pages]

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**PROCUREMENT POLICY (VERSION 11.0)****1.0 Purpose**

Council is required under section 108 of the Local Government Act 2020 to prepare, adopt and comply with a Procurement Policy. In accordance with the Act, the Procurement Policy sets out the key principles and processes applied to the purchases of Goods, Services and Works by Council.

2.0 Scope

This Policy will apply to Councillors, Council Staff, Contractors and Consultants and all persons undertaking procurement on Council's behalf and they are accountable for complying with all relevant procurement legislative and policy requirements.

The objectives of this Policy are to:

- establish a procurement framework for Council to achieve value for money and continuous improvement in the provision of services for the community;
- ensure that council resources are used efficiently and effectively to improve the overall quality of life of people in the local community;
- achieve compliance with relevant legislative requirements;
- achieve high standards of probity, transparency, accountability and risk management;
- give preference to the procurement of environmentally sustainable goods, services and works wherever possible;
- where practicable, advance the use of responsibly sourced resources that have greater recycled or reused content and have a lower environmental footprint throughout their life cycle;
- Support local industry that actively recycles local materials generated;
- give preference to the procurement of goods, services and works from within City of Ballarat and surrounding municipalities where price, quality, service standards and delivery is comparable to other suppliers in support of ongoing community wealth building for our city.

2.1 Conduct of Councillors and Council staff / Conflict of Interest

Councillors and Council Officers must exercise the highest standards of integrity in a manner able to withstand the closest possible scrutiny. In accordance with sections 126-131 of the Act, Councillors and Council Officers have an overriding responsibility to act impartially and with integrity, avoiding conflicts of interest.

Councillors and Council Officers, must:

- Treat potential and existing suppliers with equality and fairness
- Maintain confidentiality of Commercial in Confidence matters and information such as contract prices and other sensitive information
- A Councillor must comply with the Primary Principle of Councillor Conduct and avoid conflicts between their public duties as a Councillor and their personal interests and obligations.
- Councillors (and members of the Audit and Risk committee) must disclose a conflict of interest
- Councillors must comply with the Councillor Code of Conduct
- Councillors must not improperly direct or improperly influence a member of council staff in the exercise of any power on/ in the performance of any duty or function
- All Councillors and Staff must adhere to councils Gifts and Hospitality Policy in matters of procurement
- Councillors and staff members should make their interests known in any situation where it could be perceived that an interest might unduly influence them

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Council Officers, must:

- at all times avoid situations in which private interests' conflict, or might reasonably be thought to conflict, or have the potential to conflict, with their Council duties
- disclose a direct or indirect interest (and the type of interest) before providing advice or reports (or any other matter)
- not participate in any action or matter associated with the arrangement of a procurement where that person has a direct or indirect conflict as defined by the Act; and
- when becoming aware of a conflict, promptly declare the direct or indirect Conflict of Interest to the Governance Unit
- must comply with the Code of Conduct for Council Staff

Council Officers with delegated Council powers or duties are prohibited from exercising those powers, duties or functions if they have conflicts of interest

Councillors cannot participate in any aspect of the procurement process unless acting in the capacity of Council/Committee at a formally constituted Council or Contracts Committee meeting to consider the awarding of a contract.

2.2 Achieving Best Value for Money

The Council's procurement activities will be carried out based on obtaining Best Value for Money. Considering the total cost of ownership over the life of the procurement consistent with acceptable quality, reliability and delivery considerations should be taken into account in relevant procurement. Lowest price is not the sole determinate of Best Value for Money.

2.3 Tender Processes

All tender processes shall be conducted in accordance with the requirements of this policy and any associated procedures, relevant legislation, relevant Australian Standards and the *Act*.

2.4 Influencing the Tender Process

Any attempts which may be reasonably construed as intended to influence the tender process in any way such as any direct or indirect approach by tenderers themselves or through other parties on their behalf to persons other than those nominated in the tender document will invalidate the tender of that party.

For the avoidance of doubt any Tenderer found to have:

- a. Offered a bribe, gratuity, bonus, discount of any sort or enticement to or otherwise attempt to influence any Council officer, Councillor or any persons who are either directly or indirectly involved in the evaluation of the Tender or in the awarding of an associated Contract; or
- b. Approached, discussed or solicited support for their Tender with any Council officer (with the exception of the designated Council Contact Officer) or Councillor of the Council, individually or collectively; at any time prior to the awarding of the Contract to the successful Tenderer will have their Tender excluded from the contract award process.

The tender of any tenderer which engages in conduct prohibited under this clause will be deemed informal and will be rejected without further consideration.

Tenderers shall declare any actual or potential conflict of interest.

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Tenderers shall not participate in collusive tendering practices or any other anti-competitive practices with any other Tenderer. Council shall take action where it becomes aware of collusive practices. Collusive practices are anti-competitive in nature, and can result in criminal prosecution

2.5 Fair and Honest Dealing

Council is committed to providing equal opportunity for all businesses, irrespective of their size and location, to bid for work through open and transparent market processes. Impartiality is to be maintained throughout the procurement process so it can eliminate the prospect of any bias in decisions and withstand public scrutiny.

2.6 Accountability and Transparency

Accountability in procurement means being able to explain and evidence the processes followed to procure goods, services and works. The test of accountability is that an independent third party must be able to see clearly that a process has been followed and that the process is fair and reasonable.

All procurement activities must be in accordance with the Act, this Policy and any related relevant Council policies and procedures.

2.7 Gifts and Hospitality

No Councillor or member of Council staff shall, either directly or indirectly solicit or accept gifts or presents from any member of the public who is involved, either directly or indirectly, with any matter that is connected with the duties of the officer, or in which Council is interested.

Councillors and Council Officers should refer to Council's applicable Code of Conduct for more guidance regarding the declaration of gifts/hospitality.

2.8 Disclosure of Information

Information received by Council that is Commercial in Confidence must not be disclosed and must be stored in a secure location. Councillors and Council staff are to protect, by refusing to release or discuss information to the extent that it is Commercial in Confidence.

This may include:

Information disclosed by organisations in tenders, quotation or during tender negotiations:

- Pre-contract information including but not limited to information provided in quotes and tenders or subsequently provided in pre-contract negotiations,
- Councillors and Council staff are to avoid references to current or proposed contracts in discussion with acquaintances or outside interests,
- Discussion with potential suppliers during tender evaluations should not go beyond the extent necessary to resolve doubt on what is being offered by that supplier,
- At no stage should any discussion be entered into with any tendering party or its representative or agent that could have potential contractual implications prior to the contract approval process being finalised, other than authorised pre-contract negotiations.

2.9 Borrowings

Borrowings (often referred to as loans) are not within the scope of the Procurement policy as these are considered contracts of borrowings and not contracts of goods, services or the carrying out of works. The process undertaken in sourcing borrowings will be detailed in Council's Borrowing Policy and will seek to get the best financial outcome in a transparent manner.

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3.0 Policy Statement

3.1 Goods and Services Tax (GST)

All monetary values stated in this policy exclude GST unless specifically stated otherwise.

3.2 Responsible Financial Management

The principle of responsible financial management must be applied to all procurement activities. Funding for any procurement must be funded from an existing approved budget or have approved documented grant funding. No procurement can proceed without approved funding, unless in emergency circumstances.

Council staff must not authorise expenditure of funds in excess of their financial delegation or split funds to fit within their financial delegation. Council staff that breach their delegated authority may face action under Council's Discipline and Termination Policy. The decision to initiate disciplinary action or other action will be taken by the CEO based on a recommendation by the Director Corporate Services following consultation with the relevant Director or Executive Manager.

Council funds must be used efficiently and effectively for any procurement, and every attempt must be made to contain the costs of the procurement process without compromising any of the procurement principles set out in this Policy.

3.3 Methods of Purchasing

Once a Market Engagement Method has been determined consistent with Section 3.4, Council Officers need to obtain authority to purchase the Goods, Services or Works on behalf of Council. There are two mechanisms available to purchase goods, services or works:

- (a) Flexi-Purchase Card or
- (b) Purchase order following a quotation process from suppliers for goods or services that represent best Value for Money under the quotation thresholds adopted by the Council. An approved purchase order must be created prior to committing expenditure on behalf of Council for the provision of services, goods or works in accordance with the Council's procurement thresholds and guidelines.

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3.4 Market Engagement Methods

Market Engagement (exclusive of GST)

Section 108 of *the Act* details that each Council will set the public tender threshold above which tenders or expressions of interest for contracts must be publicly invited.

A public tender process must be used for all procurements valued at \$300,000 (ex GST) and above.

For procurements valued under \$300,000 (ex GST), the procurement methodology and thresholds detailed below must apply.

Financial Thresholds (AU\$ ex GST)	Requirements			
	Process Managed by	Market Engagement	Engagement Type	Documentation
< \$5,000	Business Unit	1 Verbal Quote	Purchase Order or Purchase Card to Financial Delegation	Quote details must ^{##} be diarised
\$5,001 to \$30,000		1 Written Quote [#]		Purchase Order
\$30,001 to \$99,999		2 Written Quotes [#]		
\$100,000 to \$299,999		3 or more Written Quotes [#]		
> \$300,000	Procurement Unit	Tender	Contract	Evaluation Report to CEO (contracts up to \$500,000), Contracts Committee Report (contracts between \$500,001 and \$2,000,000) or Council Report (contracts above \$2,000,000)

[#] A minimum of one of the quotes **must be** obtained from a local supplier/provider wherever possible.

^{##} Purchases made by Council Purchase Card shall be considered as diarised. If a Purchase Order (PO) is used, then a notation should be made in the "Workflow Comments Box" of Dynamics when the PO is being created.

3.4.1 Exemptions from Market Engagement Methods

An exemption to the Market Engagement Methods and procedures may be requested under the following circumstances:

- in matters of Emergency including public health, security or safety as a result of an unforeseen event or occurrence;
- where a change in supplier would necessitate the procurement of goods and services that do not meet the requirements for interoperability or interchangeability;
- an absence of competition for technical reasons;
- the Goods, Services or Works are required as part of a grant, funding agreement, lease or similar arrangement specifically stating how the Goods, Service or Works are to be provided or undertaken;

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(e) Section 3.4 does not apply in respect of a contract if:

- The contract becomes novated (terminated), and
- The original contract was entered into in accordance with section 3.4, and
- The Council has undertaken a due diligence in respect of the new party

(f) where the procurement is on Council's procurement exemptions list (refer to Appendix 2).

3.4.2 Threshold Margin

If an approved budget for the quotation is within 5% of the of the tendering thresholds listed at 3.4, then the tendering requirements must be followed.

3.4.3 Payments

Payment for Works or Services will be made by the authorised council officer on submission of Tax invoices by the Contractor in accordance with Council's payment policies.

Payment of all claims shall be subject to approval by the Councils Authorised Officer. All invoices shall be submitted in accordance with the Schedule of Rates forming part of the contract. Invoices should clearly disclose schedules of rates and the approving officer should check those against any agreed rates under a contract or panel arrangement before approving the invoice.

Payment for purchases up to the individuals delegated financial authority may either be by City of Ballarat Purchase Card or through Accounts Payable (A purchase order must be raised if using Accounts Payable)

3.4.4 Prepayments

Prepayments for any goods, services or works cannot be made without the prior approval of the Director Corporate Services or the Chief Executive Officer

3.4.5 Engagement of Agents

Third-party agents such as MAV Procurement or Procurement Australia may be approached to undertake a Tender process on behalf of Council where it can be shown that Best Value for Money would be achieved. Council may at any time opt-in to any Contracts offered by MAV Procurement or Procurement Australia following the engagement approval process below.

Engagement Approval

Contracts entered into utilising MAV Procurement or Procurement Australia must be approved following the same approval process as an 'inhouse' tender/quote as fixed by Council.

Individuals cannot commit Council to a contract without first obtaining the required approvals.

Council may also utilise State Government Purchasing Panels using the above engagement approval process.

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3.4.6 Collaborative procurement

In accordance with section 108(c) of the Act, Council will give consideration to collaboration with other Councils and public bodies or utilise Collaborative Procurement Arrangements, when procuring goods, services and works in order to take advantage of economies of scale. Council Staff should consider any opportunities for Collaborative Procurement in relation to a procurement process undertaken by Council.

In accordance with section 109 (2) of the Act, the Chief Executive Officer must ensure that any report to the Council that recommends entering into a procurement agreement includes information in relation to any opportunities for collaboration with other Councils or public bodies which may be available. When procurement is being planned, due diligence should be undertaken to evaluate if Best Value for Money can be achieved by using an Agent or a collaborative tender.

3.4.7 Cumulative Spend Analysis

Cumulative spend is based on a rolling 12-month period and will be reviewed by the Procurement Unit and reported on a regular basis to the Executive Leadership Team. Cumulative spend should not exceed the tendering threshold outlined in Clause 3.4.

Should the cumulative spend of any single supplier be identified to exceed the required amount to tender expenditure with that supplier (which is not under an approved contract) will be ceased immediately. A full review of the expenditure with the company will be undertaken to ascertain the reasons why. The review shall:

- Discuss with respective officers and examine the reasons for expenditure including the potential for fraud
- Discuss with respective Officers/Business Units if tendering would offer better value for money for Council.

Report to Executive Leadership the review outcome and recommendations

3.4.8 Panel Arrangements - Approved Suppliers

An Approved Supplier is a contractor/company that has been appointed following an open Tender process. Approved Suppliers cannot be appointed in any other manner, unless as outlined in 3.4.9. Unless specified during a tender process no minimum quantity of sales or turnover is guaranteed to an Approved Supplier

The use of established panels should be transparent as suppliers appointed to the panel will have a reasonable expectation that Council will provide panel members with an equal opportunity to quote for goods, services or works. Prior to the establishment of a panel there should be clear documented methodology on how works/services are to be determined for allocation to companies appointed to the panel for the life of the panel contract. Consideration should be given to the quantity of approved companies to be appointed to maintain a workable panel.

When accessing established panel arrangements quotations should be sought consistent with the guidelines set out in Clause 3.4 to ensure that any procurement through panels demonstrates value for money and a competitive process.

An exception is that an Approved Supplier may be appointed directly for works up to \$50,000 where a Schedule of Rates has been provided under the terms of the panel. For procurements greater than \$50,000 the quotation requirement outlined in Clause 3.4 must be followed.

Council officers responsible for the contract management of panel arrangements should be mindful of day-to-day practicalities and acknowledge that a competitive public process and a value for money assessment has

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already been undertaken to establish the panel in the first instance. Accordingly, there may be situations where no further benefit is obtained from seeking quotations from the panel. For example,

- small, every-day, low risk, low value works such as those from trade services providers like electricians, plumbers; or
- where the contract with each individual panel supplier includes a comprehensive schedule of rates covering all expected work item types so the costs for packages of work can be accurately determined beforehand by the Council officer without the need for further quotations.

In the above examples, it may be appropriate for the Council officer to allocate work across the individual panel suppliers based on their respective skill sets and capacity at the time to meet Council's required timeframes. This allocation methodology should be determined prior to the establishment of the panel.

3.4.9 Panel Arrangements - Approved Suppliers – Administration

Approved Suppliers will be appointed following a formal tender process and will be contracted for the time period as outlined in the tender specification, including any options for extensions.

Approved Suppliers should be monitored periodically (as outlined in Clause 3.6) to determine if such suppliers should remain on the panel. Approved Suppliers who fail to meet expectations may be removed from the Panel without notification.

Council may choose to run a tender process to add suppliers to a panel during its term, if it determines that the panel may benefit from having additional suppliers incorporated before the end of the initially advertised term.

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3.5 Types of Procurement

3.5.1 Tender

Any procurement which exceeds the levels indicated at Clause 3.4 above must be undertaken by public tender.

Tender Process

Stage	Process
Planning	Business Case, Approved Budget and Specification of works to be completed. Project Control Group (PCG) to be established when appropriate
Registration	Request for Tender must be registered in eBMS/Nimblex and approved by the relevant Director prior to the time and date specified by the Procurement Unit;
Advertising	Tender advertised in a locally distributed newspaper and/or online through the E-Tender Portal. Tender documents available by registering through the E-Tender Portal www.eprocure.com.au/ballarat/
Period	Tender period is a minimum of three weeks (20 days). Tenders lodged or received by Council after the tender closing time are deemed to be late and will be disqualified and ineligible for consideration. Except on the occasion that an electronic submission has been commenced using eProcure prior to the closing date/time, and the transmission is interrupted. If the commencement of submission transfer is verified by eProcure, the submission will be deemed to be received.
Evaluation	Tender submissions are provided to the evaluation panel members. Each panel member scores the submissions in eBMS/Nimblex independently of other evaluation panel members. Once all evaluation panel members have scored the submissions, an evaluation meeting is arranged including a representative from the Procurement Unit. Final scores are agreed and the VFM Index to take in price is completed.
Approval/Award	The decision to award or not can only be made by the CEO, Contracts Committee or Council. The decision is made after consideration of the Evaluation Report.
Outcome	Once approved, the Procurement Unit notify the successful and unsuccessful Invitees of the procurement outcome. Unsuccessful Invitees are provided an opportunity to receive feedback on their submission.

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Tender Evaluation

- A Tender evaluation panel is to be established to evaluate each tender submission against the selection criteria and its composition will be determined by the respective Director or Executive Manager. Consideration should be given to gender diversity in the makeup of the panel
- Evaluation Panel must have a minimum of three members (minimum two Council staff) and may include external consultants who are specialist in the area
- Evaluation Panel must have an independent (non-scoring) member as appointed by the Procurement Unit
- The evaluation process must be documented, robust, systematic and unbiased
- Once a preferred tenderer is selected negotiations may be conducted in order to obtain the optimal solution and commercial arrangements, providing they remain within the intent and scope of the tender. Such negotiations must be exhausted with one tenderer before beginning with another tenderer
- Tender evaluation panel will produce a written report of their evaluation using the prescribed evaluation template
- Tender Evaluation must be updated in eBMS/Nimblex Tender & Quotation Management System

All tenders are to be evaluated in a two staged process:

1. Quantitative assessment of a weighted score totalling 100%, which includes mandatory 10% Local Content, and
2. Evaluation of price against weighted score

VFM = Tendered Price / Weighted Score (Tendered Price divided by Weighted Score)

VFM (Value for Money) is an index used to calculate the lowest score which will represent the best outcome from both the comparative scoring and price. The preferred Tenderer should be appointed based on this outcome.

VFM is automatically generated when evaluations completed in eBMS/Nimblex.

Non-Conforming Tenders

Upon receipt all tender submissions will be reviewed by the Procurement Unit to ensure that required schedules have been submitted.

A tender submission will be deemed non-conforming if:

1. Required schedules have not been included or are incomplete
2. Submission has not met specification requirements
3. Tendered price is 30% or greater than the allocated budget and all other tendered prices

A tender submission may be identified as non-conforming during the Evaluation process. In this case, the evaluation panel should quarantine the submission and refer to the Procurement Unit for further review/confirmation of non-conformance.

Council may sometimes receive tenders which offer one or more alternatives, which were not sought in the tender documentation. Council should always be open to innovative proposals as they may offer excellent opportunities for improvements and are consistent with Council's ability to achieve continual improvement. Tender documentation where innovative solutions are sought should specifically invite non-conforming tenders to be submitted which Council will consider along with all other tenders.

A Tenderer submitting a non-conforming tender shall fully detail the extent of any variance from the tender documents in tender Schedule headed "Statement of Conformance". If the "Statement of Conformance" is not correctly completed the tender may not be further considered at the discretion of the evaluation panel.

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3.5.2 Exemption from Tendering

Council may exempt a procurement process from a formal tender process when there are extenuating circumstances. A report must be presented to Council clearly outlining the reasons why a formal tender process should not be completed. No engagement for services or works can commence until exemption formally approved by Council.

3.5.3 Expression of Interest (EOI)

An expression of interest is a precursor to a tender. A contract cannot be awarded after an EOI without an invited tender process. An EOI is generally used to narrow the companies invited to tender. The EOI does not consider price but focuses on the quality, qualifications and expertise of submitters. Following an EOI companies meeting the listed requirements may be invited to tender.

