

Council Meeting

Agenda

27 July 2022 at 6:30pm

**Council Chamber, Town Hall, Sturt Street,
Ballarat**





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 Straight Islander People.

This meeting is being broadcast live on the internet and the recording of this meeting will be published on council's website www.ballarat.vic.gov.au in the days following the meeting.

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

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PUBLIC SUBMISSIONS

- Public representations may be made on any items listed on the agenda in a Council Meeting apart from those listed in the confidential section.
- All attendees are encouraged to register their attendance by 4:30pm on the day of the meeting
- If you do wish to attend the meeting in person to make a submission, please contact governance@ballarat.vic.gov.au or call 5320 5875 to register
- Members of the public who wish to make a submission on an agenda item but who are unable to attend the meeting in person may make a submission in writing:
 - Submissions must be submitted in writing to governance@ballarat.vic.gov.au by no later than 4:30pm on the day of Council meeting; and
 - limited to no more than 200 words that will be read out by the Chief Executive Officer or nominated delegate at the meeting prior to the matter being considered by Council.

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The next Meeting of the Ballarat City Council will be held on Wednesday 24 August 2022.

1. OPENING DECLARATION

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

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

2. APOLOGIES FOR ABSENCE**3. DISCLOSURE OF INTEREST****4. MATTERS ARISING FROM THE MINUTES**

5. CONFIRMATION OF MINUTES**6. PUBLIC QUESTION TIME**

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

QUESTION TIME

- Members of the Public may attend the meeting in person to ask a question however all attendees must register by midday on the day of the meeting to ensure Council adheres to the number of attendees permitted.
- If you do wish to attend the meeting in person to ask your question, please contact governance@ballarat.vic.gov.au or call 5320 5875 to register
- Those members of the public who are unable to attend can still participate in question time by submitting their questions in writing.
- No person may submit more than two questions.
- The questions must be in English, must be 75 words or less and not include a preamble, other additional material, or multiple parts.
- Questions must be submitted via email to governance@ballarat.vic.gov.au by no later than 4:30pm on the day of the Council meeting

7. CHIEF EXECUTIVE OFFICER REPORT

7.1. CHIEF EXECUTIVE OFFICER REPORT

Division: Executive Unit
Director: Evan King
Author/Position: Evan King – Chief Executive Officer

PURPOSE

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

BACKGROUND

2. The Council of the City of Ballarat is responsible for setting the municipality's strategic direction. The CEO of the City of Ballarat is the sole employee of the Council and is responsible for establishing the organisational structure and resource allocation to achieve the objectives set by the Council. This operational report provides greater detail about organisational activities and issues involved with service delivery.

KEY MATTERS

3. **Ballarat City Council Adopts 2022/23 Budget**

At the Ordinary Council Meeting in June, Ballarat City Council adopted the 2022/23 Budget. This year's Budget has been informed by community engagement processes, which started in November 2021 when the City of Ballarat asked residents to rank the Council Plan's six goals in order of priority and then provide their top five priorities from the 40 strategic objectives. Along with this process, Council also considered the 42 submissions, including six verbal submissions, which were presented at the Council Meeting on 25 May 2022. Council considered all submissions and noted the responses drafted by officers in the June agenda. A number of minor changes were approved to the draft budget including the recognition of additional commonwealth grant revenue and the confirmation of the final rates in the dollar for 2022/23.

4. **Ballarat Winter Festival lights up the city**

The 2022 Ballarat Winter Festival has hosted another fantastic line up of winter activities and events. The festival, which ran from Saturday 25 June to Sunday 17 July, was headlined by Sovereign Hill's Winter Wonderlights. One of the more popular events was the renowned Australian contemporary artist Patricia Piccinini's Skywhales: Every Heart Sings, a spectacular array of hot air balloon sculptures which were presented at the Eastern Oval on 9 July. This year's festival also included the Design Exchange Winter Market, the ever-popular ice rink, and the inaugural Beyond Dark, a new event that celebrated the moody depths of winter with food, mulled wine, fire pits, live music and roving performers. At the Ballarat Wildlife Park, guests were able to purchase a bowl of spicy noodles and meet the new tiger, Kai while over at Kryal Castle visitors could create magical potions, learn to sword fight or axe throw, partake in Knight School and watch live performances.

5. Pathway of Remembrance honours Eureka

The Eureka Centre Ballarat has partnered with Eureka Australia, an association of Eureka Stockade descendants and supporters, to memorialise the 35 men who are known to have died because of the events which occurred at the Eureka Stockade on 3 December 1854. Flanked by snow gums and native grasses, a new Pathway of Remembrance features 35 plaques honouring those who died, presented along a gravel path that traces a section of the Eureka Lead – an alluvial gold reef that stretches from Miners Rest through to Eureka in Ballarat. The men are represented by their name and country of birth. Whether defending their rights and liberties or doing their duty, they are honoured, side by side in alphabetical order. The pathway equally honours all of the men and women who died because of the events at the Eureka Stockade, but whose names are not recorded.

6. Welcoming Victorian Government funding for Alfredton (Ballymanus) Community and Early Years Hub

The City of Ballarat has welcomed the announcement of \$2.25 million in Victorian Government funding to help meet the cost of a new community and early years hub at Alfredton (Ballymanus). The \$2.25 million Building Blocks capacity building stream grant will mean the centre can begin the detailed design phase of the project, with an ambition to have the hub ready for residents to use in 2024. This will meet the high demand for kindergarten places and community facilities in the rapidly growing area. The new community facility in Donegal Drive Alfredton will include community meeting rooms and an early years hub with a three-room kindergarten.

7. Funding for Art Gallery of Ballarat to deliver student enrichment programs

Under the State Government's Strategic Partnerships Program, the Art Gallery of Ballarat will receive \$100,000 to deliver a visual arts program designed to develop improved knowledge and practical skills in a range of areas across the F-10 visual art curriculum. The funding will be put towards the development of tailored programs for VCE Art and Studio Art students, drawing on the extensive Art Gallery of Ballarat collection. The Strategic Partnerships Program is designed to help deliver student learning programs that are not normally available in traditional classroom settings and teacher professional learning programs to support the delivery of programs that enhance student outcomes.

8. Ballarat's best ideas are unveiled

The three 'Ballarat's Best Ideas 2022' winners have been announced and amidst an outstanding line-up of creative and innovative ideas the winners were Loreto College's care pack distribution idea through Ballarat's Soup Bus; Sports Central's idea to hold an event that invites all people with disability to participate; and Cobb's Coffee's non-disposable coffee cup exchange. The ideas were provided to businesses and organisations in the second Ballarat Best Ideas competition, held from 8 March to 19 April 2022. The competition called for members of the community to share their positive ideas to support Ballarat businesses and organisations through the Suggest it platform.

9. Funding for a new playspace at Victoria Park

Ballarat's Victoria Park Inclusive Play Space will soon be home to a new sensory friendly play zone comprising play equipment and landscaping to complement and provide connections to the existing active play and recreation opportunities. The project will be funded with a grant of \$186,900 from the Victorian Government's Local Sports Infrastructure Fund and a contribution of \$124,600 from the City of Ballarat. The new sensory zone will include shops for children to play in as well as a stage, two small

3D hills and a hill with a tunnel. A children's table with seating and a fairy-tale throne with 10 nearby seats will also be constructed. With accessible pathways throughout, the zone will include new park benches, and rubber soft fall, as well as eight new artworks and a 'Sheoak Forest' with 20 large potted trees, 100 smaller trees and over 400 shrubs.