An expression of interest should be used in circumstances where –

- there is likely to be many tenderers, tendering will be costly, or the procurement is complex
- there is uncertainty as to the interest of suppliers or vendors to offer the potential products or services or to undertake the proposed work

EOI Process

Stage	Process
Planning	Business Case, Approved Budget and Specification of works to be completed. Project Control Group (PCG) to be established where appropriate
Registration	EOI must be registered in eBMS/Nimblex and approved by the relevant Director prior to the time and date specified by the Procurement Unit.
Advertising	EOI advertised in a locally distributed newspaper and/or online through the E-Tender Portal. EOI documents available by registering through the E-Tender Portal www.eprocure.com.au/ballarat/
Period	There is no set period for an EOI to be advertised, this would be dependent on the information to be returned. A minimum of two weeks is suggested. EOIs lodged or received by Council after the closing time are deemed to be late and will be disqualified and ineligible for consideration. Unless an electronic submission has commenced using eProcure prior to the closing date/time, and the transmission is interrupted. When the commencement of submission transfer is verified by eProcure, the submission will be deemed to be received.
Evaluation	EOI submissions are provided to the evaluation panel members. Each panel member scores the submissions in eBMS/Nimblex independently of other evaluation panel members. Once all evaluation panel members have scored the submissions, an evaluation meeting is arranged including a representative from the Procurement Unit. Final scores are agreed.
Invitation to Tender	The decision to invite selected companies to tender can only be completed after an Evaluation Report has been completed and approved by the CEO. The Procurement Unit in liaison with the project manager will prepare Invitation to Tender and advise the successful and unsuccessful Invitees of the procurement outcome. Unsuccessful Invitees are provided an opportunity to receive feedback on their submission.
Tender procedure above is then followed	NOTE: Dependant on the information required during the Tender process the open period may be less than three weeks. The tender is not required to be publicly advertised.

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3.5.4 Quotations

Any procurement which is less than the tender levels outlined in Clause 3.4 may be procured using a quotation.

Quotation Process

Stage	Process
Planning	Business Case, Approved Budget and Brief of works to be completed where required
Registration	All quotations must be registered in eBMS/Nimblex as outlined in 3.4 above
Advertising	Quotations are not normally advertised. However, public advertising of quotations should be considered when judged to be sufficiently advantageous to Council. This will ensure transparency and best value to Council. This can be done simply through eProcure.
Period	There is no set period for a quotation to be open, this would be dependent on the information to be returned. There is a need to consider the complexity of what is being procured and allow enough time for companies to adequately prepare.
Evaluation	Low value quotations below \$30,000 do not need a formal evaluation; however, staff should consider price, local content and availability prior to making a decision. Lowest price is not necessarily the best value. Quotations with a value over \$30,000 require a formal evaluation process. Refer to Evaluations section below for requirements
Approval	The decision to proceed can only be made up to the Financial Delegation of the individual. If outside an individual's delegation it must be taken to person with appropriate delegation.
Outcome	It is common courtesy to advise those companies that were unsuccessful, either by phone or email; this should be completed by the person obtaining quotations.

Insufficient quotations.

The situation may arise where insufficient quotations are received to satisfy requirements outlined in Clause 3.4. This may occasionally occur where there are few suppliers for the goods, services or works being sought or the work is highly specialised. In this case, the details of the suppliers contacted for quote must be recorded in eBMS/Nimblex and an appropriate comment recorded. Any evidence such as emails requesting the quote should also be recorded.

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Evaluation Quotes

- An Evaluation Panel will be established for purchases over \$30,000 to evaluate each quote against the selection criteria and its composition will be determined by the respective Director or Executive Manager. Consideration should be given to gender diversity in the makeup of the panel.
- Evaluation Panel will be made up as indicated below:
 - Quotes >\$30,000 and <\$100,000 must be reviewed by a minimum two Council Officers
 - Quotes >\$100,000 to <\$300,000 must be reviewed by a minimum of three Council Officers and must seek approval to proceed with awarding the procurement through eBMS/Nimblex to the respective Executive Manager and/or Director
- The evaluation process must be documented, robust, systematic and unbiased
- Once a preferred supplier is selected negotiations may be conducted to obtain the optimal solution and commercial arrangements, providing they remain within the intent and scope of the Request for Quote. Such negotiations must be exhausted with one supplier before beginning with another.

All quotations are to be evaluated in a two staged process:

1. Quantitative assessment of a weighted score totalling 100%, which includes mandatory 10% Local Content; and
2. Evaluation of price against weighted score

VFM = Tendered Price / Weighted Score (Tendered Price divided by Weighted Score)

VFM (Value for Money) is an index used to calculate the lowest score which will represent the best outcome from both the comparative scoring and price. The preferred supplier should be appointed based on this outcome.

VFM is automatically generated when evaluations are completed in eBMS.

3.5.5 Evaluations

Evaluation of tenders and higher value quotations must have key evaluation criteria clearly outlined in the specification/brief. There are two types of criteria

1. **Mandatory Criteria (Pass/Fail)**
 - a. Occupational Health and Safety (see 3.5.6 below)
 - b. Financial viability (see 3.5.7 below)
 - c. Any other as specified in the Tender documentation
2. **Project qualitative/comparative Criteria (Scored)**

3.5.6 Mandatory Criteria - Occupational Health & Safety (OH&S)

All Tenders and quotations where works are to be completed on Council property must comply with Councils Occupational Health & Safety (OH&S) policy along with all legislative requirements.

OH&S is a mandatory evaluation criterion with a pass/fail weighting. The determination if a company meets the required standard is determined by the responses provided by the contractor from the information provided in the returned OH&S Schedule (Appendix 1) and supporting documentation. This may be subject to review by the Safety and Risk Unit, as determined by the tender panel.

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3.5.7 Mandatory Criteria – Financial Viability

1. After evaluation the top one or two submissions may have an independent Financial Assessment completed (this can be completed by the Procurement Unit upon request)
2. Result of Financial Assessment will be reviewed by Procurement and Finance Units and will be classified as either Pass or Fail
 - a. A pass indicates that the applicant has the financial capacity to provide procurement
 - b. A fail indicates that the applicant does not have the financial capacity to undertake the procurement
3. Dependant on the outcome of the Financial Assessment the Evaluation Panel will either finalise the evaluation process and proceed with relevant reporting, or, on the off chance Financial Assessment fail for the tested applicants; readdress the evaluation process
4. Financial Assessment should be completed prior to Recommendation being submitted for approval to the Contracts Committee or Council. If not, recommendation will be “subject to positive Financial Assessment”
5. Due to the confidentiality of the Financial Assessment the documents will be held by the Procurement Unit electronically and not distributed.

For projects where the same applicants submit and are awarded contracts regularly; the Financial Assessment process would only need to be undertaken on an annual basis. An example of this would be road works/Infrastructure.

VicRoads Pre-Approved contractors will not require a Council Financial Assessment.

A fail for either point 3.5.6 or 3.5.7 above means the tender/quote is non-conforming and cannot proceed further.

3.5.8 Project qualitative/comparative Criteria

Evaluation criteria provide a mechanism for comparing offers through assessment of the relative worth of different submissions. The evaluation criteria for each project may address several of the below subject to actual procurement requirements:

- Previous Relevant Experience
 - Experience relevant to the works over past three years
- Past Performance
 - Past documented performance with City of Ballarat or other Councils
- Capability
 - Proposed plant and equipment
 - Proposed staffing levels
 - Management capability
 - Technical capability
- Capacity
 - Extent of sub-contracting
 - Ability to resource project
- Ability to adhere to the specification
- Project Timeline
 - Methodology/Plan including Gantt Chart
- Qualifications
- Quality

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- Quality of goods and services to be provided
- Quality Management Plan
- Quality and Audit Systems
- Risk Management
 - Regulatory compliance
 - Means of controlling quality of sub-contractors
 - Extent of Risk
- Human Resource Management
 - Compliance with pertinent legislation
- Customer Service
 - Processes
 - complaints
- Sustainability/Environmental Outcomes
 - Waste management
 - Recycling
 - Energy management
 - Emission management
 - Water conservation
 - Green building design
 - Ecologically sustainable design
 - Sustainable supply and consumption
- Value Adding
- Social Procurement

NOTE: The criteria listed in 3.5.8 are a guide only and selection of evaluation criteria must be specific to the project being procured.

It is important that the information requested from suppliers is sufficient to enable suitable evaluation and comparison of submissions.

The evaluation criteria should not change once the procurement documents are issued. If they are changed before the tender closes, then an addendum must be issued advising suppliers of the change. The criteria cannot be changed once submissions are received.

Wherever practical the Evaluation Criteria should be discussed and agreed with the Evaluation Panel members prior to a quote or tender being sought.

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3.5.9 Weighted scoring methodology

This is the preferred method for all procurement processes. Each evaluation criterion is allocated a percentage weighting - adding up to a total of 100 per cent. Care needs to be taken to assign meaningful relative weightings.

Each qualitative criterion is allocated a score. The score is then weighted, which is calculated by multiplying the weighting factor by the score. The weighted scores can then be totalled, allowing for comparison between offers.

As a guide this method will use the below table to objectively evaluate and score each of the Project qualitative /comparative criteria.

Definitive	Score	Value Judgement
Excellent	5	Full achievement of the requirements for the criterion. Demonstrated strengths, no errors, weaknesses or omissions
Very Good	4	Sound achievement of the requirements. Some minor errors, risks, weaknesses or omissions, which may be acceptable as offered
Good	3	Reasonable achievement of the requirements. Some errors, risks, weaknesses or omissions, which can be corrected/overcome with minimum effort
Satisfactory	2	Minimal achievement of the requirements. Some errors, risks, weaknesses or omissions, which are possible to correct/overcome and make acceptable
Poor	1	No achievement of the requirements. Existence of numerous errors, risks, weaknesses or omissions, which are difficult to correct/overcome and make acceptable
Totally Deficient	0	Totally deficient and non-compliant

Note: Decimal points may be used when scoring

3.5.10 Delegation of Authority Requirement

Delegations define the limitations within which Council staff are permitted to work. Delegation of procurement authority allows specified Council staff to approve certain purchases, quotation, tender and contractual processes without prior referral to Council. This enables Council to conduct procurement activities in an efficient and timely manner whilst maintaining transparency and integrity.

Procurement delegations ensure accountability and provide confidence to Council and the public that purchasing activities are dealt with at the appropriate level.

As such, Council has delegated responsibilities as detailed below relating to the expenditure of funds for the purchase of goods, services and works, the acceptance of quotes and tenders and for contract management activities.

3.5.11 Delegations Reserved for Council Staff

Council maintains a documented record of Financial Delegations, identifying the Council staff authorised to make such procurement commitments in respect of goods, services and works on behalf of Council. Council staff can procure goods and services up to their Financial Delegation for the following:

- Acceptance of tenders (CEO only)
- Acceptance of Quotes;
- Contract term extensions (within authorised budget);
- Contract amendments (financial and non-financial);

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- Flexi Card purchases

3.5.11.1 Delegations Reserved for the Contracts Committee / Council

Commitments and processes which exceed the CEO's delegation, and which must be approved by Contracts Committee / Council are:

- Signing of contract documents; and
- Tender recommendations and Contract approval for all expenditure as delegated by Council

3.5.12 Internal Controls

Council will install and maintain a framework of internal controls over procurement processes that will ensure:

- A clearly documented audit trail exists for procurement activities
- Appropriate authorisations are obtained and documented
- Systems are in place for appropriate monitoring and performance measurement
- All persons engaged in procurement processes must diligently apply all internal controls.

3.6 Contract Management

The purpose of contract management is to ensure that Council, and where applicable its clients, receive the goods, services or works provided to the required standards of quality and quantity as intended by the contract by:

- Establishing a system reinforcing the performance of both parties' responsibilities and obligations under the contract; and
- Providing a means for the early recognition of issues and performance problems and the identification of solutions.

All Council contracts are to include contract management requirements.

Furthermore, contracts are to be proactively managed by the member of Council staff responsible for the delivery of the contracted goods, services or works to ensure Council receives value for money.

3.6.1 Risk Management

Council will manage all aspects of its procurement processes in accordance with its adopted Risk Management Policy and in such a way that all risks are identified, analysed, evaluated, treated, monitored and communicated to the standard required by the law, in accordance with Australian Standards and Council policy.

3.6.2 Health and Safety

To ensure the health and safety of our workers and visitors, procurement will be undertaken in accordance with requirements set out in the City of Ballarat Health and Safety Management System and approved policies (e.g., HS-12 Contractor Management / D-20-2519 Chemical Management / D-20-5252 Plant & Equipment) and as required by the law.

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3.6.3 Supply by Contract

The provision of goods, services and works by contract, potentially exposes the Council to risk. Council will minimise its risk exposure by measures such as:

- Standardising contracts to include current, relevant clauses
- Requiring Bank Guarantees or Security Deposits where appropriate
- Referring specifications to relevant experts when deemed necessary
- Requiring contractual agreement before allowing the commencement of work
- Use of or reference to relevant Australian Standards (or equivalent); and
- Effectively managing the contract including monitoring and enforcing performance.

3.6.4 Contract Terms

All contractual relationships must be documented in writing based on standard terms and conditions.

Where this is not possible, approval to vary standard terms and conditions must be sought from the Director Corporate Services. A request for such an approval should be supported with procurement and legal advice as relevant.

To protect the best interests of Council, terms and conditions must be settled in advance of any commitment being made with a supplier. Any exceptions to doing this expose Council to risk and thus must be authorised by the appropriate member of Council staff listed in the delegation's section above.

3.6.5 Endorsement

Council staff must not endorse any products or services. Individual requests received for endorsement must be referred to CEO.

3.6.6 Dispute Resolution

All Council contracts shall incorporate dispute management and alternative dispute resolution provisions to minimise the chance of disputes escalating to legal action.

In the first instance any disputes should be referred to the Director Corporate Services, or to the individual appointed by the CEO if the Director Corporate Services was directly involved in the tender decision making process.

3.6.7 Variances

On occasions there may be valid reason(s) when a tendered contract needs to be varied; this variance to the contract normally comes with a cost. All claims for variances must be in writing and approved by the officer with delegated authority as set out in Clause 3.5.10 above. Any cumulative variance greater than twenty percent (20%) of the original contract price must provide written advice[#] of the variance to the following, dependant on the initial approval:

- Director
- CEO
- Contracts Committee
- Council

In circumstances where the cost of the variance(s) exceeds the allocated project budget, approval must be sought from the initial approver prior to works proceeding.

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#This advice is for information purposes only. Works do not need to be put on hold.
Variances should be entered and approved in eBMS/Nimblex.

3.7 Demonstrate Sustained Value, Integration with Council Strategy

Council's procurement strategy shall support its corporate strategy as outlined in the 2021-2025 Council Plan, including but not limited to those related to an environmentally sustainable future, fostering sustainable growth, conserving and enhancing our natural and built assets and meeting the needs of the local community such as:

- a healthy, connected and inclusive community
- a strong and innovative economy and city
- providing leadership and advocates for its community

This will be facilitated by:

- Developing, implementing and managing procurement strategies that support the coordination and streamlining of activities throughout;
- Effective use of competition;
- Using centralised contracts and Standing Offers Agreement where appropriate;
- Identifying and rectifying inefficiencies in procurement processes;
- Developing cost efficient tender process including appropriate use of e-solutions;
- Council staff responsible for providing procurement services or assistance within Council providing competent advice in terms of available products and agreements; and
- Working with suppliers to create relationships that are professional and productive and are appropriate to the value and importance of the goods, services and works being acquired.

3.8 Specifications

Specifications used in quotations and tenders are to support and contribute to Council's Best Value for Money objectives, and should be written in a manner that:

- Ensures impartiality and objectivity;
- Encourages the use of products that are consistently with existing standards of Council;
- Encourages sustainability (Reduce, Reuse and Recycle, Renew);
- Where practical, promotes Social Procurement including the use of Aboriginal and Torres Strait Islander owned and operated companies along with social enterprises or other social benefit suppliers
- Ensure that relevant legislation is complied with when required:
 - Gender Equality Act 2020
 - Child Wellbeing and Safety Act 2005
 - Labour Hire Licencing 2018
 - Modern Slavery Act 2018
 - Other legislation as relevant to works/services
- Eliminates unnecessarily stringent requirements; and
- Wherever possible specifies technical standards and requirements that are within the capabilities of local and other suppliers.

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3.9 Performance Measure and Continuous Improvement

Appropriate performance measures are to be established and reporting systems will be used to monitor performance and compliance with procurement policies, procedures and controls.

Procurement procedures, practices and costs will be benchmarked externally.

3.10 Sustainable Procurement Considerations

Council's supply chain has a significant material impact on the organisation's sustainability performance. Therefore, Council is committed to adopting a sustainable procurement approach that is about doing business in a way that benefits society in the longer term.

Council aims to purchase environmentally preferred products should they achieve an equivalent function. Assessment shall ensure real and long-term value for money from procurement decisions and procurement processes including consideration of the total cost to society, the environment and our economy over the entire life cycle of a purchased product or service.

Within this context Council officers should therefore consider the following environmental sustainability criteria when making purchases and specifying tender evaluation criteria:

Reduce, reuse, recycle and renew

- avoid unnecessary purchase of goods, services or works through identifying ways to carry out a function or task without using materials that generate waste (e.g., sending information via email instead of paper) and checking stores and other Departments for excess goods.
- select products that reduce the amount of materials required such as packaging and consumables.
- seek to re-use items where possible and extend the useful life of products and equipment through maintenance and repair or re-allocation.
- seek to buy recycled/part-recycled products that optimise consumption and stimulate demand for recycled products, promoting the collection and reprocessing of waste and working towards zero discharge to landfill.
- Minimise energy consumption and greenhouse gas emissions
- Select electrical and gas-powered products which are energy efficient. For all product categories covered under the Australian Government's Equipment Energy Efficiency rating scheme (e.g., televisions, refrigerators, dishwashers, computers/monitors, air conditioners, washers/dryers) prefer products that are within one star of best available rating. Refer <http://www.energyrating.gov.au/>
- select fuel efficient products
- in addition to operational energy efficiency, consider the energy and water requirements of a product during its production, transportation and eventual disposal.

Minimise habitat destruction

- purchase paper and wood products obtained from recycled, plantation, salvaged or renewable sources.

Minimise toxicity

- purchase materials and products (e.g., Paints, cleaning products, herbicides, asphalt, building materials) that minimise or eliminate use or release of toxic substances that can affect human health and pollute water, land or air at any stage of their life cycle.

Minimise use of potable water

- select products that conserve water or use water in an efficient way. For products covered under the Australian Government's Water Efficiency Labelling and Standards (WELS) scheme (e.g., Taps,

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toilets/urinals, dishwashers) prefer products that are within one star of best available. Refer <http://waterrating.gov.au>

Green the supply chain

- where practical develop tender, quotation and contract specifications that encourage suppliers to adopt good environmental and management practices that also respect the rights of all employees and the local community.

3.11 Support of Local Business

Council is committed to buying from local businesses where such purchases may be justified on Best Value for Money grounds.

Wherever practicable, Council will fully examine the benefits available through purchasing goods, services or works from suppliers/contractors within the Ballarat Region. Council will also seek from prospective suppliers/contractors where applicable what economic contribution they will make to the Ballarat region. All tenders/quotes should allow a ten percent (10%) evaluation allowance for local businesses.

The Local Content component of the evaluation criteria will be scored as below:

Local Presence – in the form of depot/retail outlet/warehouse/office etc. within the specified group of municipalities.

Score	Judgement
3	Locally owned/operated business
2	Local presence but not owned locally
1	Physical presence within the State of Victoria

Economic Benefit – Average percentage (%) of combined labour, materials, plant and equipment sourced from within the specified group of municipalities

Score	Definitive	Average Percentage
7	Excellent	95 to 100%
6	Very Good	90 to 94%
5	Good	80 to 89%
4	Average	60 to 79%
3	Below Average	40 to 59%
2	Inadequate	20 to 39%
1	Deficient	1 to 19%
0		0%

Local Content Score = Local presence + Economic benefit

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Council will endeavour to obtain quotes from local suppliers wherever possible, if two or more quotes are required then a minimum of one should be from a local supplier. If this is not possible, the purchasing officer will advise the Economic Development Unit so that supply gaps can be tracked and matched with future business opportunities.

3.12 Social Procurement

Social procurement involves using procurement processes and purchasing power to generate positive social outcomes in addition to the delivery of efficient goods, services and works. For Local Government, social procurement builds on initiatives already undertaken by the sector in enhancing sustainable and strategic procurement practice, enabling procurement to effectively contribute to building stronger communities. Social procurement is a key mechanism by which to generate wider social benefits by providing a mechanism for linking and integrating social and economic agendas.

City of Ballarat supports social procurement when engaging local suppliers, contractors and/or service providers. Council may engage with any of the groups below when:

- (1) advantageous to a specific procurement,
- (2) is within threshold requirements as outlined in Clause 3.4; and
- (3) the required works or services provide best value for money.

- Employment of groups with entrenched disadvantage
- Use of Aboriginal and Torres Strait Islander owned and operated companies
- Social Enterprises
- Disability Enterprises
- Employment of Apprentices
- Employment of recognised Youth Traineeships
- Employment of Youth labour
- Benefits to local community

3.13 Diversity

Promoting equality through procurement can improve competition, best value, the quality of public services, satisfaction among users and community relations. It should be a consideration in every procurement activity and reflect corporate commitment to diversity and equal opportunities wherever possible.

City of Ballarat recognises the importance of having a diverse supplier base that reflects the breadth of our clients and the Victorian community.

Diversity and inclusion in procurement can refer to diverse suppliers, for example indigenous, culturally diverse, disability or gender diverse suppliers or can refer to generic suppliers providing consideration of the needs of diverse groups.

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3.14 Supply Market Development

A wide range of suppliers should be encouraged to compete for Council work. The focus for new work need not always be with familiar businesses. Other types of organisations, offering business diversity include:

- Local suppliers
- Green suppliers
- Small to medium sized enterprises (SME's)
- Social enterprises
- Aboriginal and Torres Strait Islander owned and operated companies
- Voluntary and community organisations

4.0 Supporting documents and references

4.1 Legislation:

- *Local Government Act 2020*
- *Gender Equality Act 2020*
- *Child Wellbeing and Safety Act 2005*
- *Labour Hire Licencing 2018*
- *Modern Slavery Act 2018*
- *Privacy and Data Protection Act 2014*

4.2 Associated Documents

- Councillor Code of Conduct
- HR-07 Employee Code of Conduct
- D-19-159909 Gift and Hospitality Procedure
- Social Procurement: A Guide for Victorian Local Government
- GROW Ballarat Partner Compact 2017

4.3 Charter of Human Rights Compliance

Council will ensure that all its procurement operations are fully consistent with the prescribed rights and responsibilities and that they respect the fundamental rights within the Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic).

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4.4 Definitions

Act (The):	Local Government Act 2020 (as amended)
Advertised	An advertisement in a locally distributed newspaper and/or included on Council Tender web portal (eProcure)
Commercial in Confidence	Information that, if released, may prejudice the business dealings of a party e.g.: discounts, rebates, profits, methodologies and process information. It is information provided for a specific purpose that is not to be used for any other purpose than set out in the initial document
Conflict of Interest	In Victorian local government, the law provides that a staff member holding a delegation or advising council, or a special committee has a conflict of interest which they must disclose in writing when they have a personal or private interest of the type specified in the legislation
Contract	An agreement between two or more authorised persons on behalf of their organisations to perform or not perform a specific act/s that is enforceable in law. A contract may be verbal or written or inferred by conduct.
Contract Documents	Documents construed together as an instrument of contract. They may include terms & conditions, specifications, drawings, tender responses, delivery schedules and payment schedules
Contract Management:	The process that ensures both parties to a contract fully meet their respective obligations as efficiently and effectively as possible, to deliver the business and operational objectives required from the contract and in particular, to provide value for money.
Contractor	Respondent (person, firm etc) whose tender/quotation offer has been accepted by the council with or without modification
Council Staff:	Includes full time and part-time Council officers, and temporary employees, contractors and consultants while engaged by the Council.
CSR Practices:	Corporate Social Responsibility. Relates to Council's supply chain being ethical, knowledgeable, reputable and where possible supporting green and sustainable products.
eBMS/Nimblex	Council's Tender and Contract Management system.
Emergency	<ul style="list-style-type: none"> • Any urgent circumstance which may present a risk to public health and/or safety • The failure of a 'key service provider' • Significant damage to a municipal asset (where it is no longer safe) • Major business disruptions such as an extensive IT failure resulting in a loss of services to the community
Evaluation Criteria	The criteria used to evaluate the compliance and/or relative ranking of tender responses. All evaluation criteria must be clearly stated in the request documentation and discussed with Evaluation Panel members prior to tender release.

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Expression of Interest:	A response to an open approach, usually by public advertisement, to the market requesting submissions from prospective suppliers interested in procurement. The list of potential suppliers who have provided expressions of interest may be used as the basis for conducting a select tender process
Late Tender	A late tender is one that it is not received prior to the advertised closing date/time.
Local Content	<p>Defined as labour, materials, plant and supervision which are sourced from within the following municipalities:</p> <ul style="list-style-type: none"> • Ararat Rural City Council, • Ballarat City Council, • Golden Plains Shire Council, • Hepburn Shire Council, • Moorabool Shire Council, • Pyrenees Shire Council.
Prepayment	A payment made for goods/services prior to any works being undertaken
Probity:	A procurement process that conforms to the expected standards of probity is one in which clear procedures that are consistent with the Council's policies and legislation are established, understood and followed from the outset. These procedures need to consider the legitimate interests of suppliers and ensure that all potential suppliers are treated equitably.
Procurement:	Procurement is the whole process of acquisition of goods, services and works. It can include planning, design, standards determination, specification writing, preparation of quotation and tender documentation, selection of suppliers, financing, contract administration, disposals and other related functions. This process spans the whole life cycle from initial concept through to the end of the useful life of an asset (including disposal) or the end of a service contract.
Social Enterprise	A commercially viable business existing to benefit the public and the community, rather than shareholders and owners.
Social Procurement	The procurement of goods and services by Council that seeks to contribute to the future sustainability of communities and to improving the quality of life of their constituents by procuring goods or services in a manner that seeks to strategically address particular social issues in the community.
Specification	The statement which clearly and accurately describes the essential requirements for goods, services or works. It may also include the procedures by which it will be determined that the requirements have been met and performance required in a contract
Standing Offer Agreement	A contract that sets out rates for goods and services that are available for the term of the agreement. However, no commitment is made under the agreement to purchase a specified value or quantity of goods or services.
Sustainability:	Activities that meet the needs of the present without compromising the ability of future generations to meet their needs, while creating resilient and prosperous communities and protecting the environment.

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Tender	An offer in writing to supply goods and/or services, usually submitted in response to a public or selective invitation such as a Request for Tender
Tender Process:	The process of inviting parties to submit a quotation or tender by public advertisement, followed by evaluation of submissions and selection of a successful bidder or tenderer.
Treatment of GST	All monetary values stated in this policy exclude GST;
Value for Money (VFM):	Value for Money in Procurement is about selecting the supply of goods, services and works considering both cost and non-cost factors including: <ul style="list-style-type: none"> • contribution to the advancement of the Council's priorities, including support of local businesses • non-cost factors such as fitness for purpose, quality, service and support; and cost-related factors including whole-of-life costs and transaction costs associated with acquiring, using, holding, maintaining and disposing of the goods, services or works.
Variance	Is an alteration to the scope of works in a construction contract in the form of an addition, substitution or omission from the original scope of work.

5.0 Policy owner

The owner of this policy is the Chief Executive Officer. Enquiries regarding this policy should be directed to Council's Manager Revenue & Procurement Services.

6.0 Authorisation

Adopted by Ballarat City Council on xxxx

This Policy came into effect on:

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Appendix 1 – Occupational Health & Safety Schedule

		YES	NO
1.1	Does your organisation have >\$20 Million Public Liability Insurance ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Where applicable to the works or services being provided does your organisation have Product Liability Insurance ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.3	Where applicable to the services being provided, does your company have Professional Indemnity Insurance ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.4	Is your organisation WorkCover Certified ? If Yes, please provide a copy of Certificate of Currency	<input type="checkbox"/>	<input type="checkbox"/>
1.5	Does the works being tendered for require High Risk Licences? If Yes, please provide copies.	<input type="checkbox"/>	<input type="checkbox"/>

		YES	NO
2.1	Do you currently have an accredited OH&S System to AS/NZS 4801, OHSAS 18001 or ISO 45001 ? If Yes, please provide a copy of your certification and evidence of most recent audit	<input type="checkbox"/> 15 Points	<input type="checkbox"/> 0 Points

If yes move to section 4

		YES	NO
3.1	MANDATORY - Do you have an Occupational Health & Safety Policy? If Yes, provide a copy of the policy	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.2	Do you have and use an OH&S Manual or Work Plan? If Yes, provide a copy of the front page and contents page	<input type="checkbox"/> 2.0 Points	<input type="checkbox"/> 0 Points
3.3	Do you use a SWMS (Safe Work Method Statement), JSA (Job Safety Analysis) or SOP (Safe Operating Procedure) for the proposed works? If Yes, please provide a copy.	<input type="checkbox"/> 1.5 Points	<input type="checkbox"/> 0 Points
3.4	Are records kept of operator training, inductions and competencies, such as licences and qualifications? If Yes, please provide a register of relevant qualifications and Licenses	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.5	Do you have and use procedures for identifying, assessing and controlling manual handling risks? If Yes, please provide a copy of procedure.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.6	Do you have and use procedures for storing and handling hazardous substances? This also includes office-based substances. If Yes, please provide a copy of hazardous substance register.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.7	Do you have a Roles & Responsibility Plan? If Yes, please provide a copy.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.8	Is there a formal mechanism for OH&S consultation in your Organisation? If Yes, please provide a copy of recent OH&S minutes or toolbox meeting.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.9	Do you have and use procedures by which employees can report hazards?	<input type="checkbox"/>	<input type="checkbox"/>

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	If Yes, please provide details below and a recent example.	0.5 Point	0 Points
3.10	When a hazard is identified, do you conduct a risk assessment of that hazard? If Yes, please provide a copy of your Risk Assessment form.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.11	Do you have an Incident Investigation Procedure and Incident Reporting form? If Yes, please provide a copy of each.	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points
3.12	Do you use Equipment inspection checklists? If Yes, please provide a copy of inspection checklist.	<input type="checkbox"/> 1.5 Point	<input type="checkbox"/> 0 Points
3.13	Do you use workplace inspection checklists? If Yes, please provide a copy of inspection checklist.	<input type="checkbox"/> 1.0 Point	<input type="checkbox"/> 0 Points
3.14	Does your business have and use any permit to work systems? <i>For example, hot works, electrical isolation and working at heights etc.</i> If Yes, please provide an example of a recent permit.	<input type="checkbox"/> 1.0 Point	<input type="checkbox"/> 0 Points
3.15	Do you have elected Health & Safety Representatives (HSR)? If so, please provide names(s) and details of initial training and any refresher training, if not listed in training register from 6.3	<input type="checkbox"/> 0.5 Point	<input type="checkbox"/> 0 Points

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		Number	Points
4.1	Have you had any prosecutions for breaches of the OHS Act 2004 in the last 5 years? Detail:	0 1 2 3+	10 5 1 0
4.2	Have you had issued any enforceable undertakings in the last 5 years? Detail:	0 1 2 3+	10 5 1 0
4.3	Value of enforceable undertaking: \$	\$0-10,000 <\$50,000 <\$100,00 >\$100,000	10 5 1 0
4.4	How many improvement notices or prohibition notices have you had in the last 5 years? Number:	0-5 6-10 11-15 16-20 20+	10 9 8 7 5
4.5	How many notices in the last 5 years have you had that required you to cease work until issue was rectified: Number:	0 1 2 3+	10 5 1 0
		Total = X/10	

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Appendix 2

Exemptions for obtaining Quotes:

A copy of completed (signed) Procurement Exemption to be forwarded to Procurement Unit for further reporting to Risk and Audit Committee.

All areas of expenditure identified below are exempt from the requirements of clause 3.4 of this policy. However, transactions must still comply with the tendering threshold.

- Shop Supplies - Units of the City that operate a retail outlet and are required to purchase stock for resale to the public. Goods purchased for the purpose of resale are exempt from obtaining quotes. This is due to the nature of the goods that are offered for resale, which may be of a unique nature.
- Performers/Events – Where Performers and ticketed events are sourced for resale and these performances/events will return an income to the City of Ballarat quotations are not required.
- Artworks and transportation of Artworks - The City is in a unique position of operating an Art Gallery. It is not practical to obtain quotes for the purchase of artworks as each piece of work is unique. These items are to be purchased within annual budget restraints. If an artwork is commissioned to be created, then this exemption does not apply, and quotations/tender must be sought. Artworks are often borrowed from or loaned to other Galleries and the transport of Artworks is a specialised service with a limited number of reputable providers. Some Galleries specify the company that must be used.
- Sole Supplier (Core Service) - The City deals with several core service sole suppliers where there is no market to test and obtain multiple quotations. Examples of core service sole suppliers are:
 - (a) Professional membership payments and subscriptions (must relate to position held at the City);
 - (b) Where the supplier is the sole source of specific intellectual property;
 - (c) Ongoing computer software licences; and
 - (d) Advertising (newspapers, magazines, TV, radio and Social Media (e.g., Facebook and similar);
- Plant and Equipment Servicing and Spare Parts - plant and equipment purchased by the City require servicing at regular intervals. To maintain a valid warranty, works need to be carried out by recognised suppliers using genuine parts.
- Emergency Situations – If the CEO or delegated key emergency management employees have determined that an emergency exists, purchases may be made without the need to initially follow policy during the emergency. Emergency situations may arise due to unforeseen events or occurrences relating to, but not limited to life threatening situations, genuine concerns for public safety, security, building specific critical works, loss of essential services and, invoking an emergency response plan.
- Direct purchasing of goods and services from Aboriginal and Torres Strait Islander businesses where the estimated value of the procurement is up to \$50,000. The identified business must be registered with Supply Nation or be at least 50% Aboriginal or Torres Strait Islander owned and where Value for Money can be achieved.
- Direct purchasing of goods and services from Social Procurement businesses where the estimated value of the procurement is up to \$50,000. The identified business must be certified with Social Traders or are businesses that trade to intentionally tackle social problems, improve communities, provide people with access to employment and training, or help the environment. Must be not for profit and Value for Money must be the final consideration.

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- Legal Services
- Payroll expenses - Superannuation and PAYG
- GST - Goods and Services Tax payable
- Postage - Australia Post
- Vehicle registrations - VicRoads vehicle registrations
- Councillor expenses - Allowances and Reimbursements
- Levies - EPA Victoria Levy, Fire Services Property Levy
- Acquisition of Land and Buildings
- Medical expenses
- Venue hire
- External audit fees – Victorian Auditor General’s Office
- Professional workshop and conference registration fees and associated costs
- Other circumstances when authorised by the CEO or Director of Corporate Services on receipt of a compliant Procurement Exemption request;

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Appendix 3

Transactions exempt from requiring a Purchase Order

- Payment request forms
- Utilities –Gas, Electricity and Water only.
- HMT/Civic Hall Acquittal's
- Workcover/medical Expenses
- Police Checks
- Legal expenses
- Auditors
- Transfer of Long Service leave
- Telstra
- Physio, Lake Health Care Group
- Memberships
- Subscriptions
- Donations (Staff Fundraising including causal clothes day)
- Pathway Refunds
- Debt Collection
- Rent
- Arch of Victory invoices
- Community Grants/Strategic Partnerships

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Contracts Approval Delegated Committee

Terms of Reference

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Contracts Approval Delegated Committee | 2

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1. Background

- 1.1. By this Terms of Reference document, the Ballarat City Council (Council) establishes the Contracts Approval Delegated Committee (Committee) pursuant to section 63 of the *Local Government Act 2020* (LGA). The Committee is established as an ongoing Delegated Committee.
- 1.2. The members of a Delegated Committee have the powers, duties and functions of Council as set out in these Terms of Reference and the Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3. These Terms of Reference are authorised by a resolution (R/21) of Council passed on DATE
- 1.4. Prior to this date, under Council's delegations to the CEO, contract approvals were limited to \$1,000,000 meaning that all contracts over this value required the approval of Council. The Council meeting cycle meant that contract approvals required three weeks to go through Leadership Team, Councillor Briefing and an Ordinary Council meeting before being approved.

2. Purpose

The Committee is established for the purpose of:

- 2.1 Making decisions on Council contracts between \$500,001 and \$2,000,000, thereby expediting the contract approval process.

3. Objectives

The objectives of the Committee are:

- 3.1 To specifically streamline decision-making processes of Council.

4. Roles and Responsibility

The role of the Committee is:

- 4.1 To exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation; and
- 4.2 To only consider contracts that meet the following criteria:
 - 4.2.1 Contracts of value between \$500,001 and \$2,000,000;
 - 4.2.2 Recommended contracts within the Council approved budget;

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- 4.2.3 Full contract evaluation reports have been prepared in accordance with Council's procurement policy, including the consideration of local content;
- 4.2.4 Contract evaluation reports are authorised by the relevant Director and the Chief Executive Officer.

5. Delegation of Powers, Duties and Functions

- 5.1 In order to fulfil and carry out its purposes and objectives Council delegates to the members of the Delegated Committee, pursuant to section 11(1)(a) of the *Local Government Act 2020*, the powers, duties and functions set out in the Instrument of Delegation passed at Council on **DATE (R/21)** and attached to these Terms of Reference.
- 5.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that Council may from time to time adopt.
- 5.3 Committee members are at all times expected to act in accordance with their responsibilities set out in Council's Governance Rules and the Committee Policy.

6. Membership

- 6.1. The Committee will consist of a minimum of three (3) members comprising:
 - 6.1.1 Three (3) Sustainability Portfolio Councillors.
- 6.2. Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 6.3. Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 6.4. Council will revise the membership and voting rights of each Committee member as it sees fit.
- 6.5. The Councillor appointed by the Council or the Mayor will be the Chairperson of the Committee in accordance with section 63(2)(a) of the *Local Government Act 2020*.
- 6.6. If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 6.7. All of the Committee members must submit primary and ordinary returns to Council in accordance with section 81 of the *Local Government Act 1989* and after 24 October 2020, initial personal returns and biannual personal returns in accordance with sections 133 and 134 of the *Local Government Act 2020*.
- 6.8. The Committee has the discretion to refer any contract submitted to it to the full Council for decision if the Committee so determines.

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7. Meetings

- 7.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
 - 7.1.1 Council's Governance Rules;
 - 7.1.2 section 61 *Local Government Act 2020*; and
 - 7.1.3 the Committee's discretion, as exercised from time to time.
- 7.2 The Committee will meet weekly or as agreed by the Committee from time to time.
- 7.3 A quorum of the Committee will be two (2) Councillors.
- 7.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 7.5 Administrative support to the Committee will be provided by the Business Services Executive Assistant.

8. Reporting

- 8.1. The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
 - 8.1.1 Council's Governance Rules;
 - 8.1.2 the Committee's discretion, as exercised from time to time;
- 8.2 The Committee can report to Council as required.
- 8.3 Where requested by Council, the Committee must report its activities and performance to a meeting of Council.

9. Creation and Dissolution

- 9.1 By these Terms of Reference, the:
 - 9.1.1 Committee is established; and
 - 9.1.2 powers, duties and functions of the Committee members, as set out in the Instrument of Delegation, are delegated.
- 9.2 These Terms of Reference and the Instrument of Delegation:
 - 9.2.1 come into force immediately when the resolution of Council adopting them is made; and
 - 9.2.2 remain in force until Council determines to vary or revoke it.
- 9.3 The Committee must be dissolved by a resolution of Council.

Contracts Approval Delegated Committee | 5

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9.4 The Terms of Reference will be reviewed as required.