10. Expanding the recycled water network in Ballarat

The City of Ballarat has welcomed the announcement the Victorian Government will provide \$1 million towards expanding Ballarat's recycled water network. The Victorian Government announced the upgrade as part of the Department of Environment, Land, Water and Planning's (DELWP) Integrated Water Management Fund. The project will upgrade capacity of the Class A recycled water plant at the Ballarat North Water Reclamation Plant to five million litres daily and increase recycled water pumping and pipeline supply capacities to Lake Wendouree. It will also install new connections delivering recycled water supplies to Wendouree West Recreation Reserve and Victoria Park for irrigation as well as new opportunities for future recycled water usage. The funding will deliver the design and construction of \$4.5 million worth of interconnected projects over two years that will be jointly managed by Central Highlands Water and the City of Ballarat. In a collaborative project, Central Highlands Water will contribute \$2.5 million and the City of Ballarat will contribute \$500,000, along with significant in-kind support from both organisations.

OFFICER RECOMMENDATION

11. That Council:

11.1 Receive and note the CEO's Operational Report.

ATTACHMENTS

1. Governance Review [7.1.1 - 1 page]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Chief Executive Officers report is in line with Council's commitment to transparent decision making as expressed in the Council Plan.

COMMUNITY IMPACT

2. The report is part of Council's commitment to ensuring the community is informed about key projects and initiatives delivered and ongoing, and community consultation being undertaken by the City of Ballarat.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. No climate emergency and environmental sustainability implications have arisen from the preparation of this report.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. No additional economic sustainability implications have arisen from the preparation of this report.

FINANCIAL IMPLICATIONS

5. No additional financial implications have arisen from the preparation of this report.

LEGAL AND RISK CONSIDERATIONS

6. It is considered there are no legal and risk considerations associated with this report.

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. The Chief Executive Officer's Operational Report formal community engagement and consultation processes, both online and in person, which the City of Ballarat is currently undertaking in relation to its plans and operations.

CONFLICTS OF INTEREST THAT HAVE ARisen IN PREPARATION OF THE REPORT

9. Council Officers affirm that no general or material interests need to be declared in relation to the matter of this report.

OFFICIAL

8. OFFICER REPORTS

8.1. LAKE WENDOUREE AND VICTORIA PARK LINK LIGHTING

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Phillip Barnett – Project Manager

PURPOSE

1. To seek Approval for an increase to the price for Contract 2021/22-364 – Lake Wendouree and Victoria Park Link Lighting from the originally tendered price of \$2,202,000.00 (ex GST) to the revised price of \$2,510,700.00 (ex GST).
2. Authorise the Chief Executive Officer to execute Contract 2021/22-364 – Lake Wendouree and Victoria Park Link Lighting at the revised price.
3. Advise that the identified budget shortfall for this project will be referred to the next Budget review process, which will occur when the 2021/22 year-end carryover is considered and approves the works proceeding.

BACKGROUND

4. The Lake Wendouree and Victoria Park Link Lighting project will deliver lighting along the Steve Moneghetti Track around Lake Wendouree and also deliver lighting along Morrison Street which will link Lake Wendouree to nearby Victoria Park.
5. This project directly aligns with the Lake Wendouree Master Plan that was endorsed by Council in 2015 following widespread community and local resident engagement.
6. The project is jointly funded by the City of Ballarat and the Victorian State Government. The Victorian State Government is providing \$2,500,000 funding in line with their 2018 State Election Commitment. The City of Ballarat has committed to \$300,000 funding.
7. The Department of Environment, Land, Water and Planning has provided Landowner Consent for the project. A Heritage Victoria Permit (pertaining to the State Listed Botanical Gardens and Foreshore Precinct) was approved on 02 September 2021. A Planning Permit was approved for the project on 27 October 2021. A Cultural Heritage Management Plan for the Project has also been approved by Wadawurrung Traditional Owners Aboriginal Corporation.
8. As per motion R9/22 on 23 February 2022, Council resolved to enter into contract Number 2021/22 – 364 for the provision of Lake Wendouree and Victoria Park Link Lighting with DeAraugo & Lea Electrical Contractors (VIC) Pty Ltd for the total tendered price of \$2,202,000.00 (ex GST).
9. As per motion R43/22 at the Council meeting on 23 March 2022, it was noted that an Interim Protection Order had been issued for the Lake Wendouree Foreshore Precinct (identified as HO 163) by the Heritage Council of Victoria and a request was made to seek an additional Heritage Victoria permit for HO 163 as soon as possible.

10. Council officers informed the successful tenderer of the Council resolution in writing and furthermore advised of the new requirements pertaining to the Interim Protection Order and necessitated an additional Heritage Victoria Permit. Pending the outcome of the Heritage Victoria Permit, the contract was not formally signed.
11. A Heritage Permit was subsequently lodged with Heritage Victoria for the Lake Wendouree Foreshore Precinct (HO163) and after a period of public notice assessment, Heritage Victoria issued Permit 36523 on 28 May 2022 for the works occurring in the Lake Wendouree Foreshore Precinct.
12. Council officers informed DeAraugo & Lea Electrical Contractor that Heritage Victoria's P36523 was granted.
13. DeAraugo & Lea Electrical Contractors then advised Council Officers that a number of the items included in their original pricing schedule submitted on 15 December 2021 had increased and they would need to submit updated pricing, in line with pricing escalations seen across the entire economy, and specifically the construction industry and their relevant sub-contractors throughout the first 6 months of 2022.
14. Updated pricing was subsequently received by Council officers from DeAraugo & Lea Electrical Contractors on 07 July 2022 with an updated total sum of \$2,510,700.00 (ex GST), an increase of \$308,700.00 (ex GST).

KEY MATTERS

15. The increased pricing submitted from DeAraugo & Lea Contractors of \$308,700 is mainly attributable to the following increase in items from the issued pricing schedule:
 - \$217,620 for the supply of the light poles and fittings;
 - \$33,800 for the directional boring;
 - \$21,490 for the conduits; and
 - \$12,000 for the cabling.
16. The quoted increase in pricing is not unexpected given cost pressures prevalent in the construction sector since the time of the tender closing in December 2021.
17. The evaluation scoring applied during the tender evaluation was reassessed with the revised price and still resulted in DeAraugo & Lea Electrical Contractors having the best Value for Money score.
18. Given the cost increases seen across the construction sector since the time of the tender closing in December 2021, it is considered that going back out to tender will not result in a better Value for Money outcome.
19. This recommendation is coming back to Council to approve as the delegations in the City of Ballarat Procurement Policy under Section 3.4, require Council to be the approver of this contract.
20. The additional Heritage Victoria permit application process for the Lake Wendouree Foreshore Precinct (undertaken from March to May 2022) incurred costs of \$31,771 inclusive of application fees, heritage consultant reports and administration costs.