Dated:

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Contracts Approval Delegated Committee | 6

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Procurement Policy is a requirement under section 108 of the *Local Government Act 2020*

COMMUNITY IMPACT

2. There are no community impacts identified in the body of this report

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. This policy has included possible ways to increase the purchase of goods and services that use recycled or reusable content, are locally and ethically produced, are water or energy efficient , or use low impact materials.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability impacts identified for the subject of this report

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report

LEGAL AND RISK CONSIDERATIONS

6. The endorsement of the Procurement Policy (Version 11) must occur prior to 31st December 2021 to comply with the requirements as outlined in the *Local Government Act 2020*
7. The endorsement of the Procurement Policy ensures that the core operations of Council are not impeded and are managed to ensure transparency and good governance.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

9. A working group was established to review the policy and to make recommendations. The working group was chaired by the Procurement Coordinator and had representatives from various areas of Council including Infrastructure and Environment, Major Projects, Recreation, Facilities Management, Economic Development, ICT, Aboriginal Liaison, Operations and Fleet

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GENDER EQUALITY ACT 2020

10. There are no gender equality implications identified for the subject of this report.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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8.12. COMMITTEE OF MANAGEMENT - 4 HAVELOCK STREET

Division: Development and Growth
Director: Natalie Robertson
Author/Position: James Guy – Executive Manager Economic Growth

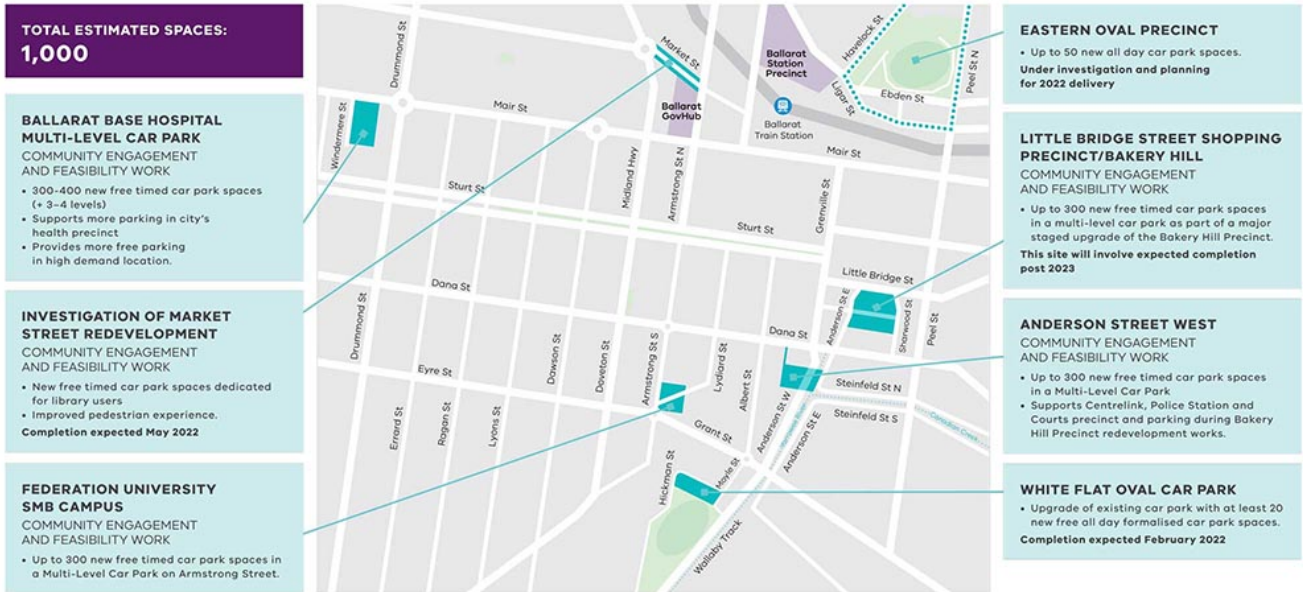
PURPOSE

1. Request Council endorse City of Ballarat becoming Committee of Management for the currently disused and not publicly accessible crown land on the corner of Havelock Street and Nolan Street near the Ballarat Railway Station and Eastern Oval.
2. The land has been identified by Regional Development Victoria as a site for public car parking, to be funded by the State Government's Regional Car Parks Fund.
3. The report seeks Committee of Management arrangements to enable Council to construct the car park on behalf of Regional Development Victoria, given the site is currently privately leased by DELWP to a 3rd party.

BACKGROUND

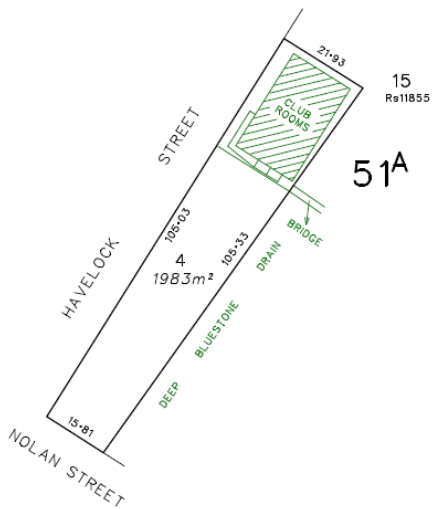
Regional Car Park Fund

4. The Victorian Government committed to delivering 1000 new free car parking spaces across Ballarat with locations primarily focussed on activity areas around the CBD, the Health Precinct and central sporting precincts.
5. The initiative recognises and responds to the pressure on parking availability being driven by an increase in development and economic activity across the Ballarat CBD, which is attracting more visitors, shoppers and workers.
6. The Government has been working closely with the City of Ballarat, Ballarat Health Services and other key stakeholders to identify preferred locations and design solutions for the additional 1000 free car parking spaces for Ballarat.
7. In July 2021, three locations were announced for the construction of 100 new free spaces expected to be completed by mid 2022:
 - a. additional all-day free spaces in an upgraded White Flat oval car park
 - b. up to 50 new all-day free spaces on the perimeter of the Eastern Oval precinct
 - c. additional on-street timed free spaces for library users in a redeveloped Market Street close to Ballarat's library and the new GovHub.
8. Works to deliver these first phase projects of the car park program is planned to commence from late 2021.
9. The initial phase of the Regional Car Park Fund projects in Ballarat is as follows:



4 Havelock Street Site

10. The land at 4 Havelock Street is currently leased by DELWP to a 3rd party and so although public land, the area is fenced off and unavailable for community use.
11. The entire land parcel includes disused asphalt sporting courts, in poor condition, and a building (former sporting clubrooms).
12. City of Ballarat has agreed to act as delivery partner for RDV to support the creation of new car parking, which does not require the building, so DELWP have agreed in principle to the Committee of Management status applying to the car parking area only.
13. The proposed boundary of the Committee of Management is shown as Attachment 1 and is as follows:



KEY MATTERS

14. It is considered that to deliver the proposed car parking (as per the funding agreement with RDV for the Regional Car Park Fund), City of Ballarat needs to take on Committee of Management status for the land.
15. It is estimated the car park could yield approximately 50 public parking spaces (subject to detailed design), with the location meaning it will support over-flow from Ballarat Station, CBD workers and others seeking to access the CBD and Eastern Oval.
16. Once constructed, City of Ballarat would assume maintenance responsibility for the car park area, which for a newly built parking facility is expected to be minimal.
17. DELWP remain able to transact and lease the former club-rooms as they do currently, with potential tenants of the building able to use the car parking as they would for any free, all day parking area.

OFFICER RECOMMENDATION

18. That Council:

18.1 Request the Department of Environment, Land, Water and Planning (DELWP) appoint City of Ballarat as Committee of Management for part of the land parcel at 4 Havelock Street, Ballarat East (Town of Ballarat East – Section 51A – Crown Allotment 4) as depicted in Attachment 1.

18.2 Note the requested Committee of Management arrangement specifically excludes the building on the site.

ATTACHMENTS

1. Governance Review [8.12.1 - 2 pages]
2. Appendix 1 - Proposed Boundary of Committee of Management for 4 Havelock Street [8.12.2 - 1 page]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. Support for delivery of the State Government's election commitment for 1000 free car parking spaces in the Ballarat CBD, via RDV and Regional Car Park Fund helps deliver a number of the Council Plan 2021 – 25 priorities, particularly related to fostering sustainable development and supporting a strong and innovative economy and city.
2. Aligns with the support for improved access and transport options as per the adopted Ballarat Integrated Transport Action Plan (2020).

COMMUNITY IMPACT

3. It is expected the community will benefit from additional public car parking close the CBD, Ballarat Station and Eastern Oval.
4. The land is owned by the Crown but is not current publicly accessible, so the investment will provide greater community return.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

5. The report does not impact on Council's commitment to the climate emergency or environmental sustainability.

ECONOMIC SUSTAINABILITY IMPLICATIONS

6. Support for CBD workers and visitors to have additional free, all day car parking options on the fringe of the Ballarat CBD will have a positive economic impact.

FINANCIAL IMPLICATIONS

7. The funding of all works associated with the design and delivery of the car park is provided by the State Government from the Regional Car Park Fund.
8. There will be ongoing maintenance implications for Council, however this is expected to be minimal and City of Ballarat will ensure quality construction of the car parking minimises ongoing and future costs.

LEGAL AND RISK CONSIDERATIONS

9. Committee of Management status for this site brings with it the same legal and risk considerations as for all other public land for which City of Ballarat is responsible.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

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11. This site was identified for potential car parking in the community engagement process undertaken by Regional Development Victoria in July 2021 via the Engage Victoria platform. Further information on this engagement is available at <https://www.rdv.vic.gov.au/grants-and-programs/regional-car-parks-fund>.

GENDER EQUALITY ACT 2020

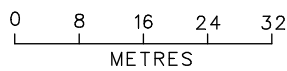
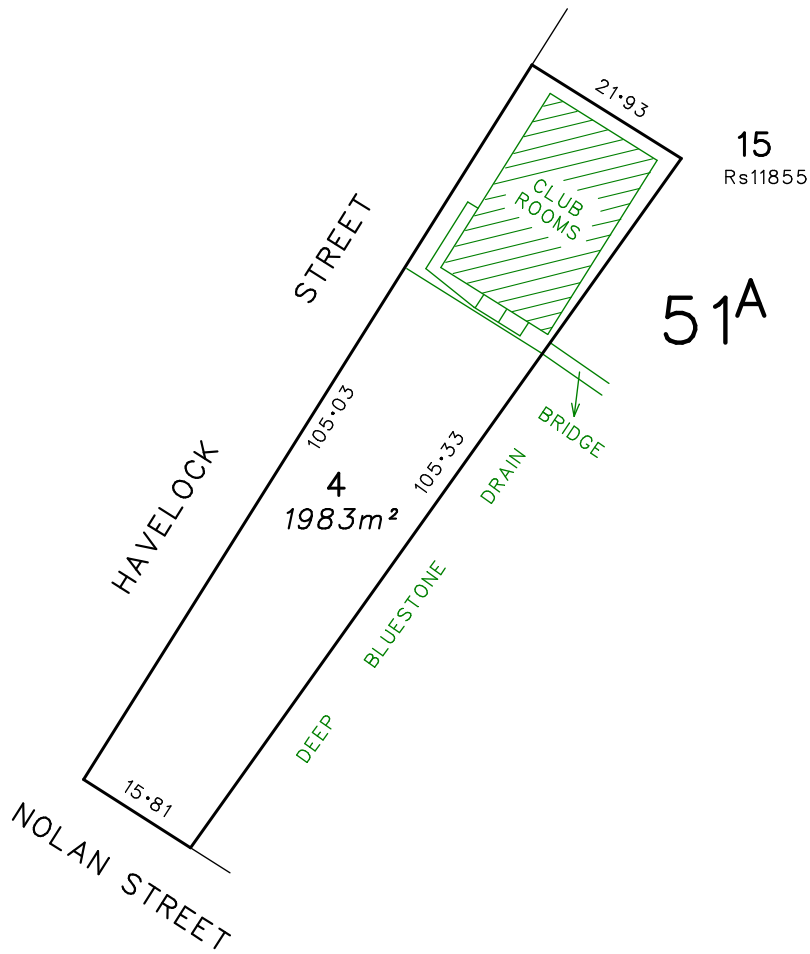
12. There are no gender equality implications identified for the subject of this report.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

13. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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Ref. No.
2016309



DEPARTMENT OF ENVIRONMENT
LAND WATER AND PLANNING

STATE GOVERNMENT OFFICES
BALLARAT 3350

PLAN FOR LAND MANAGEMENT
TOWNSHIP OF BALLARAT EAST
SECTION 51A
CROWN ALLOTMENT 4

ORIGINAL
SCALE 1:800 | SHEET SIZE A4

Plan No.
B/29.07.21

8.13. LGBTIQA+ ADVISORY COMMITTEE MEMBERSHIP

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Bernadette Duffy – Community Inclusion Officer

PURPOSE

1. To present to Council for formal appointment nine (9) members for the inaugural LGBTIQA+ Advisory Committee.

BACKGROUND

2. The LGBTIQA+ Advisory Committee will provide support and advice to Council on access and inclusion for LGBTIQA+ individuals and communities, particularly in relation to Council policies, strategies, services and activities. This Committee also aims to maintain dialogue and active partnerships between participating agencies, associations and organisations which share a set of beliefs, attitudes and values that support and celebrate the diversity of our city.
3. The establishment of the Committee was authorised by a resolution R73/21 of Council passed on 28 April 2021.
4. The Terms of Reference were authorised by a resolution R126/21 of Council passed on 23 June 2021.
5. The Committee will consist of two Councillor representatives, and up to ten community representatives.

KEY MATTERS

6. The LGBTIQA+ Advisory Committee positions were advertised between 21 July and 9 August 2021 in accordance with the LGBTIQA+ Advisory Committee Terms of Reference.
7. Eighteen applications were received and assessed against the following criteria:
 - Connection to the City of Ballarat
 - Interest and involvement in LGBTIQA+ advocacy
 - Commitment to social inclusion and LGBTIQA+ participation
 - Skills and competencies required to be an active member of the advisory committee and to support the development of an LGBTIQA+ Action Plan
 - Awareness of the needs of LGBTIQA+ individuals and communities.
8. In addition, the selection process actively sought membership that was as reflective as possible in terms of representation of the various groups that form the LGBTIQA+ communities. This included diversity in terms of sexuality, sex and gender identities, along with age, ability, Indigenous status, cultural and linguistic background, education, employment status and geographical area of residence.
9. Cr Moloney (Mayor) (Chair) and Cr Coates are delegated to represent Council on the LGBTIQA+ Advisory Committee.

10. With a maximum capacity of twelve committee members, the appointment of nine recommended members will fill eleven (11) Committee positions. One selected applicant withdrew their application.
11. The Assessment Panel (Panel) included three (3) Council staff. The Panel assessed applications and conducted informal interviews with short-listed applicants.
12. The Panel resolved to recommend that Council appoint the following individuals and representatives to the Committee:
 - Sage Akouri (Speak)
 - Michelle Bowler
 - Alexander Bravo (Ballarat Community Health)
 - Asha Buckmaster (Central Highlands Primary Care Partnership)
 - KL Joy
 - Deb Lord (LaNCE TV Inc.)
 - Jay Morrison (Ballarat Frolic Festival)
 - Gabriel Waldron
 - Belinda Woodruff
13. The local LGBTIQA+ Associations, Groups and Community Committee represented are Speak, LaNCE TV Inc., and Ballarat Frolic Festival.
14. The local organisations that work with the LGBTIQA+ community are represented by Ballarat Community Health and Central Highlands Primary Care Partnership.
15. Individuals identifying as LGBTIQA+ with strong community links and the specific skills necessary to support the key objectives are represented by the balance of the proposed committee members.

OFFICER RECOMMENDATION

16. That Council:

16.1 Appoint Michelle Bowler, KL Joy, Gabriel Waldron, and Belinda Woodruff as individual community representatives, and Sage Akouri (Speak), Alexander Bravo (Ballarat Community Health), Asha Buckmaster (Central Highlands Primary Care Partnership), Deb Lord (LaNCE TV Inc.) and Jay Morrison (Ballarat Frolic Festival Committee) as organisational/ group representatives on the LGBTIQA+ Advisory Committee effective immediately.

ATTACHMENTS

1. Governance Review [8.13.1 - 2 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The full membership and functioning of the LGBTIQ+ Advisory Committee align with several key strategic documents:
 - **Council Vision 2021 – 2031**
A healthy, connected and inclusive community
 - **Council Plan 2021 – 2025**
2.8 Enhance Ballarat as a Diverse, Inclusive and Compassionate Community
Develop LGBTIQ+ Inclusion Plan and co-ordinate new LGBTIQ+ Advisory Committee
 - **Health and Wellbeing Plan 2021 – 2031**
Priority group: LGBTIQ+ Communities

COMMUNITY IMPACT

2. Committee membership seeks to reflect a broad range of lived experiences, skills, and expertise to raise a breadth of perspectives and advice to Council about issues that impact on the participation of LGBTIQ+ individuals and communities locally.
3. The inclusion of diverse committee membership assists with understanding and responding to the broad needs of individuals, their families, friends, and the community. This will enable Council to provide increasingly inclusive, accessible, and welcoming local spaces and opportunities.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

4. There are no known implications.

ECONOMIC SUSTAINABILITY IMPLICATIONS

5. There are no known implications.

FINANCIAL IMPLICATIONS

6. The appointment of the recommended committee members does not impact on Council financially.

LEGAL AND RISK CONSIDERATIONS

7. There are no known legal or risk considerations.

HUMAN RIGHTS CONSIDERATIONS

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

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COMMUNITY CONSULTATION AND ENGAGEMENT

9. Applications were sought in line with the LGBTIQ+ Advisory Committee Terms of Reference.

GENDER EQUALITY ACT 2020

10. There are gender equality implications identified for the subject of this report. Efforts have been made to ensure diverse membership in relation to gender and other intersectional attributes.
11. The contents of this report have been informed by the following actions as recommended within the gender impact assessment:
 - A broad range of demographic information was collected during the expression of interest submission process
 - The gender composition of the assessment panel was considered
 - The shortlisting process took into consideration gender, sex, sexuality, and other attributes (e.g., age, geographical location, ability etc.) to actively strive for a representative committee
 - Shortlisted applicant interview times were flexible to meet the needs of people with competing caring responsibilities
 - Accessibility requirements were collected prior to interviews and fully addressed.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

12. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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8.14. COMMUNITY ASSET COMMITTEE PERFORMANCE AND ACTIVITIES

Division: Executive Unit
Director: Evan King
Author/Position: Sophie Constable – Administration Officer Statutory Compliance

PURPOSE

1. The purpose of this report is for Council to consider and note the annual activities and performance of Community Asset Committees, submitted in accordance with s47 (6) of the *Local Government 2020* (the Act).
2. This report highlights the support Council has provided to Community Asset Committee's in the financial year ending 30 June 2021 to ensure these assets continue to be managed safely during the COVID-19 pandemic.
3. The elected membership of some Community Asset Committees has altered since being endorsed on 12 August 2020 Council Meeting (R203/20). This report also acknowledges recent resignations of committee members and seek council support to ratify the revised membership of the relevant Committees.

BACKGROUND

4. The following Community Asset Committees are currently established for the purpose of managing a community asset in the municipal district;
 - Ascot Mutual Improvement Association Hall - Community Asset Committee
 - Brown Hill Community Hall - Community Asset Committee
 - Buninyong Hall - Community Asset Committee
 - Burrumbeet Soldiers Memorial Hall – Community Asset Committee
 - Cardigan Village Community Centre – Community Asset Committee
 - Invermay Recreation Reserve - Community Asset Committee
 - Miners Rest Mechanics Institute Community Hall – Community Asset Committee
 - Scotsburn Community Hall – Community Asset Committee
 - Sebastopol RSL Hall – Community Asset Committee
 - Warrenheip Memorial Hall – Community Asset Committee
5. An Annual Return form was created by Council's Governance team and distributed to Community Asset Committees to complete ensuring relevant information was attained for this reporting requirement. The form requested information in relation to the financial year ending 30 June 2021 including;
 - Income and expenditure
 - Cash balance
 - Review of contact information
 - Current elected members
 - Activities over the past financial year (e.g. Hall hires and events)
 - Additional comments/issues for Council's attention

KEY MATTERS

6. In this report, activities of Community Asset Committees are reported as a summary of facility usage and maintenance over the last financial year. Furthermore, performance reporting has been based upon adherence to the C7 Instrument of Delegation by the Chief Executive Officer to Community Asset Committees.
7. A member of a Community Asset Committee to whom a delegation is given under section 47 of The Act can only exercise the delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee.
8. Membership for the following Community Asset Committees has altered since last endorsed at 12 August 2020 Council Meeting and revised memberships will need to be endorsed as part of this report:
 - Brown Hill Community Hall
 - Buninyong Hall
 - Burrumbeet Soldiers Memorial Hall
 - Cardigan Village Community Centre
 - Scotsburn Community Hall
 - Sebastopol RSL Hall
9. The returns submitted by each Committee vary in level of detail. Full copies of each Committee's Annual Return Form's have been provided to Councillors as confidential attachments as they contain personal and specific financial details.
10. **Ascot Mutual Improvement Association Hall - Community Asset Committee**

Activities Summary:

Ascot Mutual Improvement Association Hall recorded an interesting financial year facing the everchanging restrictions involved with the COVID-19 pandemic. The Ascot Hall Community Asset Committee logged far more cancellations than functions. The hall is usually highly reserved for dances, but these bookings have remained sporadic. Dances consume most of the Hall's Gas (3 bottles at most or 270 litres) which the bookings usually covers the cost of replenishment. In relation to day-to-day maintenance of the facility, most of this is dealt with by members of the Community Asset Committee free of charge. The Committee are currently in the process of replacing the water supply, CFA tank and infrastructure. While being a very small community, the users are very proactive in maintaining the hall. When COVID-19 restrictions allow, the hall generally has many local community groups using it at various times of the day, various days a week.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Ascot Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

11. Brown Hill Community Hall - Community Asset Committee**Activities Summary:**

Hall Hire and activities have been irregular throughout the past financial year with user-groups of Brown Hill Community Hall fearing last minute event cancellations. However, due to the great work of a range of volunteers within the Community Asset Committee the Brown Hill Community Hall has remained viable and has still managed to be utilised by a variety of groups when safe to do so. In relation to maintenance, the main hall floor has continued to degrade and after the roof replacement project has finished, the floor will need resurfacing.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Brown Hill Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

12. Buninyong Hall - Community Asset Committee**Activities Summary:**

The Buninyong Hall Community Asset Committee have remained proactive in managing bookings of the hall and maintaining the hall to a high standard whilst also making improvements. These improvements include:

- Securing \$5000 support from The Bendigo Bank for a Celebration Dinner to acknowledge community leaders in Buninyong. 150 guests were invited but unfortunately the event was unable to proceed due to COVID-19. The money is being held until this event can run.
- Removal of garden beds from the front of the Buninyong Hall which was replaced with artificial turf. All user groups approved of this decision, which is now a safe, useable space for the community. The cost of this project was \$10,000 of which was donated by various members of the community.
- The Buninyong Hall Community Asset Committee retrofitted four good quality Australian made trestle tables. These tables make it easier for the Hall's cleaner and regular groups to move tables around the space easily, safely and prevents any damage to the floor.
- A Christmas Pop-Up Shop in the hall has been instigated and now run by the Buninyong Hall Community Asset Committee as a fundraiser. The Pop-up shop raised almost \$6000 last year which was used to top-up the committee's bank account after refunding many bookings due to COVID-19. This shop runs for over a week in December by Committee volunteers but also many community members who volunteer their help also.

The Hall is used regularly by the following groups:

- The Buninyong Senior Citizens
- The Bootscooters
- The Buninyong Choir
- ATA Acting

- Kelly Mini-sports
- The Buninyong Library Book Group
- The Makers and Shakers – Craft Group
- Other users

In relation to maintenance, the Committee would like to get the hall professionally cleaned and the main hall timber floor is in desperate need for resealing.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Buninyong Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

13. Burrumbeet Soldiers Memorial Hall – Community Asset Committee

Activities Summary:

The Burrumbeet Soldiers Memorial Hall Community Asset Committee found it hard to function properly this year with the pandemic hampering many events normally conducted. There was just one fundraising event held at the Hall in the last financial year: ANZAC Day dawn service which was live streamed into the hall with a cooked breakfast served afterwards (approx. 50 people attended). For a number of years, the Burrumbeet Soldiers Memorial Hall Community Asset Committee has held a monthly dinner at the hall since the Burrumbeet Hotel close. Once again, the uncertainty of lockdowns had played havoc in trying to organise these usually consistent events.

Performance Summary:

When exercising the powers functions and duties delegated to them by the CEO (s47(1)(b) of the Act); Burrumbeet Soldiers Memorial Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

14. Cardigan Village Community Centre – Community Asset Committee

Activities Summary:

Cardigan Village Community Centre Community Asset Committee experienced a variety of hall hires when not in lockdown for birthday parties and sewing groups. Renovations by City of Ballarat took place for the front façade and gallery space of the Community Centre. After a few months since starting renovations at the time of writing this report, the Committee is still awaiting the gallery space to be completed. The Committee reported that inbuilt seating has not been returned to wall spaces and concrete and plaster residue remains within the renovation space.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Cardigan Village Community Centre Community Asset Committee has remained compliant with specified governance

requirements including Council's Committees Policy and the Committees Terms of Reference.

15. Invermay Recreation Reserve - Community Asset Committee

Activities Summary:

The Invermay Recreation Reserve is consistently used by the local community. The tennis courts and half basketball court are open for public use and there is rarely a day goes by that they are not utilised. The local school also use the courts for weekly coaching for the students. A group of Invermay Park young mums utilise the playground weekly (when restrictions allow) and a disability group meet at the BBQ area often which is great for the community during these uncertain times. The Hall and Sports Club are also hired for public use which means Saturdays are usually a hive of activity between October – March for the Committee. The following groups continue to prove themselves as integral to the success of the Reserve: The Invermay Progress Association, The Invermay Bowling Club, Creswick Imperials Cricket Club and The Ballarat Society of Model Engineers. The Committee oversee that these groups are functioning adequately and that user groups are maintaining their areas of use.

The Committee currently have two improvement projects currently in process:

- Decking at the Sports Club – awaiting approval from Council Officers
- Resurfacing #1 Tennis Court and replacing existing fencing of the courts

Other areas of the Reserve continue to be maintained by the Committee/Volunteer personnel e.g. Mowing and landscaping.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Invermay Recreation Reserve Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

Issues for Council's Attention:

Invermay Recreation Reserve Community Asset Committee advised that Governance had advised that a Community Asset Committee Governance Manual would be created and distributed to Committee Members which is yet to be received.

16. Miners Rest Mechanics Institute Community Hall – Community Asset Committee

Activities Summary:

Miners Rest Mechanics Institute Community Hall recorded the main activities held as dance classes which are usually held every week when COVID-19 restrictions permit. There are also two separate yoga classes/teachers that are regular users of the hall. The Committee has managed bookings for monthly community morning teas and regular party bookings on weekends once again when restrictions permit.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Miners Rest Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

17. Scotsburn Community Hall – Community Asset Committee**Activities Summary:**

Due to COVID-19 restrictions, the Scotsburn Community Hall still managed to record several bookings adhering to restrictions mainly from February to June, in total 13 bookings. Apart from regular mowing, cleaning and mulching of the garden by the Committee, there hasn't been any major maintenance carried out by the City of Ballarat even though there have been several issues identified (see below issues for Council's attention). The Committee has received a quote for painting the meeting room/kitchen and has accepted the quote with work to commence as soon as restrictions allow. The Committee also approved the purchase of 50 new chairs for the hall as the existing plastic chairs have become a safety risk. The Committee commended the City of Ballarat in their activities report for the generous grant of \$1000 for utility connection to make up for the shortfall during lockdowns (see section 17).

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Scotsburn Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

Issues for Council's Attention:

The outside toilets at Scotsburn Community Hall require refurbishing and do not have any disabled access.

18. Sebastopol RSL Hall – Community Asset Committee**Activities Summary:**

The Sebastopol RSL Hall Community Asset Committee have continued to maintain nine regular user groups over the past financial year and have looked to engage with new users where possible. Income from regular users has been affected by several lockdowns and density limits which has resulted in fewer hall hires for single events also. Sebastopol RSL Hall's appreciation to Council's support in relation to utilities cost was recorded in the activity summary for the hall – as this continues to be the Hall's major expense. (see section 17).

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Sebastopol RSL Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

19. Warrenheip Memorial Hall – Community Asset Committee

Activities Summary:

The Warrenheip Memorial Hall Community Asset Committee recorded significantly lower hiring's than usual due to the havoc COVID-19 restrictions have caused. The Committee still managed to have two engagement parties, one wedding and an Indian dance group during non-lockdown periods.

Performance Summary:

When exercising the powers functions and duties delegated to them by the Chief Executive Officer as per s47(1)(b) of the Act; Warrenheip Hall Community Asset Committee has remained compliant with specified governance requirements including Council's Committees Policy and the Committees Terms of Reference.

20. Council's Support to Community Asset Committees

Council is committed to supporting the community's recovery from COVID-19. Due to the impact on community assets and the inconsistent ability to hire spaces during 2020/21, Council provided a one-off payment of \$1000 to all ten of Council's Community Asset Committees. The intention of this payment was to assist in reducing financial pressures associated with utility connection charges. Our Community Halls are a vital part of local communities and a great asset to activate and connect residents. This support package ensured the great work of Community Asset Committees continued. Income generated by each committee has been significantly impacted due to the inability to raise revenue from the hiring out of rooms and spaces.

OFFICER RECOMMENDATION

21. That Council:

21.1 Receive and acknowledge the contributions of the Community Asset Committees made through the activities and performance as outlined in the report.

21.2 Receive and note the Community Asset Committee's Annual Report has been made in accordance with section 47 (6) of the *Local Government Act 2020*.

21.3 Acknowledge the resignation of the following Committee members and commend them on their contributions to the particular Community Asset Committee they represented:

- **Brendan Stephens (Brown Hill Community Hall)**
- **Vic Bradley (Buninyong Hall)**
- **Evan Ould (Scotsburn Community Hall)**
- **Rowan Jones (Scotsburn Community Hall)**
- **David MacKay (Sebastopol RSL Hall)**

21.4 Endorse the revised membership of the following Community Asset Committees:

- **Brown Hill Community Hall: Scott Antonio, Steve Holmes, Dianne Eden, Merylyn Harlock, Reg Eden, Hazen Cleary**

- **Buninyong Hall: Simon Dennis, Sharele Pilmore, Miranda Donald, Sonya Sutcliffe, Mark Jones, Sharon Develyn, Adam Turnbull, Christine Rossitor, Ann Gooding, Leonie Everdeen, John Clark**
- **Burrumbeet Soldiers Memorial Hall: Paul Beechley, Ian Marshall, Alan McCartney, Bernard Hyland, Shirley Marshall, Gwen Smith, Ian Smith, Desley Beechey, Brendan Cahill, Alison Briody, Lauren Briody, Angela Smith**
- **Cardigan Village Community Centre: Francis Litwin, Blake Curran, Bev Penberthy, Sarah Britt, Janna Mayal, Mary Tipping**
- **Scotsburn Community Hall: Graham Shearer, Phillip Allen, Gabrielle Murphy, Roland Nam, Cecilia Burnham, Bill Whiteside, Darryl Palmer, Nigel Prior, John Allen, Casey Duke, Nora Duke**
- **Sebastopol RSL Hall: Cr Des Hudson, Margaret Cottell, Marlie Feeney, Mark Azzopardi**

ATTACHMENTS

1. Governance Review [8.14.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. This report noting the annual activities and performance of Community Asset Committees is a statutory requirement of s47 (6) of the *Local Government 2020* (the Act) and links to the Council Plan principle: Accountability.

COMMUNITY IMPACT

2. It is considered that the report does not have any community impact implications.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. It is considered that the report does not have any climate emergency or environmental sustainability implications.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. It is considered that the report does not have any economic sustainability implications.

FINANCIAL IMPLICATIONS

5. It is considered that the report does not have any financial implications.

LEGAL AND RISK CONSIDERATIONS

6. In accordance with s47 (6) of the *Local Government 2020* (the Act) the Chief Executive Officer must submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation under this section.
7. The report complies with the Act.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

9. There has been consultation with representatives from each of Council's Community Asset Committees in order to gather relevant information for this report and to seek approval of summaries of the Committee's activities and performance being included in the Public Council Meeting Agenda.

GENDER EQUALITY ACT 2020

10. There are no gender equality implications identified for the subject of this report.

OFFICIAL

OFFICIAL

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

OFFICIAL

8.15. CONTRACTS APPROVAL DELEGATED COMMITTEE MINUTES

Division: Corporate Services
Director: John Hausler
Author/Position: Lorraine Sendall – Executive Assistant Director Corporate Services

PURPOSE

1. The purpose of this report is to provide Council with copies of minutes of Council's Contracts Approval Delegated Committee in accordance with the adopted Terms of Reference. At the meetings of these Committees held on 25 August, 8 September and 22 September, 2021 seven contracts were approved by the Committee. This report provides a copy of the minutes of these meetings as well as detailing summary information in relation to these Contracts.

BACKGROUND

2. To ensure good governance and transparent decision making, minutes of meetings of the Delegated committees are presented to Council and kept in accordance with the adopted Terms of Reference and Common Seal and Conduct at Meetings Local Law. This report advises that minutes of the Contracts Approval Delegated Committee (the Committee) are attached to this report for the meetings held on 25 August, 8 September and 22 September, 2021.
3. The Committee has been established to more effectively facilitate Council's Capital Works Program. To that end, the Committee has been established and will meet fortnightly, as required, in order to provide Council Officers with necessary decisions of Council to enable procurement processes to be completed.

KEY MATTERS

4. Local Content

Contract	Awarded to	Value	Outcomes	Local Content Outcome
2021/22-14	Studio Hollenstein	\$453,400.00 (excluding GST)	Ballarat Library Design Development and Documentation	No
2021/22-010	Aquatic Cleaning Solutions Pty Ltd	\$309,600.00 (excluding GST)	Cleaning Services Ballarat Aquatic Lifestyle Centre	No

2020/21-546	Enoch Civil Pty Ltd	\$546,221.00 (excluding GST)	Nolan Street Traffic Signals	Yes
2021/22-072	SF Pearce and Co Pty Ltd	\$623,236.23 (excluding GST)	Rural Roads Resheet and Drainage Upgrades at various locations	Yes
2021/22-162	Fulton Hogan Industries Pty Ltd	\$369,393.21 (excluding GST)	Gillies Road Reconstruction (Sweeney Rd – Sulky Rd)	Yes
2021/22-199	Fulton Hogan Industries Pty Ltd	\$298,703.47 (excluding GST)	Gillies Road Reconstruction (Glendonald Road – Clunes/Creswick Road)	Yes
2021/22-200	Fulton Hogan Industries Pty Ltd	\$372,969.31 (excluding GST)	Cuthberts Road Reconstruction (Whites Rd to Finchs Rd)	Yes

OFFICER RECOMMENDATION

5. That Council:

5.1 Note, as per the *Local Government Act 2020* Section 66 that this matter is designated confidential.

5.2 Receive the Contracts Approval Delegated Committee minutes of the meeting held on 25th August, 8th September and 22nd September, 2021.

ATTACHMENTS

1. Confirmed Contracts Minutes of meeting held Wednesday 25 August 2021 [8.15.1 - 5 pages]
2. Confirmed Contracts Committee Minutes of meeting held Wednesday 8 September 2021.docx [8.15.2 - 6 pages]
3. Confirmed Contracts_ - __ Minutes of meeting held Wednesday 22 September 2021 [8.15.3 - 9 pages]

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***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

25 August 2021

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 25 AUGUST 2021 AT 12:30PM**

**Evan King
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Ben Taylor (Chair)
Cr Mark Harris
Cr Tracey Hargreaves

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)
Mr John Hausler (Director Corporate Services)
Mr Matthew Wilson (Director Community Wellbeing)
Ms Jenny Fink (Executive Manager Libraries and Learning)
Mr Trevor Harris (Procurement Co-ordinator)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Nil

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 11th August, 2021 as circulated, be confirmed.

Moved Cr Tracey Hargreaves
Seconded Cr Mark Harris

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 66 of the Local Government Act 2020, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

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Contracts Special Committee Minutes

25 August, 2021

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**5.1 CONTRACT 2021/22-14 BALLARAT LIBRARY DESIGN
DEVELOPMENT AND DOCUMENTATION**
(RO – Bridget Wetherall / Phillip Barnett)

SUMMARY

1. This report recommended that the Contracts Approval Delegated Committee approve a contract for the provision of the Ballarat Library design development and documentation.

BACKGROUND

2. Council appointed an architect for the City of Ballarat library design but due to an increased scope a variation was sought. This variation triggered a procurement required to go to tender for the detailed design and documentation of Ballarat Library.

KEY MATTERS

3. The tender was advertised from 10th June 2021 and the invitation period closed on 30th June, 2021 with four tenderers submitting two responses.
4. The evaluation panel met on 13th July, 2021 to review the final scoring of the tender by evaluation panel members. The weighted score of each panel member for each submission was added in aggregate.

RESOLUTION

5. That the Contracts Approval Delegated Committee:

- 6.1 Resolves to award Contract 2021/22-014 for the provision of Ballarat Library Design Development and Documentation to Studio Hollenstein for the total tendered price of \$453,400.00 (ex GST).**
- 5.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves to come out of Section 66 and adopt the resolutions made therein.

Moved Cr Mark Harris
Seconded Cr Ben Taylor

CARRIED

There being no further business, the Chairperson declared the meeting closed at 12.40pm

Confirmed this 8th day of September , 2021

Cr Ben Taylor

.....
**Cr Ben Taylor
Chairperson**



***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

8 September 2021

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 8 SEPTEMBER 2021 AT 12:30PM**

**Evan King
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Ben Taylor (Chair)
Cr Mark Harris
Cr Tracey Hargreaves

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)
Mr John Hausler (Director Corporate Services)
Ms Bridget Wetherall (Director Infrastructure and Environment)
Ms Natalie Robertson (Director development and Growth)
Mr Trevor Harris (Procurement Co-ordinator)
Ms Lorraine Sendall (Minutes)
Mr Vaughn Notting (Executive Manager Infrastructure)
Mr Robin Hand (Contract Administration Officer)

APOLOGIES

Nil

ACKNOWLEDGEMENT TO COUNTRY

Acknowledgement to Country was read by the Chair, Cr Ben Taylor

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 25 August, 2021 as circulated, be confirmed.

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 66 of the Local Government Act 2020, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Ben Taylor
Seconded Cr Mark Harris

CARRIED

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Contracts Special Committee Minutes

8 September, 2021

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5.2 CONTRACT 2020/21-546 NOLAN STREET TRAFFIC SIGNALS (RO BRIDGET WETHERALL / ROBIN HAND)	5

5.1 CONTRACT 2021/22-010 CLEANING SERVICES BALC

(RO – Natalie Robertson / Alan Glenwright)

SUMMARY

1. This report recommended that the Contracts Approval Delegated Committee approve a contract to provide cleaning services for the Ballarat Aquatic and Lifestyle Centre, excluding pool areas and windows.

BACKGROUND

2. The contract ensures the facility is kept clean and enables all activities taking place to be conducted in a healthy, hygienic and inviting environment.

KEY MATTERS

3. The tender was advertised in The Ballarat Times News Group, Council's Website and eProcure with the invitation period closed on 21st July, 2021 with seven conforming tenderers submitting a responses.
4. The evaluation panel met on 13th August, 2021 to assess the tenders.

RESOLUTION**5. That the Contracts Approval Delegated Committee:**

- 5.1 Resolves to enter in Contract Number 2021/22-010 for the provision of 'Cleaning Services Ballarat Aquatic and Lifestyle Centre' to Aquatic Cleaning Solutions Pty Ltd for the total tendered price of \$309,600.00 (ex GST) per annum. The contract term is for 1 year with the provision of a 2 year plus 2 year extensions at Council's sole discretion.
- 5.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.

Moved Cr Mark Harris
Seconded Cr Ben Taylor

CARRIED

5.2 CONTRACT 2020/21-546 NOLAN STREET TRAFFIC SIGNALS
(RO – Bridget Wetherall / Robin Hand)**SUMMARY**

1. This report recommended that the Contracts Approval Delegated Committee approve Council to enter into a contract for the provision of Traffic Signals in Nolan Street.
2. This project will see the installation of Traffic Signals and associated works at the entrance to the Ballarat Train Station and Bus interchange in Nolan Street, Ballarat Central.

BACKGROUND

3. The Department of Transport (DoT) along with Vic Track have recently constructed a new access road for the Bus Interchange at the Ballarat Train Station. This access road is connected from Lydiard Street to Nolan Street with Nolan Street planned to serve as the main entry and exit point for buses. Upon opening of the Bus Interchange, it is expected that the new intersection at Nolan Street will have in excess of 200 bus movements traverse the intersection each day, hence the intersection has met the guidelines to become signalised.
4. This project is fully funded by the Department of Transport and delivered by the City of Ballarat with works planned to commence late 2021.
5. The project involves several components of work which were identified during the design stage, including the following:
 - Earthworks;
 - Concrete kerb and channel construction;
 - Asphalt road surfacing;
 - Line marking;
 - Raised pavement markers;
 - Traffic signal installation;
 - Street light installation;
 - Nature strip reinstatement; and
 - Signage and ancillary works.

KEY MATTERS

6. The tender was advertised in the Ballarat Times News Group, Council's Website and eProcure from 16 April 2021. The invitation period closed on 2 June 2021 with three tenderers submitting responses. Two of the tenderers were deemed local providers.