21. In order to ensure transparency regarding the additional costs and also ensure that a potential future contract variation is avoided, officers being aware of this change prior to signing the contract, are seeking to inform Council now such that the contract can reflect the amount officers have now been advised it will cost to deliver the contracted project.
22. Should a contract to the value of \$2,510,700.00 be entered into, the project would be over the allocated budget of \$2,800,000 which includes \$2,500,000 from the Victoria State Government and \$300,000 from Council in the 21/22 FY. The additional \$370,000 Council contribution requested for this project will ensure that the revised total budget of \$3,170,000 covers the additional cost of the contract (\$308,700) and other expected costs of the project.
23. To maintain a construction project contingency of \$300,000, a budget increase of \$370,000 is required. The amount is made up: \$308,700 for price escalation; \$31,771 Heritage Permit and \$29,529 for other costs including additional project management costs.
24. It is noted that a request for an additional project budget allocation of \$370,000 be referred to the next budget review process, which will occur when the 2021/22 year-end carryover is considered.
25. This request would bring the total Council budget contribution to \$670,000, bringing the total budget inclusive of the State Government contribution to \$3,170,000.

OFFICER RECOMMENDATION

26. That Council:

26.1 Notes the Officer Report.

26.2 Approves the increase to the price for Contract 2021/22-364 – Lake Wendouree and Victoria Park Link Lighting from the originally tendered price of \$2,202,000.00 (ex GST) to the revised price of \$2,510,700.00 (ex GST).

26.3 Authorises the Chief Executive Officer to execute Contract 2021/22-364 – Lake Wendouree and Victoria Park Link Lighting at the revised price.

26.4 Notes that the identified budget shortfall for this project will be referred to the next Budget review process, which will occur when the 2021/22 year-end carryover is considered and approves the works proceeding.

ATTACHMENTS

1. Governance Review [8.1.1 - 4 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The report supports the Council Plan goals of prosperity and livability by providing inclusive and accessible public spaces, quality services, and opportunities for our community to participate, feel safe and be active and healthy.
2. The report supports the aim of public sports recreation facilities and increasing passive and active community participation.

COMMUNITY IMPACT

3. The endorsed Lake Wendouree Master Plan 2017 recommends the following (Page 14):

"Support and implement with the following recommendations:

- *Lighting be pole mounted, low energy consumption and spaced at regular intervals to provide a consistent level of energy efficient lighting to standards that address public safety.*
- *Lighting be low spill with controlled hours of operation to minimise the impact on birdlife and wildlife and discourage anti-social behavior.*
- *Lighting options consider the best outcomes in terms of visual and environmental impacts, and costs to install and maintain.*
- *Lighting of the Steve Moneghetti Track be considered a priority project within the Master Plan given its overwhelming community support."*

4. The Steve Moneghetti Track is a permeable granitic sand track that is uneven in places and can hold water after heavy or prolonged rainfall. Lighting the track reduces trip and fall hazards associated with poor lighting on a track with a variable and uneven surface. Lighting the track to Australian Standard for Public Lighting 1158.3.1:2020 Category PP3 will allow for longer and safer access to the track for the public.
5. Lake Wendouree and Victoria Park Link Lighting will significantly improve to usability of the existing Steve Moneghetti Track and will encourage continued community usage. Lake Wendouree is an important community and recreation asset in the heart of Ballarat and extending the usual hours of the track through the provision of lighting will offer significant community benefits in the way of both physical participation in recreation and also social connectedness and wellbeing.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

6. A Biodiversity Impact Assessment was completed for the project and concluded that the lighting project impacts would likely be minor, after consideration of the location and timing of the lighting, and the level of additional light in the context of existing light. Further, the Biodiversity Impact Assessment concluded that based on the works as detailed in the design drawings, there would be no impact to native vegetation.
7. An Arboricultural Assessment was also completed for the project and identified that with a number of Tree Protection Zones and Structural Root Zones present, the best methodology for minimising any impacts was to utilise under-ground bores for the electrical cabling required for the lighting. The Arboricultural Assessment also recommended utilising a design that incorporated a pole height that was appropriate within the existing tree canopy which wouldn't require extensive pruning. This was a key consideration in utilising 5 meter pole heights for the detailed design.

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8. The delivery of the electrical conduits will be delivered via under-ground boring, instead of the alternative of open trenching. This will reduce the impacts on tree roots systems and surface disruption. This method was recommended by the independent Arborist report and supported by the City of Ballarat's arborist team.
9. An Arborist will be onsite throughout the delivery of the project to ensure any impacts to Tree Protection Zones are managed carefully in line with the approved conditions of both the Planning Permit and Heritage Victoria Permit (pertaining to the Botanic Gardens Precinct).
10. The Lake Wendouree and Victoria Park Link project will be using LED low-spill lighting technology, in line with the recommendations of the Lake Wendouree Masterplan, and Biodiversity Impact Assessment.
11. The impact on wildlife has also been considered with the lighting fully programmable to carefully manage the hours of operation. The lights are not proposed to be on during all hours of the day and night. They will turn off at 10pm at night and again in the morning at 5.30am and turn off via a sensor in the light fitting that measures the level of natural light, with this differing throughout the year.

ECONOMIC SUSTAINABILITY IMPLICATIONS

12. LED lighting has a long lifespan relative to every other lighting technology. LEDs are energy efficient relative to every other available lighting technology and emit light directionally (over 180 degrees versus 360 degrees which means there are far fewer losses from the need to redirect or reflect light. The selected light fitting achieves the relevant Australian Standard for Public Lighting 1158.3.1:2020 Category PP3 while limiting upward spill of light into surrounding tree canopies.
13. The contractor nominated 92% of the total project value will utilise labour, materials, plant and equipment sourced from within the defined group of local municipalities.

FINANCIAL IMPLICATIONS

14. The Lake Wendouree and Victoria Park Link Lighting Project has a current budget allocation of \$2,800,000. This includes a \$2,500,000 allocation from the Victoria State Government and a Council Budget allocation of \$300,000.
15. Should a contract to the value of \$2,510,700 be entered into, the project would be over the allocated budget of \$2,800,000 which includes \$2,500,000 from the Victoria State Government and \$300,000 from Council in the 21/22 FY.
16. An additional project budget allocation of \$370,000 is required in order to complete the project, which includes the increase in contract value.

LEGAL AND RISK CONSIDERATIONS

17. Third party legal advice has been sought to ensure this procurement is compliant with Council's Procurement Policy.

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18. Given the cost escalations currently being seen in the construction industry, any further delay in awarding Contract 2021-22-364 would likely see a further increase in quoted pricing.