RESOLUTION**7. That the Contracts Approval Delegated Committee:**

- 7.1 **Resolves to enter into Contract Number 2020/21 – 546 for the provision of Nolan Street Traffic Signals with Enoch Civil Pty Ltd for the total tendered price of \$546,221.00 (excluding GST).**
- 7.2 **Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves to come out of Section 66 and adopt the resolutions made therein.

Moved Cr Mark Harris
Seconded Cr Ben Taylor

CARRIED

There being no further business, the Chairperson declared the meeting closed at 12:35 pm

Confirmed this 22nd day of September, 2021

Cr Ben Taylor

.....
**Cr Ben Taylor
Chairperson**



***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

22 September 2021

**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 22 SEPTEMBER 2021 AT 12:31PM**

**Evan King
(Chief Executive Officer)**

MINUTES

ORDER OF BUSINESS:

PRESENT

Cr Ben Taylor (Chair)
Cr Mark Harris
Cr Tracey Hargreaves

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)
Mr John Hausler (Director Corporate Services)
Ms Bridget Wetherall (Director Infrastructure and Environment)
Ms Natalie Robertson (Director development and Growth)
Mr Trevor Harris (Procurement Co-ordinator)
Mr Luke Ives (Executive Manager Operations)
Mr Vaughn Notting (Executive Manager Infrastructure)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Nil

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts meeting held on 8 September, 2021 as circulated, be confirmed.

Moved Cr Tracey Hargreaves
Seconded Cr Mark Harris

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves, pursuant to Section 66 of the Local Government Act 2020, that the meeting be closed to members of the public, whilst the Committee is dealing with the following matters, that may include matters that are Commercial in Confidence that may prejudice Council: -

Moved Cr Tracey Hargreaves
Seconded Cr Mark Harris

CARRIED

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5.1 CONTRACT 2021/22-072 RURAL ROADS RESHEET AND DRAINAGE
(RO – Bridget Wetherall / Luke Ives)**SUMMARY**

1. This report recommended that the Contracts Approval Delegated Committee approve a contract for the provision of Rural Roads Resheet and Drainage upgrades at various locations.
2. The contract term is for six months with no provision for extension.
3. The scope of the contract involves unsealed road resheeting and drainage works at various locations to improve road conditions for the safety of road users and to prevent future road deterioration during periods of wet weather.

BACKGROUND

4. The City of Ballarat is responsible for the maintenance and renewal of approximately 350 kilometres of unsealed roads and associated drainage throughout the municipality. Council undertakes a resheeting program annually.
5. This tender includes sections of eight individual roads throughout the municipality with a total of 33,370 square metres (approx. 7kms) to be re-sheeted. This will include the installation of new and extension of existing culverts with the formation of table drains.

KEY MATTERS

6. The tender was advertised in The Ballarat Times News Group, Council's Website and eProcure with the invitation period closed on 4th August, 2021 with seven tenderers submitting responses.
7. SF Pearce and Co Pty Ltd received the highest weighted total score for the evaluation criteria and have a proven track record in completing civil maintenance projects to a high standard. SF Pearce and Co Pty Ltd have delivered all previous projects with the City of Ballarat within accepted timeframes and offer excellent value for money.

RESOLUTION**8. That the Contracts Approval Delegated Committee:**

- 8.1 Resolves to enter in Contract Number 2021/22-072 for the provision of Rural Roads Resheet and Drainage Upgrades at various locations to SF Pearce and Co Pty Ltd for the total tendered price of \$623,236.23 (ex GST). The contract term is for six months with no provision for extensions.**
- 8.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Tracey Hargreaves
Seconded Cr Mark Harris

CARRIED

**5.2 CONTRACT 2021/22-162 GILLIES ROAD RECONSTRUCTION
(SWEENEY ROAD – SULKY ROAD)
(RO – Bridget Wetherall / Robin Hand)**

SUMMARY

1. This report recommended that the Contracts Approval Delegated Committee approve Council to enter into a contract for the provision of Gillies Road reconstruction (Sweeney Road to Sulky Road).
2. This project will see approximately 0.53km of existing road pavement in Gillies Road, between Sweeney Road and Sulky Road, stabilised and reconstructed with a sealed surface with new open drains formed to channel water. This section of Gillies Road consists of a narrow sealed pavement that is failing. It has areas of localised ponding and potholing and no formed shoulders.

BACKGROUND

3. This project is one of four tenders advertised for road reconstruction works involving pavement stabilisation. All four projects have been successful in meeting the selection criteria for funding as part of the Local Roads and Community Infrastructure Program phase 2 being funded by the Department of Transport.
4. All four projects are required to have a practical completion date of 31st December, 2021.
5. Gillies Road is a highly trafficked link road providing connection between the Western Freeway in Wendouree and Clunes-Creswick Road, Glendonald with an approximate length of 16km frequently used by motorists and cyclists.
6. A program of upgrades has taken place in various stages over previous years which started at the Western Freeway and has progressively moved north. These works will provide a safer environment for the motorists and cyclists that use this road.
7. The project involves several components of work which were identified during the design stage, including the following:
 - Earthworks;
 - Drainage construction
 - Kerb and channel construction;
 - Road pavement stabilisation;
 - Road pavement construction and sealing;
 - Asphalt road surfacing;
 - Gravel driveway reinstatement;
 - Line marking;
 - Raised pavement markers;
 - Signage and ancillary works.

KEY MATTERS

8. The tender was advertised in the Ballarat Times News Group, Council's Website and eProcure from 19 August 2021. The invitation period closed on 8th September 2021 with four tenderers submitting responses.

RESOLUTION**9. That the Contracts Approval Delegated Committee:**

- 9.1 Resolves to enter into Contract Number 2021/22 – 162 for the provision of Gillies Road Reconstruction (Sweeney Road to Sulky Road) with Fulton Hogan Industries Pty Ltd for the total tendered price of \$369,393.21 (excluding GST).**
- 9.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

**5.3 CONTRACT 2021/22-199 GILLIES ROAD RECONSTRUCTION
(GLENDONALD ROAD TO CLUNES-CRESWICK ROAD)
(RO – Bridget Wetherall / Robin Hand)**

SUMMARY

1. This report recommended that the Contracts Approval Delegated Committee approve Council to enter into a contract for the provision of Gillies Road reconstruction (Glendonald Road to Clunes-Creswick Road).
2. This project will see approximately 0.44km of existing road pavement in Gillies Road, between Glendonald Road and Clunes Road, stabilised and reconstructed with a sealed surface and new open drains formed to channel water. This section of Gillies Road consists of a narrow sealed pavement that is failing, has areas of localised ponding and potholing and no formed shoulders. The intersection of Gillies Road and Clunes Road is highly trafficked intersection that will have an asphalt wearing course constructed for better longevity of use.

BACKGROUND

3. This project is one of four tenders advertised for road reconstruction works involving pavement stabilisation. All four projects have been successful in meeting the selection criteria for funding as part of the Local Roads and Community Infrastructure Program phase 2 being funded by the Department of Transport.
4. All four projects are required to have a practical completion date of 31st December, 2021.
5. Gillies Road is a highly trafficked link road providing connection between the Western Freeway in Wendouree and Clunes-Creswick Road, Glendonald with an approximate length of 16km frequently used by motorists and cyclists.
6. A program of upgrades has taken place in various stages over previous years which started at the Western Freeway and has progressively moved north. These works will provide a safer environment for the motorists and cyclists that use this road.

7. The project involves several components of work which were identified during the design stage, including the following:
- Earthworks;
 - Drainage construction
 - Kerb and channel construction;
 - Road pavement stabilisation;
 - Road pavement construction and sealing;
 - Asphalt road surfacing;
 - Gravel driveway reinstatement;
 - Line marking;
 - Raised pavement markers;
 - Signage and ancillary works.

KEY MATTERS

8. The tender was advertised in the Ballarat Times News Group, Council's Website and eProcure from 19 August 2021. The invitation period closed on 8th September 2021 with three tenderers submitting responses.

RESOLUTION

9. That the Contracts Approval Delegated Committee:

- 9.1 Resolves to enter into Contract Number 2021/22 – 199 for the provision of Gillies Road Reconstruction (Glendonald Road to Clunes-Creswick Road) with Fulton Hogan Industries Pty Ltd for the total tendered price of \$298,703.47 (excluding GST).**
- 9.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Mark Harris
Seconded Cr Ben Taylor

CARRIED

**5.4 CONTRACT 2021/22-200 CUTHBERTS ROAD RECONSTRUCTION
STAGE 1**

(RO – Bridget Wetherall / Robin Hand)

SUMMARY

1. This report recommended that the Contracts Approval Delegated Committee approve Council to enter into a contract for the provision of Cuthberts Road reconstruction (Whites Road to Finchs Road).
2. This project will see approximately 0.76km of existing road pavement in Cuthberts Road, between Whites Road and Finchs Road stabilised and reconstructed with a sealed surface with new open drains formed to channel water.

BACKGROUND

3. This project is one of four tenders advertised for road reconstruction works involving pavement stabilisation. All four projects have been successful in meeting the selection criteria for funding as part of the Local Roads and Community Infrastructure Program phase 2 being funded by the Department of Transport.
4. All four projects are required to have a practical completion date of 31st December, 2021.
5. Cuthberts Road is a highly trafficked collector road providing connection between Lake Burrumbeet and development in the municipality's western suburbs with an approximate length of 13km.
6. A program of upgrades has taken place in various stages over previous years which started at Learmonth Street, Alfredton and has progressively moved west. These works will provide a safer environment for the motorists and cyclists that use this road.
7. The project involves several components of work which were identified during the design stage, including the following:
 - Earthworks;
 - Drainage construction
 - Kerb and channel construction;
 - Road pavement stabilisation;
 - Road pavement construction and sealing;
 - Asphalt road surfacing;
 - Gravel driveway reinstatement;
 - Line marking;
 - Raised pavement markers;
 - Signage and ancillary works.

KEY MATTERS

8. The tender was advertised in the Ballarat Times News Group, Council's Website and eProcure from 19 August 2021. The invitation period closed on 8th September 2021 with five tenderers submitting responses.

RESOLUTION

9. That the Contracts Approval Delegated Committee:

- 7.1 Resolves to enter into Contract Number 2021/22 – 200 for the provision of Cuthberts Road Reconstruction (Whites Road to Finchs Road) Stage 1 Works with Fulton Hogan Industries Pty Ltd for the total tendered price of \$372,969.31 (excluding GST).**
- 7.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Ben Taylor
Seconded Cr Tracey Hargreaves

CARRIED

SECTION 66 MATTERS

RESOLUTION:

That the Committee resolves to come out of Section 66 and adopt the resolutions made therein.

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

There being no further business, the Chairperson declared the meeting closed at 12:39pm

Confirmed this 6th day of October, 2021

Cr Ben Taylor

.....
**Cr Ben Taylor
Chairperson**

8.16. AUDIT AND RISK COMMITTEE BI-ANNUAL REPORT

Division: Executive Unit
Director: Evan King
Author/Position: Cameron Montgomery – Executive Manager Governance and Risk

PURPOSE

1. To present the Audit and Risk Committee's Biannual Report for the period January to June 2021.
2. Regular reporting to Councillors and the community is a key principle of transparency and good governance.

BACKGROUND

3. In accordance with Part 2, division 8, clause 54(5) of the *Local Government Act 2020*, the Audit and Risk Committee is required to:
 - a. Prepare a Biannual Audit and Risk Report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations; and
 - b. Provide a copy of the Biannual Audit and Risk Report to the Chief Executive Officer for tabling at the next Council meeting.

KEY MATTERS

4. This report provides the second Biannual Report in relation to the activities of the Audit and Risk Committee.

OFFICER RECOMMENDATION

5. That Council:

- 5.1. **Notes the Audit and Risk Committee Biannual report for the period 1 January to 30 June 2021.**

ATTACHMENTS

1. Governance Review [8.16.1 - 2 pages]
2. Audit and Risk Committee Bi-Annual Report, January - June 2021 [8.16.2 - 3 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Audit and Risk Committee Biannual Annual report is a statutory requirement of the *Local Government Act 2020* (the Act); and links to the Council Plan: Accountability.

COMMUNITY IMPACT

2. It is considered that the report does not have any community impact implications.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. It is considered that the report does not have any climate emergency or environmental sustainability implications.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. It is considered that the report does not have any economic sustainability implications.

FINANCIAL IMPLICATIONS

5. It is considered that the report does not have any financial implications.

LEGAL AND RISK CONSIDERATIONS

6. In accordance with Part 2, division 8, clause 54(5) of the Act, requires the Audit and Risk Committee to prepare a Biannual Audit and Risk Report.
7. The report complies with the Act.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

9. No community consultation and engagement is required for the subject of this report.

GENDER EQUALITY ACT 2020

10. There are no gender equality implications identified for the subject of this report.

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CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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Audit and Risk Committee Biannual Report January – June 2021



In accordance with Part 2, Division 8, clause 54 (5) of the *Local Government Act 2020*, the Audit and Risk Committee presents its Biannual Audit and Risk Report that describes the activities of the Audit and Risk Committee. This report is for the period January to June 2021.

The Committee's activities for the reporting period are summarised below:

Area of Focus	Outcome																																
Compliance and Legislative Requirements																																	
Overarching governance principles and <i>Local Government Act 2020</i>	A standing agenda item is the update on <i>Local Government Act 2020</i> implementation.																																
Consideration of the impact on Council of the outcomes of integrity body reports	Regular updates provided to the Committee on the self-assessment of integrity body reports.																																
Policy and Procedure Log	An update on the status of Council policies and procedures.																																
Councillor Expenses	The Committee received the report for the period October – December 2020.																																
Delegations	An update on the status of Council's Instruments of Delegation.																																
Gifts Register	The Committee received the report for the period October 2020 – March 2021.																																
Disaster Recovery Testing and Implementation	An update on the status of Council's disaster recovery testing and data loss incidents.																																
HR	An update on the People and Culture HR metrics report, available through the Power BI reporting tool An update on Council's People and Culture Business Plan																																
Council Plan	The Committee received the report for the period up to 31 March 2021																																
Governance and Culture Review	The Committee received the Governance and Culture Review report and the CEO's 16 Point Action Plan that was devised as part of The Way Forward Program.																																
Audit Recommendation Status Register	A standing agenda item for every meeting. Report shows progress of actions to implement recommendations; Committee to monitor progress																																
	<table border="1"> <thead> <tr> <th>Audit Type</th> <th>Audit Title</th> <th>Open</th> <th>Add</th> <th>Close Out</th> <th>Final</th> </tr> </thead> <tbody> <tr> <td rowspan="5">Internal Audit</td> <td>Accounting System Architecture</td> <td>2</td> <td>0</td> <td>0</td> <td>2</td> </tr> <tr> <td>Business Continuity and IT Disaster Recovery Planning</td> <td>6</td> <td>0</td> <td>0</td> <td>6</td> </tr> <tr> <td>Follow-up: Asset Management</td> <td>1</td> <td>0</td> <td>0</td> <td>1</td> </tr> <tr> <td>Follow-up: Developer Contributions</td> <td>3</td> <td>0</td> <td>1</td> <td>2</td> </tr> <tr> <td>Follow-up: Accounting System Architecture</td> <td>3</td> <td>0</td> <td>0</td> <td>3</td> </tr> </tbody> </table>	Audit Type	Audit Title	Open	Add	Close Out	Final	Internal Audit	Accounting System Architecture	2	0	0	2	Business Continuity and IT Disaster Recovery Planning	6	0	0	6	Follow-up: Asset Management	1	0	0	1	Follow-up: Developer Contributions	3	0	1	2	Follow-up: Accounting System Architecture	3	0	0	3
Audit Type	Audit Title	Open	Add	Close Out	Final																												
Internal Audit	Accounting System Architecture	2	0	0	2																												
	Business Continuity and IT Disaster Recovery Planning	6	0	0	6																												
	Follow-up: Asset Management	1	0	0	1																												
	Follow-up: Developer Contributions	3	0	1	2																												
	Follow-up: Accounting System Architecture	3	0	0	3																												

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Audit and Risk Committee Biannual Report January – June 2020

		Follow-up: HR Management	8	0	1	7
		Follow-up: IT Environment	4	0	1	3
		Follow-up: Tendering and Contract Management	9	0	4	5
		Cyber Security	15	0	2	13
		Asset Management Buildings	17	0	0	17
		Total	68	0	9	59
	Follow up Audit recommendations replaced existing audit recommendations					
	External Audit	IBAC report	16	0	1	15
		VAGO Management Letter	11	0	1	10
Oversight of the monitoring activity of high-risk areas by Council	Governance and Risk Report includes OHS performance data, updates on risk management, statutory compliance and integrity agency reporting.					
Council Financial and Performance Reporting						
Quarterly Financial Report	The Committee received the Financial report for the periods 1 January to 31 March and 1 April to 30 June.					
Draft Budget	The committee received an update on the status of the draft Budget.					
Risk Management and Fraud Prevention						
Risk Update	The following risk items were provided to the Committee in the past 6 months: <ul style="list-style-type: none"> • Risk Annual report; and • Enterprise Risk Profile. 					
Fraud Prevention	The following items were provided to the Committee in the past 6 months: <ul style="list-style-type: none"> • Fraud Workplan 2021 • Fraud controls assessment – Her Majesty's Theatre • Fraud controls assessment – Civic Hall 					
Business Continuity	An update on the current Business Continuity efforts by Council.					
Internal Audit						
Consideration of the outcomes of internal audits	Internal audits presented to the Audit and Risk Committee: <ul style="list-style-type: none"> • Cyber Security; and • Asset Management – Buildings 					
Consideration of the upcoming internal audit scope	Internal audit scopes presented to the Audit and Risk Committee: <ul style="list-style-type: none"> • Procurement and Supplier Management 					
Audit Plan and Status	Internal Audit Plan Status Report.					
Pitcher Partners Issues Brief	Update provided to the March and June 2021 Committee meetings.					
Internal Audit Tender	An update on the outcome of the Internal Audit Tender was provided to the Committee in an out of session email.					
External Audit						

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Audit and Risk Committee Biannual Report January – June 2020

VAGO engagement letter	2020-2022 Engagement Letter presented to Committee.		
VAGO Audit Strategy	Draft Audit Strategy Memorandum for the financial year ending 30 June 2021.		
VAGO Performance Audit	Draft Council Waste Management Services Audit synopsis.		
VAGO Local Government Audit Update	Update provided to the March and June 2021 committee meetings.		
Audit and Risk Committee			
Biannual Report	Draft Biannual Report July to December 2020 was approved by the Committee		
Workplan 2021	Progress of the 2021 Workplan was presented to the March and June 2021 Committee meeting.		
Committee Attendance			
Committee Member	10 February 2021	3 March 2021	2 June 2021
John Watson	✓	✓	✓
Linda McNeill	✓	✓	✓
Jason Hargreaves	✓	✓	✓
Jeff Rigby	✓	✓	✓
Cr Daniel Moloney	✓	✓	✓
Cr Ben Taylor	✓	✓	✓
Cr Amy Johnson *leave	✓	✓	

8.17. S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

Division: Executive Unit
Director: Evan King
Author/Position: Sarah Anstis – Statutory Compliance Officer

PURPOSE

1. The purpose of the report is to review and update the S6 Instrument of Delegation, Members of Staff.

BACKGROUND

2. It is proposed that the Instrument of Delegation be granted to the positions of members of Council staff rather than to the individual staff member. This means that the delegation will still apply to the position should there be a change in personnel or any staff acting in the role.
3. It is imperative that Council staff have the correct delegation for dealing with matters under the current Acts and Regulations.
4. The powers conferred on the Council under some legislative Instruments cannot be delegated through the Chief Executive Officer and must be delegated from Council.

KEY MATTERS

5. The following change has been made since the last iteration:
 - Change to the position title Coordinator Compliance and Parking and Enforcement (CCPE) to Team Leader Compliance (TLC).

OFFICER RECOMMENDATION

- 6 **Exercise the powers conferred by the legislation referred to in the attached instrument of delegation at Attachment 2, and that:**
 - 6.1 **They be delegated to members of Council staff, holding, acting in or performing the duties of the officers 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.**
 - 6.2 **The Instrument comes into force immediately after the Common Seal of Council is affixed to the instrument.**
 - 6.3 **On the coming into force of the instrument, all previous S6 delegations to members of Council staff are revoked.**
 - 6.4 **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 may from time to time adopt.**

ATTACHMENTS

1. Governance Review [**8.17.1** - 1 page]
2. S6 Instrument of Delegation - Members of Staff [**8.17.2** - 167 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Instrument of Delegation is a statutory requirement of Council.