HUMAN RIGHTS CONSIDERATIONS

19. 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

20. The Lake Lighting project was the top priority project identified in the Lake Wendouree Masterplan and this process included three phases of community consultation. The consultation survey received over 1800 responses with 81.7% of respondents supportive of the project and 8.8% neutral. Over 480 written responses strongly supporting the project were also received.
21. In 2020 online community consultation for the Lighting project was conducted via MySay. The consultation collected 150 community responses, with 45% supporting the project, 46% unsupportive of the project and 9% unknown. Key themes included the lighting being needed and overdue, increasing hours of use benefit and increasing safety and access, impacts to the natural environment, the cost and design of the poles and fittings. All of these themes were considered through the detailed design of the project.
22. In December 2020, two trial lights were installed on site to show the community how the project could look once installed. Site signage was also installed directing the community to Council's mySay page for feedback. A total of 64 submissions were received through to March 2021. Key themes included the operable times of the lights, their height and colour, and the impact of the lighting on wildlife and fauna. To address these comments, the project team released a Question and Answer video through social media to provide further information on these points.
23. Both of the Heritage Victoria Permit included an advertising and consultation period for public submissions. 10 submissions were received (all of which also submitted to the Planning Permit). These submissions centred on heritage, environmental impacts, and safety. A request for information in response to these submissions was provided to Heritage Victoria who subsequently approved the permit application.
24. Engagement was occurred with Loreto College who are supportive of the Morrison Street Victoria Park Link works. They have been notified that it will require the removal of five existing trees along Morrison Street and an independent Arborist report has been received outlining the current condition of the trees. A letter drop to the four properties along Morrison Street has occurred and no concerns were subsequently raised.

GENDER EQUALITY ACT 2020

25. 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

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

PROCUREMENT COLLABORATION

27. This recommendation is coming back to Council to approve as the delegations in the City of Ballarat Procurement Policy under Section 3.4, require Council to be the approver of this contract.

OFFICIAL

8.2. BALLARAT NET ZERO EMISSIONS PLAN – PUBLIC EXHIBITION

Division: Infrastructure and Environment
Director: Bridget Wetherall
Author/Position: Ching Tiong Tan – Carbon Neutrality Sustainable Officer

PURPOSE

1. To seek Council endorsement to release the Draft Ballarat Net Zero Emissions Plan (Draft Plan) for public exhibition for a period of four weeks in August 2022.

BACKGROUND

2. On 24 March 2021 Council officers briefed Council on the process for developing a community-wide zero emissions plan. Council endorsed the following resolution:
 - *Note the process of developing city-wide community zero emissions, including setting ambitious aspirational targets for whole of the city through the RSAB platform, and broader community engagement, with City of Ballarat as the lead author. This will help fulfil the action of 5.4a in the Carbon Neutrality and 100% Renewables Action Plan*
 - *Supports an ‘in principle’ aspirational community-wide target of zero emissions by 2030. (R51/21)*
3. The Draft Plan will provide guidance on:
 - Advocacy;
 - Council led carbon reduction actions to assist the community’s transition to zero emissions; and
 - Community led carbon reduction actions to transition to zero emissions.
4. Drafting of the Ballarat Net Zero Emissions Plan was developed in consultation with the Regional Sustainability Alliance Ballarat (RSAB) group and supported by the consultant Ironbark Sustainability.
5. The Draft Plan was developed following a literature review and a series of stakeholder consultation workshops.
6. The literature review covered experiences of other municipalities, particularly those with targets of net zero emissions by 2030, as well as relevant projects and reports done for Ballarat and the region in the recent past. A background paper on program and action options was prepared for consultation at stakeholder workshops.
7. A total of seven online and in-person stakeholder consultation workshops were carried out from March - June 2022. Participants included Council staff (17 March), industrial and business sectors (29 March and 27 April), community and environmental groups (30 March and 27 April), and Councillors and ELT (8 June). Each workshop was attended by 15-20 participants.

KEY MATTERS

8. The Draft Plan comprises five key themes:
 - Net Zero Business
 - Net Zero Homes
 - Net Zero New Developments
 - Net Zero Transport
 - Net Zero Waste
9. Net Zero Business: More than half of the emissions in the City of Ballarat come from commercial and industrial gas and electricity use. The programs would help businesses to transition to more energy efficient processes and renewable energy sources, and to shift away from the use of fossil fuels in their operations.
10. Net Zero Homes: The program aims to reduce emissions from existing homes that account for almost a quarter of the municipality's emissions. It seeks to overcome some of the key barriers to energy efficiency upgrades and solar PV, including the lack of knowledge and understanding of the business case for energy efficient technology, split incentives between landlords and tenants, and competing priorities for households.
11. Net Zero New Developments: This program aims to regulate for and work with developers to implement higher Environmentally Sustainable Design (ESD) standards to reduce emissions arising from the development of new residential, commercial, and industrial buildings. The City of Ballarat provides a key role in planning, whilst other stakeholders are important for advocacy to state government and other planning processes.
12. Net Zero Transport: Transport emissions account for 17% of Ballarat's total emissions profile. The recommended programs focus on supporting the uptake of electric vehicles (EVs) and alternative transport methods and targeted zero emissions vehicles for heavy and long-haul transport fleets.
13. Net Zero Waste: Council has a Circular Economy Framework and Resource Recovery and Waste Management Strategy and is currently leading several projects to support a circular economy in the region. These include the Materials Recovery Facility (MRF) and the Community and Industry Resource Recovery Centre (CIRRC) projects. CIRRC and MRF are two anchor facilities at a proposed Circular Economy Precinct in Ballarat at the Ballarat West Employment Zone to further enhance waste management within the municipality.

OFFICER RECOMMENDATION

14. That Council endorse the Draft Ballarat Net Zero Emissions Plan for public exhibition for a period of four weeks commencing 1 August 2022 and concluding 29 August 2022 at 9:00am.

ATTACHMENTS

1. Governance Review [8.2.1 - 2 pages]
2. Draft Ballarat Net Zero Emissions Plan [8.2.2 - 38 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Council Plan (2021-2025) provides strong guidance in the development and delivery of the Ballarat Net Zero Emissions Plan (the Plan), through the following goals and strategic objectives.
 2. Goal 1: An environmentally sustainable future
 - 1.1 Transition towards zero emissions
 - 1.2 Transition towards zero waste
 - 1.3 Support communities to be adaptive and resilient to a changing climate
 - 1.4 Provide lower carbon transport options
 - 1.6 Adopt more sustainable practices in our core business and operations
 3. Goal 3: A city that fosters sustainable growth
 - Ensure environmental sustainability outcomes are embedded in new developments
 - Ensure better quality sustainable design outcomes in both City of Ballarat and private developments

COMMUNITY IMPACT

4. The Ballarat Net Zero Emissions Plan is being developed in conjunction with the Ballarat community with a specific focus on industrial and business sectors, and community and environmental groups.
5. The Plan will assist the community to transition to zero carbon.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

6. The development and implementation of the Plan is the most important action that can be taken to reduce greenhouse gas emissions in Ballarat and contribute to the global task of addressing the current climate emergency.

ECONOMIC SUSTAINABILITY IMPLICATIONS

7. The delivery of initiatives by Council and the Ballarat community under the Plan are expected to offer not only environmental benefits but significant economic benefit.

FINANCIAL IMPLICATIONS

8. The Plan is being developed and will be delivered with the allocated resources of Council via both the operational budget and specific capital budget allocations.

LEGAL AND RISK CONSIDERATIONS

9. The Plan is being developed with a clear risk analysis and each recommended initiative will be subject to undertaking a risk profile to inform actions.

OFFICIAL

OFFICIAL

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

11. The Ballarat Net Zero Emissions Plan is being developed in conjunction with the Ballarat community with a specific focus on industrial and business sectors, and community and environmental groups.
12. The Plan will go to Council on 27 July 2022 seeking public exhibition.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

PROCUREMENT COLLABORATION

(For Contracts Only)

OFFICIAL



CITY OF BALLARAT
**Draft Ballarat Net
Zero Emissions Plan**





The City of Ballarat acknowledges the Traditional Owners 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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2. Message from the Mayor of Ballarat



The City of Ballarat is proud to present the *Draft Ballarat Net Zero Emissions Plan* for transition to a carbon neutral municipality.

This draft plan outlines an aspirational community-wide target of reaching net zero emissions by 2030 and the actions required in order to achieve this target.

The health of our natural environment is vital in supporting our community's health and wellbeing, with climate change described by the World Health Organisation as the greatest threat to global health in the 21st century.

In 2018, Council acknowledged the climate emergency and the need for urgent action by all levels of government, including local councils.

In 2019, Council adopted the *Carbon Neutrality and 100% Renewables Action Plan* to achieve carbon neutrality within our organisation by 2025. Since then, we have made significant progress in reducing the organisation's emissions, including using 100 per cent renewable electricity in 2022, implementing LED streetlighting and methane recovery at the landfill.

The City of Ballarat is in a unique position to lead and enable our municipality to embrace carbon neutrality. This *Draft Ballarat Net Zero Emissions Plan* aligns with Goal 1 in the *City of Ballarat Council Plan 2021–2025* to create 'an environmentally sustainable future'.

This plan was developed on the back of extensive research and a series of stakeholder consultation workshops with industry and the business sector, environmental groups and the community.

While we facilitated its development, the plan is designed to be a roadmap for collaborative action and outlines how we will partner with our community, businesses, community leaders and other levels of government to be more sustainable.

To achieve a target of net zero emissions by 2030 is no mean feat. However, putting in place the foundations necessary to work towards this target is a crucial step to addressing one of the most pressing issues of our time.

Our aspiration is to become a net zero emissions city and municipality. I hope you will work with us to ensure we achieve net zero emissions by 2030.

Please take the time to read and provide your feedback on this draft plan via the City of Ballarat's mySay website to have your say on how the City of Ballarat can support the municipality in reducing greenhouse emissions.

A handwritten signature in black ink, appearing to read "Daniel Moloney".

Cr Daniel Moloney
Mayor, City of Ballarat



3. Introduction

The Ballarat Community is ready to do the work required to build a safe and sustainable community for current and future generations. This document outlines commitments of the Ballarat Community to deliver net zero emissions by 2030.

Emissions in Ballarat were estimated to total 1.5 million tonnes in 2020. To reach net zero emissions by 2030 requires a bold and challenging approach. The stakeholders involved in the development of this Plan recognise the urgency to act and supported Council's resolution for an aspirational target of net zero emissions by 2030. It reflects a recognition of what is required to address the climate emergency.

The City of Ballarat will support this aspirational community target through implementing and reporting on the actions in this plan such as partnering with others, including advocating to other levels of government for much stronger climate action and investment in our region.

Achieving the ambitious target of net zero emissions by 2030 will require substantial action by the Victorian and Australian Government beyond currently planned actions and targets, as well as from the Ballarat community.

This Plan identifies key areas of action for the Ballarat Community to transition to net zero emissions by 2030.

> These actions are categorised in the following five outcomes:

- 1 Net Zero Business**
- 2 Net Zero Homes**
- 3 Net Zero New Developments**
- 4 Net Zero Transport**
- 5 Net Zero Waste**



Walking and riding along the Wallaby Track

4. Context



> 4.1 Ballarat Municipality

During the 21 November 2018 council meeting Council acknowledged the Climate Emergency and the need for urgent action by all levels of government, including local councils, to reduce carbon emissions.

The *City of Ballarat Carbon Neutrality and 100% Renewables Action Plan* was subsequently developed and adopted by Council in 2019. The Action Plan contains 61 actions to reduce the City of Ballarat's corporate greenhouse gas emissions while also providing community support to achieve carbon emission reductions.

On 24 March 2021, Council endorsed the following resolution:

Note the process of developing city-wide community zero emissions, including setting ambitious aspirational targets for whole of the city through the RSAB platform, and broader community engagement, with City of Ballarat as the lead author. This will help fulfil the action of 5.4a in the *Carbon Neutrality and 100% Renewables Action Plan*.

- Supports an 'in principle' aspirational community-wide target of zero emissions by 2030.

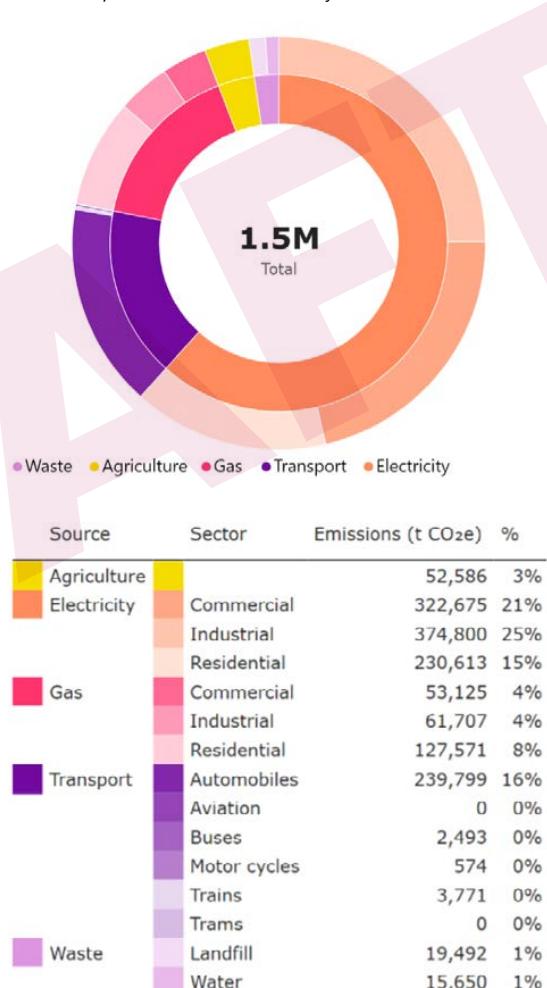
> 4.2 Emissions in Ballarat

Emissions in the City of Ballarat were estimated to total 1.5 million tonnes in 2020.

These emissions were mostly associated with electricity (61 per cent), transport (17 per cent) and natural gas (16 per cent) use, and are reasonably evenly distributed between the residential, commercial and industrial sectors (see Figure 1).