COMMUNITY IMPACT

2. There are no community impacts identified for the subject of this report.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. There are no climate emergency and environmental sustainability implications identified for the subject of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability implications identified for the subject of this report.

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report.

LEGAL AND RISK CONSIDERATIONS

6. The endorsement of the revised S6 Instrument of Delegation ensures that the core operations functions of the Council are not impeded.
7. Council's delegations are constantly maintained and periodically monitored to ensure that appropriated Council officers have the power to carry out their duties lawfully.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

9. There has been consultation with the relevant managers to ensure the correct delegations have included in the Instrument of Delegation.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

10. No Council Officers who have provided advice in relation to this report have a conflict of interest regarding the matter.

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BALLARAT CITY COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

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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:

Abbreviation	Position
AOBS	Administration Officer Building Services
AOEH	Administration Officer Environmental Health
AOGAF	Administration Officer Growth Areas Facilitation
AOLLT	Administration Officer Local Laws and Traffic
AORS	Administration Officer Regulatory Services
AOSC	Administration Officer Statutory Compliance
AOSTP	Administration Officer Statutory Planning
CEO	Compliance and Events Officer
CO	Compliance Officer
CAM	Coordinator Asset Management
CBS	Coordinator Building Services
CEH	Coordinator Environmental Health
CID	Coordinator Infrastructure Delivery

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Abbreviation	Position
CIT	Coordinator Integrated Transport
CPG	Coordinator Parks and Gardens
CRC	Coordinator Risk and Compliance
CRM	Coordinator Road Maintenance
CSTP	Coordinator Statutory Planning
DCA	Development Contributions Accountant
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

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Abbreviation	Position
HSO	Health Services Officer
MGA	Manager Growth Areas
MSTP	Manager Statutory Planning
MSP	Manager Strategic Planning
MBS	Municipal Building Surveyor
Not Applicable	Not Applicable
Not Delegated	Not Delegated
PSTP	Principal Statutory Planner
PSP	Principal Strategic Planner
POC	Project Officer Compliance
RMCS	Road Maintenance Contract Supervisor
RMS	Road Maintenance Scheduler
SASO	Senior Asset Surveillance Officer
SSTP	Senior Statutory Planner
SSP	Senior Strategic Planner
SCO	Statutory Compliance Officer

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Abbreviation	Position
STP	Statutory Planner
SP	Strategic Planner
SPA0	Strategic Planning Administration Officer
SO	Subdivision Officer
SASU	Supervisor Asset Surveillance
SPD	Supervisor Pathways and Drainage
SRS	Supervisor Road Safety
SUSR	Supervisor Sealed Roads
SUR	Supervisor Unsealed Roads
TLC	Team Leader Compliance
TLEG	Team Leader Economic Growth
TLEH	Team Leader Environmental Health
TLPSE	Team Leader Parking Services
TLRSATS	Team Leader Regulatory Services Administration/Technical Support
TOBS	Technical Officer Building Services
TOEH	Technical Officer Environmental Health

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Abbreviation	Position
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.

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

..... Mayor/Councillor

..... Chief Executive Officer

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Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- 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
- Residential Tenancies Regulations 2021
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

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S6 Instrument of Delegation - Members of Staff

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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	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	
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

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
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



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CPG, DIE, EMO, EMPSFM	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
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 internment relates to remains of a deceased veteran.

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DIE, EMPSFM	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
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	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	



Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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)

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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	

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Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	DIE, EMRS, TLC	Council may delegate this power to a Council authorised officer

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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
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

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Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
s 19E(1)(d)	Power to request a copy of the food safety program	CEH, DDG, EHO, TLEH	Where Council is the registration authority



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, AORS, CEH, CEO, EHO, HSO, 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.



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
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 36A	Power to accept an application for registration or notification using online portal	CEH, EHO, EMRS, TLEH	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEH, EHO, EMRS, TLEH	Where Council is the registration authority



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, AORS, CEH, CEO, EHO, HSO, 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, AORS, CEH, CEO, EHO, HSO, TLEH, TLRATS, TOBS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEH, DDG, EHO, TLEH	Where Council is the registration authority

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Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, AORS, CEH, CEO, EHO, HSO, TLEH, TLRATS, TOBS	Where Council is the registration authority

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Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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)
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 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEH, EHO, EMRS, TLEH	Where Council is the registration authority
s 38G(2)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEH, EHO, EMRS, 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)



Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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 40F	Power to cancel registration of food premises	CEH, EHO, EMRS, TLEH	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEH, EHO, TLEH	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEH, DDG, EHO, TLEH	Where Council is the registration authority

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Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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

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Local Government Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, 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, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements	CSTP, DDG, EMDF, MSP,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	CSTP, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 8A(5)	Function of receiving notice of the Minister's decision	CSTP, 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, 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, DDG, EMDF, MSP, MSTP, PSTP	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CSTP, DDG, EMDF, MSP, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSP, MSTP, PSTP	
s 12B(1)	Duty to review planning scheme	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CSTP, DDG, EMDF, EMEG,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MSP, MSTP, PSTP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 17(2)	Duty of giving copy s 173 agreement	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SP, SPAO, SSP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP,	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 Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SP, SPAO, SSP	
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 21A(4)	Duty to publish notice	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 22	Duty to consider all submissions	CSTP, DDG, EMDF, EMEG, EMO, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SSP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 27(2)	Power to apply for exemption if panel's report not received	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CSTP, DDG, EMDF, MSTP, SPAO, SSTP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CSTP, DDG, EMDF, MSTP, SPAO, SSTP	
s 30(4)(a)	Duty to say if amendment has lapsed	CSTP, DDG, EMDF, EMEG, MSP, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SP, SPAO, SSP, SSTP, STP	
s 30(4)(b)	Duty to provide information in writing upon request	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 32(2)	Duty to give more notice if required	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SSP	
s 33(1)	Duty to give more notice of changes to an amendment	CSTP, DDG, EMDF, EMEG, MSP, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSP, PSTP, SP, SSP	
s 36(2)	Duty to give notice of approval of amendment	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 38(5)	Duty to give notice of revocation of an amendment	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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, DDG, EMDF, EMEG, MSP, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSP, PSTP, SP, SSP	
s 40(1)	Function of lodging copy of approved amendment	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CSTP, DDG, EMDF, MSTP, SPAO, SSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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
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	DDG, EMDF, EMEG	Where Council is a responsible public entity



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	Power to endorse the draft Statement of Planning Policy		
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CSTP, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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, DCA, DCS, DDG, EMDF, MGA	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	AOGAF, DCA, DDG, EMDF, MGA	
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, DCA, DDG, EMDF, MGA	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DCA, DDG, EMDF, MGA	
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	
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	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DCA, DDG, EMDF, MGA	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	AOGAF, DCA, DDG, EMDF, MGA	
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, DCA, DDG, EMDF, MGA	
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

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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, DCA, DDG, EMDF, MGA	Where Council is the collecting agency

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
s 46GY(1)	Duty to keep proper and separate accounts and records	AOGAF, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(a)	Function of receiving the monetary component	AOGAF, DCA, DCS, DDG, EMDF, MGA	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, DCA, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	AOGAF, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, CSTP, DCA, DCS, DDG, EMDF, MGA, 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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	AOGAF, DCA, DDG, EMDF, MGA	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)

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	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, CSTP, DCA, DCS, DDG, EMDF, MGA, MSTP, PSTP	Where Council is a development agency under an approved infrastructure contributions plan



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	AOGAF, DCA, DCS, DDG, EMDF, MGA	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	AOGAF, CSTP, DCA, DCS, DDG, EMDF, MGA, MSTP, PSTP	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	AOGAF, DCA, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	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 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	AOGAF, DCA, DDG, EMDF, MGA	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, CSTP, DCA, DCS, DDG, EMDF, MGA, 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, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	AOGAF, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	AOGAF, DCA, DCS, DDG, EMDF, MGA	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	AOGAF, DCA, DCS, DDG, EMDF, MGA	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, DCA, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	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, DCA, DCS, DDG, EMDF, MGA	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	AOGAF, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP, SSTP, STP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	AOGAF, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	AOGAF, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	AOGAF, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	AOGAF, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	AOGAF, CSTP, DCA, DDG, EMDF,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MGA, MSTP, PSTP	
s 46Q(1)	Duty to keep proper accounts of levies paid	AOGAF, CSTP, DCA, DCS, DDG, EMDF, MGA, 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	AOGAF, CSTP, DCA, DCS, DDG, EMDF, MGA, 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, CSTP, DCA, DDG, EMDF, MGA, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	AOGAF, CSTP, DCA, DCS, DDG, EMDF, MGA, 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, CSTP, DCA, DCS, DDG, EMDF, MGA, MSTP, PSTP	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CSTP, 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, CSTP, DCA, DDG, EMDF,	With the consent of, and in the manner approved by, the Minister

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MGA, MSTP, PSTP	
s 46QC	Power to recover any amount of levy payable under Part 3B	AOGAF, CSTP, DCA, DCS, DDG, EMDF, MGA, MSTP, PSTP	
s 46QD	Duty to prepare report and give a report to the Minister	DCA, DDG, EMDF, MGA	Where Council is a collecting agency or development agency
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CSTP, DDG, EMDF, MSTP, PSTP	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CO, CSTP, DDG, EMDF, MSTP, POC, PSTP	

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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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 50(4)	Duty to amend application	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 50(5)	Power to refuse to amend application	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 50(6)	Duty to make note of amendment to application in register	AOSC, CSTP, DDG, EMDF, MSTP, PSTP, SCO, SO, STP, TSODF	
s 50A(1)	Power to make amendment to application	CSTP, DDG, EMDF, EMEG, MSTP, PSP, PSTP, 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, DDG, EMDF, EMEG,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MSP, MSTP, PSP, PSTP, SO, SP, SPAO, SSP, SSTP, STP, TSODF	
s 50A(4)	Duty to note amendment to application in register	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	AOSTP, CSTP, 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, 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, DDG, EMDF, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		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, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 52(3)	Power to give any further notice of an application where appropriate	AOSTP, CSTP, 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, 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, DDG, EMDF, MSTP, PSTP, SO,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 54(1)	Power to require the applicant to provide more information	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, DDG, EMDF, MSTP, PSP, PSTP, SO, SSTP, STP, TSODF	
s 54(1B)	Duty to specify the lapse date for an application	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, DDG, EMDF, MSTP,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SO, SSTP, STP, TSODF	
s 57A(5)	Power to refuse to amend application	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57A(6)	Duty to note amendments to application in register	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, DDG, EMDF, MSTP, PSTP, SO,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 57C(1)	Duty to give copy of amended application to referral authority	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 58	Duty to consider every application for a permit	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 58A	Power to request advice from the Planning Application Committee	CSTP, DDG, EMDF, MSTP, PSTP	
s 60	Duty to consider certain matters	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 60(1A)	Duty to consider certain matters	CSTP, 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, DDG, EMDF, MSTP, PSTP, SO,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		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, 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
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 62(2)	Power to include other conditions	CSTP, DDG, EMDF, MSTP, PSTP, SO,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	AOSTP, CSTP, 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, 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, DDG, EMDF, MSTP, PSTP, SO, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, 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, DDG, EMDF, MSTP, PSTP, SO, TSODF	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CSTP, 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, DDG, EMDF, MSTP, PSTP, SO,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SSTP, STP, TSODF	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	AOSTP, CSTP, 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, 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, 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, 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, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	AOSTP, CSTP, 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, 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
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, DDG, EMDF, MSTP, PSTP, 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, DDG, EMDF, MSTP,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SO, SSTP, STP, TSODF	
s 69(1A)	Function of receiving application for extension of time to complete development	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 69(2)	Power to extend time	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	AOSTP, CSTP, DDG, EMDF, MSTP,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SO, SSTP, STP, TSODF	
s 71(1)	Power to correct certain mistakes	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 71(2)	Duty to note corrections in register	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 73	Power to decide to grant amendment subject to conditions	AOSTP, CSTP, DDG, EMDF, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SO, SSTP, STP, TSODF	
s 74	Duty to issue amended permit to applicant if no objectors	AOSTP, CSTP, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	AOSTP, CSTP, DDG, EMDF, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, 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, DDG, EMDF, MSTP, PSTP, 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, DDG, EMDF, MSTP, PSTP, 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, DDG, EMDF, MSTP, PSTP, 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



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 76D	Duty to comply with direction of Minister to issue amended permit	AOSTP, CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 83	Function of being respondent to an appeal	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 83B	Duty to give or publish notice of application for review	CSTP, 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, DDG, EMDF, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		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, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 84AB	Power to agree to confining a review by the Tribunal	AOGAF, DCA, DCS, DDG, EMDF, MGA, SO, TSODF	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSTP, 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, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91(2)	Duty to comply with the directions of VCAT	CSTP, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, 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, DDG, EMDF, MSTP, PSTP, SO, SSTP, STP, TSODF	
s 93(2)	Duty to give notice of VCAT order to stop development	CSTP, DDG, EMDF, EMRS, MSTP, PSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		SO, SSTP, STP, TLC, TSODF	
s 95(3)	Function of referring certain applications to the Minister	CSTP, DDG, EMDF, MSTP, PSTP	
s 95(4)	Duty to comply with an order or direction	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, DDG, EMDF, MSTP, PSTP	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CSTP, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, 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, 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, DDG, EMDF, MSTP, PSTP	
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, 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, DDG, EMDF, MSTP, PSTP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, 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, 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, DDG, EMDF, MSTP, PSTP	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSTP, PSTP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CSTP, DDG, EMDF, MSTP, PSTP	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CSTP, DDG, EMDF, MSTP, PSTP	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CSTP, 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, 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, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 97Q(4)	Duty to comply with directions of VCAT	CSTP, DDG, EMDF, MSTP,	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, STP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CSTP, 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, DDG, EMDF, MSTP, PSTP	
s 101	Function of receiving claim for expenses in conjunction with claim	CSTP, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, DDG, EMDF, MSTP, PSTP	
s.107(1)	function of receiving claim for compensation	CSTP, DDG, EMDF, MSTP, PSTP	
s 107(3)	Power to agree to extend time for making claim	CSTP, DDG, EMDF, MSTP, PSTP	
s 114(1)	Power to apply to the VCAT for an enforcement order	CSTP, DDG, EMDF, EMRS, MSTP, PSTP, TLC	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CSTP, DDG, EMDF, EMRS,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		MSTP, PSTP, TLC	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CSTP, DDG, EMDF, EMRS, MSTP, PSTP, TLC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CSTP, DDG, EMDF, EMRS, MSTP, PSTP, TLC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CSTP, DCS, DDG, EMDF, MSTP, PSTP	Except Crown Land
s 129	Function of recovering penalties	CSTP, DCS, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 130(5)	Power to allow person served with an infringement notice further time	CSTP, DCS, DDG, EMDF, EMRS, MSTP, PSTP, TLC	
s 149A(1)	Power to refer a matter to the VCAT for determination	CSTP, 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	CSTP, DDG, EMDF, EMRS, MSTP, PSTP, TLC	
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, DDG, EMDF, MSTP, PSTP	Where Council is the relevant planning authority

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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, DDG, EMDF, MSTP, PSTP	
s 171(2)(g)	Power to grant and reserve easements	CSTP, 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

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 173(1)	Power to enter into agreement covering matters set out in s 174	CSTP, DCS, DDG, EMDF, MSTP, PSTP	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	DCS, DDG, TLEG	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, 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, DCS, DDG, EMDF, MSP, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, 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, DCS, DDG, EMDF, MSTP, PSTP	
s 178A(1)	Function of receiving application to amend or end an agreement	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178A(5)	Power to propose to amend or end an agreement	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SSP, SSTP, STP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CSTP, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CSTP, DDG, EMDF, MSTP, PSTP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CSTP, DDG, EMDF, MSP, MSTP, PSP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SP, SSP, SSTP, STP	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SSP, SSTP, STP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CSTP, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP,	If no objections are made under s 178D



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SP, SSP, SSTP, STP	Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP,	After considering objections, submissions and matters in s.178B



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SP, SSP, SSTP, STP	
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		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, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, 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, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, DDG, EMDF, EMPSFM, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	CSTP, DDG, EMDF, MSTP, PSTP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, DDG, EMDF, MSTP, PSTP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, DDG, EMDF, MSTP, PSTP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, DDG, EMDF, MSTP, PSTP	
s 182	Power to enforce an agreement	CSTP, DDG, EMDF, EMRS, MSTP, PSTP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, 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, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, 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, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SSP, SSTP, STP	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 184G(2)	Duty to comply with a direction of the Tribunal	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SPAO, SSP, SSTP, STP	
s 198(1)	Function to receive application for planning certificate	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 199(1)	Duty to give planning certificate to applicant	CSTP, DDG, EMDF, MSTP,	



Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SPAO, SSTP, STP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, DDG, EMDF, MSTP, PSTP, SSTP, STP	
s 201(3)	Duty to make declaration	CSTP, DDG, EMDF, MSTP, PSTP	
	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CSTP, DDG, EMDF, MSP, MSTP, PSP, PSTP, SP, SSP, SSTP, STP	

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Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
	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, DDG, EMDF, EMEG, MSP, MSTP, PSP, 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, DDG, EMDF, MSTP, PSTP	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, 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, PSP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DDG, EMEG, MSP, PSP	

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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
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
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
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
s 142D	Function of receiving notice regarding an unregistered rooming house	AOBS, AOEH, AOLLT, AORS, CEH, CEO, EHO, HSO, TLEH, TLRATS, TOBS, TOEH	

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Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, AORS, CEH, CEO, EHO, HSO, 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, AORS, CEH, CEO, EHO, HSO, TLEH, TLRATS, TOBS, TOEH	
s 206AZA(2)	Function of receiving written notification	DIE, EMPSFM	

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Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 207ZE(2)	Function of receiving written notification	DIE, EMPSFM	
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	

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Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 525(4)	Duty to issue identity card to authorised officers	AOSC, CRC, EMGR, SCO	
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, AORS, 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	

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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	
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

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Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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)	Duty 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
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



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
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	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
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



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
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, SPD, SRS, SUR, SUSR	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, SPD, SRS, SUR, SUSR	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CAM, CRM, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, SASU, SPD, SRS, SUR, SUSR	
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

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Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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 Head, Transport for Victoria and Minister for Local Government 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
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	

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Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
s 54(2)	Duty to give notice of proposal to make a 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(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	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 63(1)	Power to consent to conduct of works on road	CAM, CRM, EMI, EMO, RMCS, RMS, SASU, SPD, SRS, SUR, SUSR	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CAM, CEH, CRM, EMI, RMCS, RMS, SASU, SPD, SRS, SUR, SUSR	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



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, SPD, SRS, SUR, SUSR, TLPSE	

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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, SPD, SRS, SUR, SUSR	
s 87(2)	Duty to investigate complaint and provide report	CRM, DCS, DDG, DIE, EMDF, EMI,	

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Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
		EMO, RMCS, RMS, SPD, SRS, SUR, SUSR	
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, RMCS, RMS, SPD, SRS, SUR, SUSR	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DDG, DIE, EMDF, EMI, EMO	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, SPD, SRS, SUR, SUSR	
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	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 123(1)	Power to charge for any service	CRM, DCS, DDG, DIE, EMDF, EMI, EMO, RMCS, RMS, SPD, SRS, SUR, SUSR	
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	



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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 installation of infrastructure or related works on a road or road reserve of any road	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
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, SPD, SRS, SUR, SUSR	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



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
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, SPD, SRS, SUR, SUSR	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



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
sch 7 cl 16(5)	Power to consent to proposed works	CAM, DDG, DIE, EMDF, EMI, EMO	Where Council is the coordinating road authority



Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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 cl18(1)	Power to enter into an agreement	CAM, DDG, DIE, EMDF, EMI	Where Council is the coordinating road authority
sch7 cl 19(1)	Power to give notice requiring rectification of works	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 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
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

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Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DIE, EMPSFM	

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Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	DIE, EMPSFM	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	DIE, EMPSFM	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	DIE, EMPSFM	
r 30(2)	Power to release cremated human remains to certain persons	DIE, EMPSFM	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	DIE, EMPSFM	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	DIE, EMPSFM	



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	DIE, EMPSFM	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	DIE, EMPSFM	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DIE, EMPSFM	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DIE, EMPSFM	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DIE, EMPSFM	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	DIE, EMPSFM	



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	DIE, EMPSFM	
r 40	Power to approve a person to play sport within a public cemetery	DIE, EMPSFM	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DIE, EMPSFM	
r 42(1)	Power to approve hunting within a public cemetery	DIE, EMPSFM	
r 43	Power to approve camping within a public cemetery	DIE, EMPSFM	
r 45(1)	Power to approve the removal of plants within a public cemetery	CPG, DIE, EMPSFM	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CPG, DIE, EMO, EMPSFM	



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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

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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

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Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
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



Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, DDG, EMDF, MSP, MSTP, PSTP, 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, DDG, EMDF, MSP, MSTP, PSTP, 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, DDG, EMDF, EMEG, MSP, MSTP, PSTP, 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.