> **Figure 1: Ballarat 2020 greenhouse gas emissions**

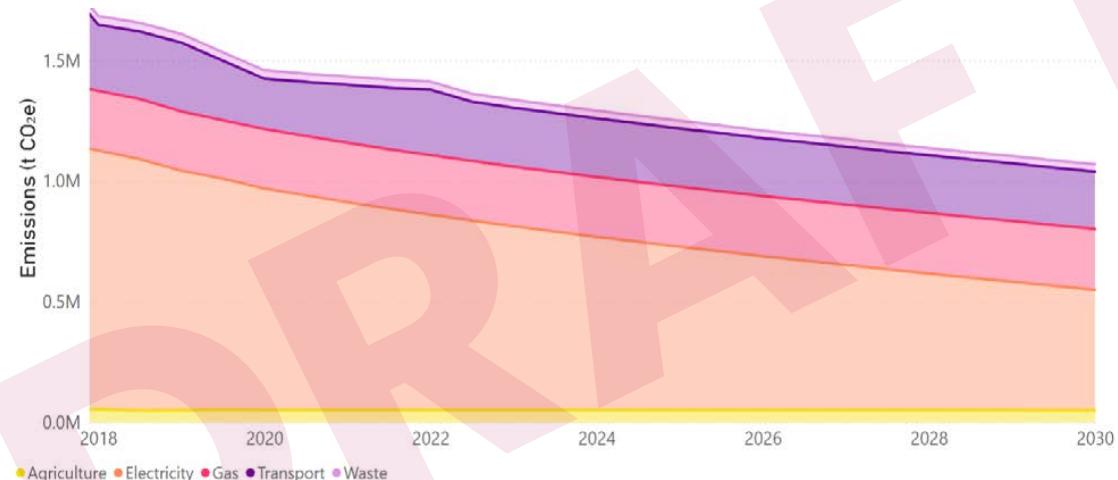
Source: snapshotclimate.com.au/locality/australia/victoria/ballarat



Significant work is being done across all sectors to reduce greenhouse gas emissions. A trajectory of expected emissions within the City of Ballarat has been estimated based on current Victorian and national policy positions and is shown in Figure 2. This demonstrates that emissions are expected to reduce to around 1 to 1.1 million tonnes in 2030.

This reduction is substantially driven by decarbonisation of the electricity sector, whilst gas and transport emissions are expected to remain close to current emission levels. Increases in emissions driven by population growth, are expected to be offset by household and commercial efficiency improvements.

› Figure 2: Ballarat greenhouse gas emissions trajectory to 2030



Ballarat is a regional city and when considering the emissions from the wider region (See Figure 3) including the municipalities of Ararat, Hepburn, Pyrenees, Central Goldfields, Moorabool and Golden Plains, current emissions increase to around 4.3 million tonnes.

The regional emissions contribute around 4.5 per cent of total Victorian Emissions and are expected to decrease to 3.5–3.7 million tonnes by 2030. The main additional contributor at the regional level is agriculture which contributes around 26 per cent of regional emissions.

› Figure 3: Ballarat Region



Within the City of Ballarat there are a number of key emitters who both contribute significant amounts of emissions and are in many cases already planning to reduce emissions. These are outlined in further detail in Section 6 and include commercial and industrial entities (such as McCains, Mars Wrigley, Powercor, and others) as well as government organisations (such as City of Ballarat, Central Highlands Water, and others). By understanding these larger emitters and their already planned targets and actions, the region can prioritise supporting other stakeholders to reduce community emissions, whilst amplifying key positive stories and messages.

> 4.3 Current Activities to Reduce Emissions

Throughout the Ballarat Community there are a wide range of activities that are reducing emissions. A few examples of this are noted below, and throughout this document we have included break out boxes to highlight particular work by different people and organisations.

This is really the tip of the iceberg and only provides a small slice of the extensive activity being carried out by a large number of households and business to tackle the climate challenge.

- Almost 10,000³ solar electric systems have been installed in Ballarat leading to emissions savings of over 70,000 tonnes of CO2 equivalent (CO2-e) each year.
- The City of Ballarat purchased 100 per cent renewable electricity for all their operations in 2022, reducing emissions by around 10,000 tonnes per year.
- Committee for Ballarat identified pathways to reduce industrial emissions in Ballarat and is in planning with various stakeholders to support local models to accelerate renewable energy projects.
- McCains has plans to purchase 100 per cent of its' electricity from renewable sources by 2030.
- Mars Wrigley are currently purchasing 100 per cent of electricity from renewable sources (from 2021) and installing large scale solar systems at its Ballarat factory.
- Powercor has targets to reduce emissions by 30 per cent from 2019 levels in 2030.
- The Ballarat Tool Library is one of many community organisations tackling waste in Ballarat. The Tool Library provides access to tools for its members, reducing cost, waste and emissions from the manufacturer of new tools and disposal of old tools.
- BREAZE Social Solar Program provides tax deductible emissions offsets via the installation of local solar and batteries to community organisations and facilities⁴.

Source: ³<https://pv-map.apvi.org.au/historical#8/-37.366/144.283>

⁴<https://breaze.org.au/programs/soc-sol-link>

> 4.4 Net Zero Emissions by 2030

The stakeholders involved in the development of this Plan recognise the urgency to act and support Council's resolution for an aspirational target of net zero emissions by 2030. It reflects a recognition of what is required to address the climate emergency.

The target broadly aligns with the Ballarat community's contribution to limit the temperature increase to 1.5°C above pre-industrial levels under the Paris Agreement. The target is also in line with other Victorian councils' net zero emissions municipal targets.

Council will support this aspirational community target through implementing and reporting on the actions in this plan such as partnering with others, including advocating to other levels of government for much stronger climate action and investment in our region.

Achieving the ambitious target of net zero emissions by 2030 will require substantial action by the Victorian and Australian government beyond currently planned actions and targets, as well as from the Ballarat community.

> 4.5 Development of the Net Zero Emissions Plan

The Net Zero Emissions Plan was developed with was developed in consultation with the Regional Sustainability Alliance Ballarat (RSAB) group and supported by the consultant Ironbark Sustainability. The Plan outlines actions for the Ballarat to take as it transitions to a net-zero economy by 2030. It does not rephrase existing areas of detailed planning, but instead considers these and builds upon them to target additional actions to deliver net zero emissions. Other plans and background reports of interest include:

- Grampians Net Zero Emissions Taskforce Roadmap
- Ballarat Integrated Transport Action Plan
- Ballarat Cycling Action Plan – Ballarat Cycling Action Plan
- Circular Ballarat Framework
- Resource Recovery and Waste Management Strategy
- Reducing Industrial Emissions in Ballarat
- Ballarat Bioenergy Technology Final Report
- Dja Dja Wurrung Renewable Energy Strategy.

As well as a detailed review of wider trends and action areas outside the municipality this Plan reflects the existing interests, skill sets and actions already underway by local businesses, community groups and residents.

This Zero Emissions Plan was sponsored by the City of Ballarat and included deep community engagement and involvement. As a document that seeks to ensure that the maximum number of emissions are reduced, the recommendations within it rely heavily on cross-sectoral collaboration and a clear and unified strategic direction. Agreement on this direction was sought using several mechanisms and included:

- The publication and distribution of a background paper detailing a set of recommended program areas focused on community emissions reduction.
- A series of online workshops with stakeholder groups discussing the existing and planned developments in each identified action areas.

- A series of face-to-face workshops with consolidated stakeholder groups to discuss the barriers and opportunities associated with programs within the key theme action areas.
- A Council workshop that included Councillors and the Executive Leadership Team.

Together, these sessions encouraged the free exchange of ideas and provided strategic direction in the recommendation and framing of key action areas. Specifically, the workshops successfully provided a platform for engagement and input and assisted the project team in understanding community priorities and perspectives on climate action. These sessions also confirmed and celebrated the shared vision of a net zero future, and the alignment between community values and Council priorities.

5. Pathways Towards Net Zero Emissions

The Net Zero Emissions Plan aims to enable a transition of Ballarat to a low carbon economy that empowers communities and builds a more sustainable and prosperous municipality. In moving towards a net zero emissions economy, Ballarat is well positioned to attract new investment and new industries with new opportunities for jobs and greater security of energy supply.