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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	
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	

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Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 10	Function of receiving application for registration	AOBS, AOEH, AOLLT, AORS, CEH, CEO, EHO, EMRS, HSO, TLEH, TLRATS, TOBS, TOEH	
r 11	Function of receiving application for renewal of registration	DIE, EMPSFM	
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	

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Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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, AORS, CEH, CEO, EHO, EMRS, HSO, TLEH, TLRSATS, TOBS, TOEH	
r 14(3)	Power to determine where notice of transfer is displayed	CEH, EHO, TLEH, TOEH	

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Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	

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Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEH, EHO, TLEH, TOEH	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEH, EHO, TLEH, TOEH	
r 25(3)	Duty to consult with relevant floodplain management authority	CEH, EHO, TLEH, TOEH	
r 26	Duty to have regard to any report of the relevant fire authority	CEH, EHO, TLEH, TOEH	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	AOBS, AOEH, AOLLT, AORS, CBS, CEH, CEO, EHO, EMPSFM, EMRS, HSO, MBS, TLEH, TLRATS, TOBS, TOEH	
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	

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Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	

Residential Tenancies Regulations 2021			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 4 cl 3(a)(iii)	Power to approve any other toilet system	CEH, EMRS	

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Road Management (General) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	CAM, CRC, DDG, DIE, EMDF, EMGR, EMI, EMO	
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	



Road Management (General) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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
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

8.18. S11A INSTRUMENT AND APPOINTMENT AND AUTHORISATION

Division: Executive Unit
Director: Evan King
Author/Position: Sarah Anstis - Statutory Compliance Officer

PURPOSE

1. The report is to endorse the S11A Instrument of Appointment and Authorisations under the *Planning and Environment Act 1987* for Vicky Lu, Michelle Martin and Owen Menne.
2. The report is to also revoke the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Rex Zhang.

BACKGROUND

3. The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, through Council's delegation to the Chief Executive Officer. However, the appointment of authorised officers under the *Planning and Environment Act 1987* cannot be delegated by the Chief Executive Officer and must be made through a resolution of Council.

KEY MATTERS

4. Vicky Lu and Michelle Martin hold the position of Statutory Planner, and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the officer to undertake duties authorised by Council.
5. Owen Menne holds the position of Compliance Officer, and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the officer to undertake duties authorised by Council.
6. At the Council Meeting held on 25 August 2021, Council resolved R172/21 to endorse the authorisation of Rex Zhang under the *Planning and Environment Act 1987*. Rex Zhang is no longer in the position of Strategic Planner and the authorisation requires revocation by Council resolution.

OFFICER RECOMMENDATION

7. **That Council:**
 - 7.1 **Exercise the powers conferred by s224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (the instruments), and that;**
 - a. **Vicky Lu, Michelle Martin and Owen Menne be appointed and authorised as set out in the instruments.**

- b. The instruments come into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.**
- c. The instruments be sealed.**

7.2 Revoke the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Rex Zhang (R172/21).

ATTACHMENTS

- 1. Governance Review [8.18.1 - 2 pages]
- 2. S11A Authorisation Vicky Lu [8.18.2 - 2 pages]
- 3. S11A Authorisation Michelle Martin [8.18.3 - 2 pages]
- 4. S11A Authorisation Owen Menne [8.18.4 - 2 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Instrument of Appointments and Authorisations are a statutory requirement of Council.

COMMUNITY IMPACT

2. Council will make the register of authorised officers available on Council's website in accordance with Council's Public Transparency Policy.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. There are no climate emergency and environmental sustainability implications identified for the subject of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability implications identified for the subject of this report.

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report.

LEGAL AND RISK CONSIDERATIONS

6. It is essential that Council's authorisations are constantly maintained and periodically monitored so that appropriate officers have the power to carry out their duties lawfully. This is a key component in Council meetings, as legislation requires Council to approve authorised officers under the *Planning and Environment Act 1987*.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. There has been consultation with relevant managers and officers to ensure the correct officers have been authorised to complete tasks.
9. The revocation and conferring of authorisations does not require any public consultation, however, Council is required to keep a register of all authorised officers available for public inspection.

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GENDER EQUALITY ACT 2020

10. There are no gender equality implications identified for the subject of this report.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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

Ballarat City Council

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

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

In this instrument "officer" means -

Vicky Lu

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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

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

Date:

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

..... Mayor/Councillor

..... Chief Executive Officer

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

Ballarat City Council

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

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

In this instrument "officer" means -

Michelle Martin

By this instrument of appointment and authorisation Ballarat City Council -

- 1. under s 147(4) of the *Planning and Environment Act 1987* - appoints the officer to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under s 313 of the *Local Government Act 2020* authorises the officer either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

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

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

Date:

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

..... Mayor/Councillor

..... Chief Executive Officer

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

Ballarat City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)

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8.19. S11B INSTRUMENT OF APPOINTMENT AND AUTHORISATION (ENVIRONMENT PROTECTION ACT 2017)

Division: Executive Unit
Director: Evan King
Author/Position: Sarah Anstis – Statutory Compliance Officer

PURPOSE

1. The purpose of the report is to endorse the S11B Instrument of Appointment and Authorisation under the *Environment Protection Act 2017* for Owen Menne and revoke Nedim Beslagic.

BACKGROUND

2. The Chief Executive Officer appoints the majority of authorised officers under section 224 of the *Local Government Act 1989*, through Council's delegation to the Chief Executive Officer. However, the appointment of authorised officers under the *Environment Protection Act 2017* cannot be delegated by the Chief Executive Officer and must be made through a resolution of Council.
3. The *Environment Protection Act 2017* has given Council the power to appoint Authorised Officers under the Act.

KEY MATTERS

4. Owen Menne holds the position of Compliance Officer, and the *Environment Protection Act 2017* requires Council to endorse the authorisation for the officer to undertake duties authorised by Council.
5. At the Council Meeting held on 28 July 2021, Council resolved R151/21 to endorse the authorisation of Nedim Beslagic under the *Environment Protection Act 2017*. Nedim Beslagic is no longer in the position of Team Leader Environmental Health and the authorisation requires revocation by Council resolution.

OFFICER RECOMMENDATION

6. That Council:
 - 6.1 Exercise the powers conferred by s242(2) of the *Environment Protection Act 2017* and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, Ballarat City Council resolved that:
 - a. The members of Council staff referred to in the instruments attached be appointed and authorised as set out in the instruments.
 - b. The instrument comes into force immediately the common seal of Council is affixed to the instrument and remains in force until Council determines to vary or revoke it.
 - c. The instrument be sealed.

6. **Revoke the S11A Instrument of Appointment and Authorisation (*Environment Protection Act 2017*) for Nedim Beslagic (R151/21).**

ATTACHMENTS

1. Governance Review [8.19.1 - 2 pages]
2. S11B Owen Menne Authorisation under the EPA 2017 [8.19.2 - 2 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Instrument of Appointments and Authorisations are a statutory requirement of Council.

COMMUNITY IMPACT

2. Council will make the register of authorised officers available on Council's website in accordance with Council's Public Transparency Policy.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. There are no climate emergency and environmental sustainability implications identified for the subject of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. There are no economic sustainability implications identified for the subject of this report.

FINANCIAL IMPLICATIONS

5. There are no financial implications identified for the subject of this report.

LEGAL AND RISK CONSIDERATIONS

6. It is essential that Council's authorisations are constantly maintained and periodically monitored so that appropriate officers have the power to carry out their duties lawfully. This is a key component in Council meetings, as legislation requires Council to approve authorised officers under the *Environment Protection Act 2017*.

HUMAN RIGHTS CONSIDERATIONS

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

COMMUNITY CONSULTATION AND ENGAGEMENT

8. There has been consultation with relevant managers and officers to ensure the correct officers have been authorised to complete tasks.
9. The revocation and conferring of authorisations does not require any public consultation, however, Council is required to keep a register of all authorised officers available for public inspection.

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GENDER EQUALITY ACT 2020

10. There are no gender equality implications identified for the subject of this report.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

11. Council officers affirm that no general or material conflicts need to be declared in relation to the matter of this report.

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*S11B Instrument of Appointment and Authorisation
(Environment Protection Act 2017)*

Ballarat City Council

**Instrument of Appointment and Authorisation
(*Environment Protection Act 2017* only)**

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**Instrument of Appointment and Authorisation
(Environment Protection Act 2017)**

In this instrument "officer" means -

Owen Menne

By this instrument of appointment and authorisation, Ballarat City Council -

under s 242(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 - appoints the officer to be **an** authorised officer for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021.

It is declared that this instrument -

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

This instrument is authorised by a resolution of the

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

..... Mayor/Councillor

..... Chief Executive Officer

8.20. OUTSTANDING QUESTION TIME ITEMS

Division: Executive Unit
Director: Evan King
Author/Position: Sarah Anstis – Statutory Compliance Officer

PURPOSE

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

BACKGROUND

2. The City of Ballarat Governance Rules, section 3.7.1 calls for a standard agenda item at each Council Meeting that reflects unanswered questions from question time.

KEY MATTERS

3. Nil

OFFICER RECOMMENDATION

4. **That Council:**
 - 4.1 **Endorse the Outstanding Question Time report.**

ATTACHMENTS

1. Outstanding Question Time Items [8.20.1 - 1 page]
2. QT20/21 - Elissa Hayes [8.20.2 - 1 page]
3. QT46/21 - Philippe Fernandez [8.20.3 - 1 page]
4. QT47/21 - Bruce Crawford [8.20.4 - 1 page]
5. QT48/21 - Edith Fry [8.20.5 - 1 page]
6. QT49/21 - Rebekah Isaacs [8.20.6 - 1 page]

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Outstanding Question Time Items					
Meeting	Status	Requested	Question	Officer Responsible	Response
28/04/2021 QT20/21	Closed	Elissa Hayes	Has the Resolution of Council on the 11th December 2019, to seek authorisation from the Minister for Planning been formally prepared, applied for and/or rejected? Where is the written evidence that the Resolution to introduce the MRTP, LPP, FP, Rezone the GRZ areas of Miners Rest North to NRZ and insert a Schedule to the NRZ varying Clause 54 and 55, have been formally sought and/or rejected in writing?	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response (see attached)
22/09/2021 QT46/21	Closed	Phillipe Fernandez	With no access between Wendouree Station and Gregory St West, a commuter from Ballarat's southwest has their trip to the station increased by approximately 500 meters. Being faced with this 500m "detour" morning and night, unnecessarily drains the enthusiasm and ability of a commuter to walk or cycle to the station. Given the Wendouree Masterplan was adopted by council in October 2019, when can residents expect Gregory St West access to the station to be provided?	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response (see attached)
22/09/2021 QT47/21	Closed	Bruce Crawford	I am aware that tonight you will be discussing the future of the Fireworks celebration in Ballarat. I am concerned that you are not considering what most of the community feel about this event being moved from Australia Day, or at least postponing your decision pending community consultation. It is apparent that only a small cross section of Ballarat residents have had an opportunity to have any input. It seems that you are more concerned with debating subjects that seem inappropriate for a local council, and of little interest to most. We have topics in need of urgent attention, based around Roads, Rates and Rubbish (and the affect of a pandemic) that are a big concern to many. I am aware that I can ask two questions, I only have one. Will our Councillors base your decision on a community preference regarding future fireworks events?	Matthew Wilson, Director Community Wellbeing	Matthew Wilson, Director Community Wellbeing provided a written response (see attached)
22/09/2021 QT48/21	Closed	Edith Fry	Noting that the City of Ballarat declared a Climate Emergency in December 2018, and with respect to the The Sixth Assessment Report of the United Nations Intergovernmental Panel on Climate Change working group 1 report (the IPCC report) which gives the most up-to-date knowledge on climate change, its causes, potential impacts and response options: To inform councillors, officers and citizens of what this region is likely to face in the near future, and to create a guiding instrument for use when making significant decisions, will the City of Ballarat be preparing a response to the IPCC report?	Bridget Wetherall, Director Infrastructure and Environment	Bridget Wetherall, Director Infrastructure and Environment provided a written response (see attached)
22/09/2021 QT49/21	Closed	Rebekah Isaacs	Integra have had their planning application about Lucas Water Tank, once owned by a Bishop, commented on by Director Natalie Robertson. Director Robertson however has not commented on the status of another religiously-significant building and their planning application - Bishops Palace, which the FOI showed it is under review for permits. When will Director Robertson give an update on whether the Water Tank will be demolished, and the planning application status of Bishops Palace?	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response (see attached)

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PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Ms Elissa Hayes

Email: [REDACTED]

Date: 5 October 2021

Our Ref: NR:kr

Your Ref: QT20/21

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Dear Ms Haynes,

RE: OUTSTANDING QUESTION TIME ITEM – QT20/21

Thank you for your questions.

1. Has the Resolution of Council on the 11th December 2019, to seek authorisation from the Minister for Planning been formally prepared, applied for and/or rejected?

2. Where is the written evidence that the Resolution to introduce the MRTTP, LPP, FP, Rezone the GRZ areas of Miners Rest North to NRZ and insert a Schedule to the NRZ varying Clause 54 and 55, have been formally sought and/or rejected in writing?

Discussions in relation to your questions were undertaken with the Department of Environment Land Water and Planning (DELWP) was undertaken in early 2020. Advice from DELWP recommended that consideration of Planning Practice Note 90 – Planning for Housing together with Planning Practice Note 91 – Using the Residential zones.

Considering additional enquiries from the community formal correspondence was provided to DELWP, as the Minister for Planning's delegated authority, to which a formal response advised Council to pursue the strategic work being undertaken for the city, including the Ballarat Housing Strategy to facilitate best practice planning outcomes for Ballarat.

Upon receipt of this communication, City of Ballarat's Mayor, Councillor Daniel Maloney has corresponded directly to the Minister for Planning, to which we have yet to receive a response.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson
Director Development and Growth

OFFICIAL

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 8 October 2021

Our Ref: NR:kr

Your Ref: QT46/21

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Philippe Fernandez

Email: [REDACTED]

Dear Philippe,

RE: OUTSTANDING QUESTION TIME ITEM – QT46/21

Thank you for your question.

City of Ballarat is strongly supportive of direct platform access on the southern side of Wendouree Station and strongly advocated to the State Government for this to be included in the scope of works when the Wendouree Station was upgraded to add the second platform in recent years. However, this was ultimately not funded as part of those works.

City of Ballarat prepared the Wendouree Station Precinct Master Plan to help guide future investments into the area and to be proactive for improved access to the station, however unfortunately the land required to access the southern platform is owned by VicTrack, and the design of the station upgrade is the responsibility of Department of Transport, in conjunction with V-Line. City of Ballarat has an advocacy role to play on behalf of the community but does not control the site.

We continue to advocate on a number of transport opportunities for Ballarat, including Disability Discrimination Act Compliance at Ballarat Station and an overhaul of the bus network, and as part of those discussions will be pleased to continue to advocate strongly for direct access to Wendouree Station from the southern side.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson
Director Development and Growth

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OFFICIAL

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 30 September 2021

Our Ref: QT47/21

Your Ref:

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Bruce Crawford



Dear Bruce

Thank you for your question to Councillors, regarding the future of fireworks celebration in Ballarat, at their Council Meeting held 22 September 2021. As Director Community Wellbeing I am pleased to respond on their behalf.

Regarding your concerns regarding lack of community consultation, I can confirm that Council opened a survey on Council's MySay website from 12 July to 29 July 2021 seeking community feedback on a range of questions relating to the matter before Council.

The report presented an assessment of the community feedback in that survey and included options and a recommendation for Council to consider.

Council resolved on the night to hold the fireworks on one of the Summer Sunday evenings which are held in January.

I hope this answers your question and again thank you for contacting us with your concerns.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Matthew Wilson".

Matthew Wilson
Director Community Wellbeing

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OFFICIAL

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 27 September 2021
Our Ref: BW:bk
Your Ref: QT48/21
Enquiries: (61) 03 5320 5500
Email: info@ballarat.vic.gov.au

Ms Edith Fry
[REDACTED]
[REDACTED]

Dear Ms Fry

RE: CLIMATE CHANGE QUERY

I refer to your questions asked at the Council meeting held on Wednesday 23 September 2021 as follows: *"To inform councillors, officers and citizens of what this region is likely to face in the near future, and to create a guiding instrument for use when making significant decisions, will the City of Ballarat be preparing a response to the IPCC report?"*

At the Council meeting held 21 November 2018, Council acknowledged the Climate Emergency and the need for urgent action by all levels of government, including local councils, to reduce carbon emissions.

Council has adopted the Carbon Neutrality and 100% Renewables Action Plan 2019–2025. This plan also forms Council's Emissions Reduction Pledge under the Climate Change Act 2017. This relates mainly to our corporate emissions, i.e. emissions directly from our business.

The Action Plan contains almost 60 actions to reduce the City of Ballarat's corporate greenhouse gas (GHG) emissions while also providing community support to achieve carbon emission reductions.

Council is also currently facilitating the development of a Net Zero Community Emissions Plan.

If you wish to discuss this matter further please feel free to contact Ching Tiong Tan, Council's Sustainability Officer – Carbon Neutrality, directly on [REDACTED] or email Tan via [REDACTED]

Yours sincerely

A handwritten signature in black ink, appearing to read "Bridget W".

Bridget Wetherall
Director Infrastructure and Environment

CC: Mayor and Councillors
Agenda Preparation
Civic Support
Ching Tiong Tan, Sustainability Officer-Carbon Neutrality

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PO Box 655
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Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Date: 13 October 2021

Our Ref: NR:kr

Your Ref: QT49/21

Enquiries: (61) 03 5320 5500

Direct Email: info@ballarat.vic.gov.au

Rebekah Isaacs

Email: [REDACTED]

Dear Rebekah,

RE: OUTSTANDING QUESTION TIME ITEM – QT49/21

Thank you for your question.

Integra have had their planning application about Lucas Water Tank, once owned by a Bishop, commented on by Director Natalie Robertson. Director Robertson however has not commented on the status of another religiously-significant building and their planning application - Bishops Palace, which the FOI showed it is under review for permits. When will Director Robertson give an update on whether the Water Tank will be demolished, and the planning application status of Bishops Palace?

In respect to the matter of Bishop's Palace as previously stated, the appropriate investigation is underway and any actions that may be required as result of this investigation will ensue.

Regarding your enquiry as to the status of the brick water tank located within the Lucas development. I note this land together with all land area that forms the Alfredton West was referred to DELWP as part of planning scheme amendment that formed the precinct structure plan. This matter is not an identified breach of a planning permit or under the Planning Enforcement Act but I am pleased to say that the proponent is working with City of Ballarat on a suitable outcome and has recently submitted a proposal to Heritage Victoria for comment.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson
Director Development and Growth

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9. NOTICE OF MOTION**10. REPORTS FROM COMMITTEES/COUNCILLORS****11. URGENT BUSINESS****12. SECTION 66 (IN CAMERA)****8.5 TENDER 2021/22-43 STURT STREET BIKE PATH**

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Robin Hand – Contracts Administration Officer

(confidential information)

8.6 TENDER 2021/22-163 CUTHBERTS ROAD RECONSTRUCTION (BURRUMBEET - SMARTS HILL)

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Robin Hand – Contracts Administration Officer

(confidential information)

8.9. STRATEGIC PARTNERSHIP PROGRAM APPLICATIONS

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Kate McCluskey – Coordinator Community Participation

(confidential information)

8.14 COMMUNITY ASSET COMMITTEE PERFORMANCE AND ACTIVITIES

Division: Executive Unit
Director: Evan King
Author/Position: Sophie Constable – Administration Officer Statutory Compliance

(confidential information)

8.15 CONTRACTS APPROVAL DELEGATED COMMITTEE

Division: Corporate Services
Director: Evan King
Author/Position: Lorraine Sendall - Executive Assistant, Director Corporate Services

(confidential information)

12.1 WESTERN BULLDOGS PARTNERSHIP AGREEMENT

Division: Development and Growth
Director: Natalie Robertson
Author/Position: Mark Patterson – Executive Manager Recreation Services

(confidential information)

13. CLOSE