The Plan seeks to inspire transformational change within Council and the community. It will also encourage households and businesses to act on emissions reduction. Council understands its role in helping facilitate actions can only be achieved in partnership with the community. This includes an ongoing conversation between Council and the community to understand how the community is identifying opportunities to thrive. As the level of government closest to the community, Council can galvanise and influence actions by different community stakeholders to reduce their emissions.

While Council has a critical role to play in reducing emissions within the municipality, it is important to acknowledge that Council cannot do this alone and is reliant on Victorian and Australian Government for support. Similarly, Council cannot implement the programs in this Plan without community and stakeholder investment. Emissions reductions at this scale will require significant contributions from residents, businesses and industry, and the Victorian and Australian Governments. It will also require broader societal and structural changes that are beyond Council's influence.

› 5.1 Council's Role in Net Zero Emissions

Council is uniquely positioned to drive community emissions reductions, because of its leadership role within the region, local understanding and context, and its established community and stakeholder networks. Council already provides numerous support services to the community, ranging from planning and infrastructure, to funding opportunities. If well directed, these services can be used to motivate and facilitate community action. Council can support the community by ensuring that all community members are included in the climate actions and empower everyone with the opportunities to contribute. This Plan includes key action areas within Council's sphere of influence that can significantly reduce emissions in the region. Council will also aim to influence action beyond its control through advocacy and leadership.

› 5.2 The Community's Role in Net Zero Emissions

The community has a vital role in reducing emissions. While Council is expected to lead and/or facilitate most actions outlined in this Plan, the Plan is designed to be implemented in partnership with the community. It is the Ballarat community including individuals, businesses, and community groups that will be driving change on the ground. The opportunities discussed in the Plan have been designed to be inclusive, mutually beneficial, and scalable on both a community and individual level.

› 5.3 Victorian and Australian Governments' Role in Net Zero Emissions

The Victorian and Australian Governments play an important role in supporting local governments and communities to deliver the actions necessary towards achieving net zero emissions. These include review or development of policy and legislation to allow appropriate climate action, and through grants and funding to support emissions reduction projects and activities. Ongoing engagement with local governments and multiple sectors and different stakeholders groups will be crucial for development of policies, appropriate planning of projects and services and for adequate resourcing to implement these.

› 5.4 Net Zero Emissions Outcomes

Five core sectors have been identified to progress Ballarat to net zero emissions by 2030. Transition in these sectors involves change across all levels of government, industrial and commercial sectors, community and individuals. The actions for these sectors are categorised into five outcomes:

- 1 **Net Zero Business**
- 2 **Net Zero Homes**
- 3 **Net Zero New Developments**
- 4 **Net Zero Transport**
- 5 **Net Zero Waste**



When Polly Met Murphy, Ballarat Central

6. Outcome 1: Net Zero Business

Commercial and retail businesses are key to the livelihood, prosperity, and liveability of the Ballarat region. They also occupy large tracts of land, use high volumes of energy, and rely on the import of goods and services from abroad to satisfy local needs. As some sectors continue to expand in the region due to substantial population growth, such as health care and social assistance, and education, the energy consumed by businesses will continue to increase.

The Ballarat region displays a wide range of business types and industries spread across numerous sectors. Commercial and industrial emissions account for 54 per cent of emissions across Ballarat. Of these a few large businesses account for a large percentage of these emissions including manufacturers McCains and Mars Wrigley, and electricity distributor Powercor (emissions are largely as a result of electricity distribution losses).

Each of these businesses has clear and public emission reduction targets for 2030 and is committed to playing their role in community wide emission reduction targets.

There are a number of key areas for action to support business to reduce emissions in Ballarat. Some actions are cross-sectoral and covered in other Outcomes including Net Zero Transport (Zero Emissions Fuels Hub and Transport Logistics) and Net Zero New Developments. The actions within this Outcome should be considered in conjunction with those recommendations.

There are good support networks across business in Ballarat and many areas that business can take action to reduce emissions. A core pillar of Committee for Ballarat's (C4B) Strategic Plan is liveability and a commitment to delivering a sustainable city that is carbon neutral and driven by 100 per cent renewable energy. Both C4B and Council have key roles in supporting business with C4B in the active stages of planning a cooperative approach to emissions reduction and energy security in Ballarat.

> 6.1 Aggregate Renewable Energy Purchase

The quickest way to decarbonise emissions for many businesses is to use their current electricity expenditure and redirect it to 100 per cent renewable electricity.

Initially the cooperative model can focus on aggregating business and procuring Power Purchase Agreements (PPAs) from renewable sources. This can be rapidly deployed and can be an ongoing part of the work, with annual procurement rounds.

Importantly for small organisations these projects are difficult to access. A regional cooperative model can help overcome such barriers by enabling group purchase at discounted rates. For business groupings a target of 20GWh/yr. of demand is expected to be a reasonable minimum viable volume of electricity to go to market and identifying larger users to anchor the work is sensible.

> 6.2 Support to Plan and Implement Net Zero Emissions

Getting to net zero can be as simple as purchasing renewable electricity and offsetting the remaining emissions. However, there is complexity in calculating emissions and targeting ways to reduce emissions as well as increasing profit and competitiveness through energy savings.

Within Ballarat there are a number of key emitters who both contribute significant amounts of emissions and are in many cases already planning to reduce emissions. By understanding these larger emitters and their already planned targets and actions, the region can prioritise supporting other stakeholders to reduce community emissions, whilst amplifying key positive stories and messages.

Providing local assistance for business to get to net zero can include:

- Assistance in planning for net zero including understanding emissions, opportunities and funding sources.
- Connections to experienced contractors to deliver efficiency projects (including solar, Electric Vehicle charging and cost savings measures).
- Promotion of knowledge and experience from the larger emitters to support reporting and commitment to net zero emissions by smaller emitters such as small business and households.

> 6.3 Connect to Local Offsetting Programs

Access to locally sourced offsets to reduce emissions to zero are a valuable addition to achieving net zero emissions. There are several examples of small-scale local offsetting which could be the basis for more broad scale investment in local solutions to reduce emissions.



Case Study:

Ballarat Zero Emission Gas

Gaia Envirotech, based in Ballarat West, is a national leader in converting waste products into biomethane.

At McCains this has resulted in waste products being broken down in an anaerobic biogas digester to produce gas to offset the use of natural gas. This combined with an onsite solar farm will reduce energy by 39 per cent and carbon emissions by 27,000 tonnes CO₂ equivalent each year⁵.

Innovative local solutions like this can be scaled up through regional coordination facilitated by the Zero Emissions Fuels Hub (See Section 4.3).

Source: ⁵<https://www.mccain.com/information-centre/news/mccain-foods-sustainability-commitment/>

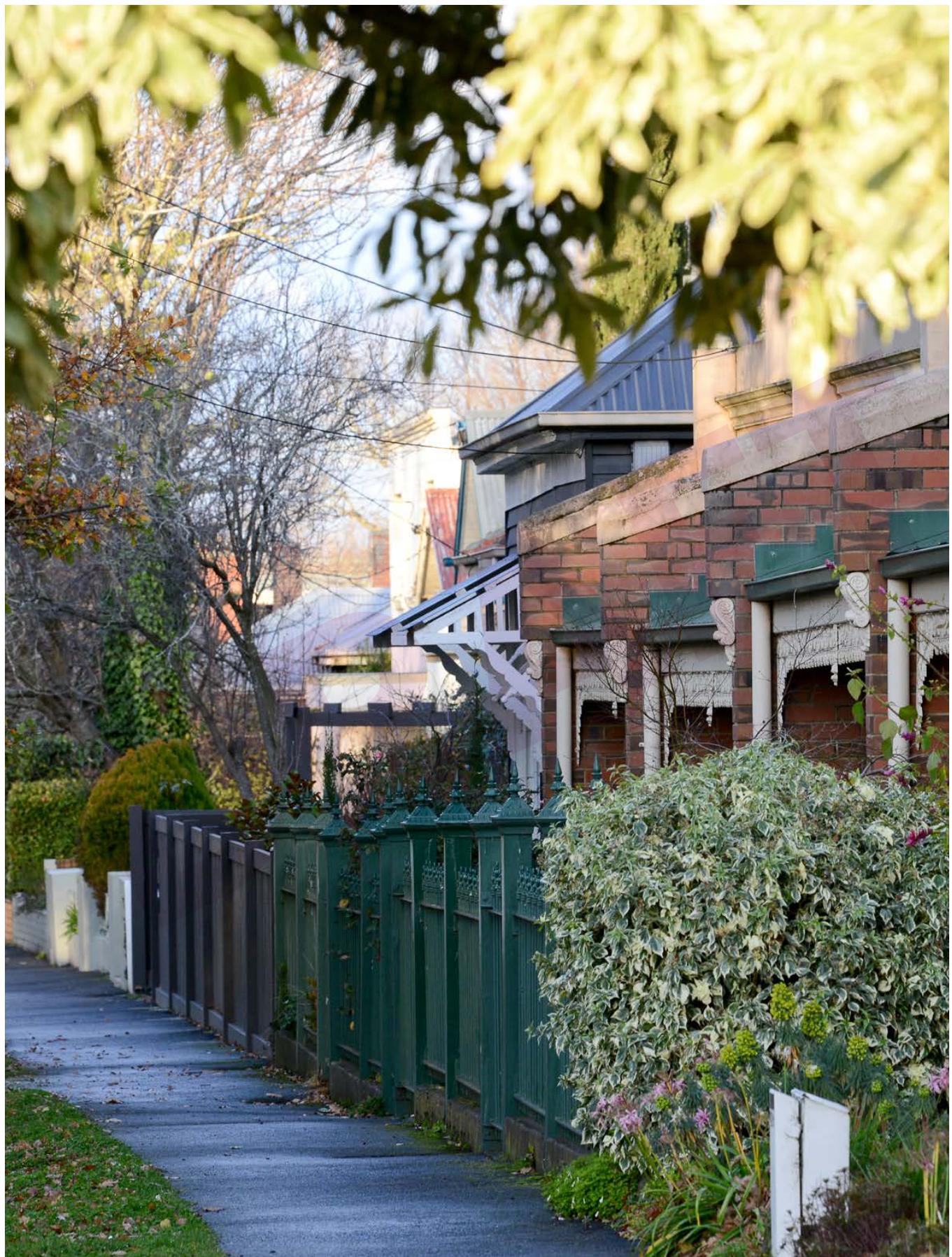
Local Emissions Offsetting

Social Solar by BREAZE uses donations and grants to supply solar panels and/or solar hot water or batteries, to not-for-profit community organisations in Ballarat. This results in more renewable energy in the region, reduced emissions and greater social justice.

Since 2016 BREAZE has contributed 67kW of Social Solar for properties of not-for-profits, particularly social housing. This has resulted in the cutting of energy costs for charities and low-income households.

Outcome 1:

| ROLE OF STAKEHOLDERS |
|---|
| Council |
| <ul style="list-style-type: none">• Promote the existing networks and facilitate sharing of experience• Support business to plan for and deliver net zero |
| Businesses and Industries |
| <ul style="list-style-type: none">• Implement or participate in aggregated renewable energy purchase• Promote climate change leadership to customers and clients |
| Community |
| <ul style="list-style-type: none">• Actively participate in discussions on local sustainability initiatives, technologies and program. |



 Ballarat Housing.

7. Outcome 2: Net Zero Homes

Residential gas and electricity use accounts for 23 per cent of total emissions in Ballarat. However, most of these emissions in 2030 will come from homes that are already built in 2020.

The Ballarat region has a proud history of supporting sustainable homes including hosting the first Sustainable Living Festival⁶ as well as the annual Sustainable House Day⁷. As a result, the local community is well informed about the benefits of efficient and comfortable homes.

Supporting existing homes to be more efficient can be facilitated through education and connection to established programs run both locally and at the Victorian level or developing new programs.

Source: ⁶slf.org.au, ⁷sustainablehouseday.com

> 7.1 Improve Energy Efficiency of Existing Homes

Energy efficiency is an important way to build resilience for homes in the face of increasing temperatures and energy prices. There are many Victorian Government programs that provide rebates for appliance replacements. In Ballarat over 700 residents claimed rebates for solar or heat pump hot water systems in 2021, an increase of almost 80 per cent since 2018.

Amplification of positive stories and approaches is recommended to increase the expectation that people will make their homes safer, more comfortable, and efficient⁸ by improving energy efficiency

This should also address the key barriers of access to technical information and contacts for local tradespeople to assist in this transition.

Source: ⁸ morelandzerocarbon.org.au/moreland-launches-new-electrify-everything-messaging-guide

> 7.2 Residential Degasification

According to the Victorian Gas Substitution Roadmap Consultation Paper (2021) Victoria accounts for 37 per cent of the East Coast Gas market. The leading use of gas is space heating, and the second largest use of gas is industrial processes, mainly manufacturing. Victorian gas production is decreasing, and the Australian Energy Market Operator (AEMO) is forecasting the Victorian's gas production will be unable to supply a 1 in 2 winter peak day by 2023⁹.

Source: ⁹energycouncil.com.au/analysis/is-degasification-plausible
Without change, gas use is expected to generate around the same emissions in 2030 as now in the region and as such is an important area of focus to support the transition to net zero emissions.

Modelling demonstrates that over a 10-year period, households are between \$9,000 and \$16,000 better off with an all-electric house with solar than an electric and gas house¹⁰. This modelling was before the current large increase in gas pricing since 2021.

To support local households to prepare for and benefit from the challenges afflicting the gas industry the Ballarat Community can be active in electrifying everything in their households including gas appliances, petrol tools and vehicles.

Advocacy at the various levels of government is needed in order to:

- Provide a comprehensive support program to householders to transition off gas, including incentives combined with well-resourced education campaigns.
- Ensure vulnerable people are not worse off and supported during the transition, remove incentives for fossil fuel concessions and rebates and replace them with the same for electric alternatives.
- Consider increasing rebates and subsidies during this transition period so that purchasing replacement appliances is possible.

Source: ¹⁰renew.org.au/research/all-electric-solar-homes-save-thousands-over-gas-report



Case Study:

6 Star Workers Cottage

In Johnson Street Ballarat a comprehensive renovation has turned this workers cottage into a 6-star energy rated home.¹¹

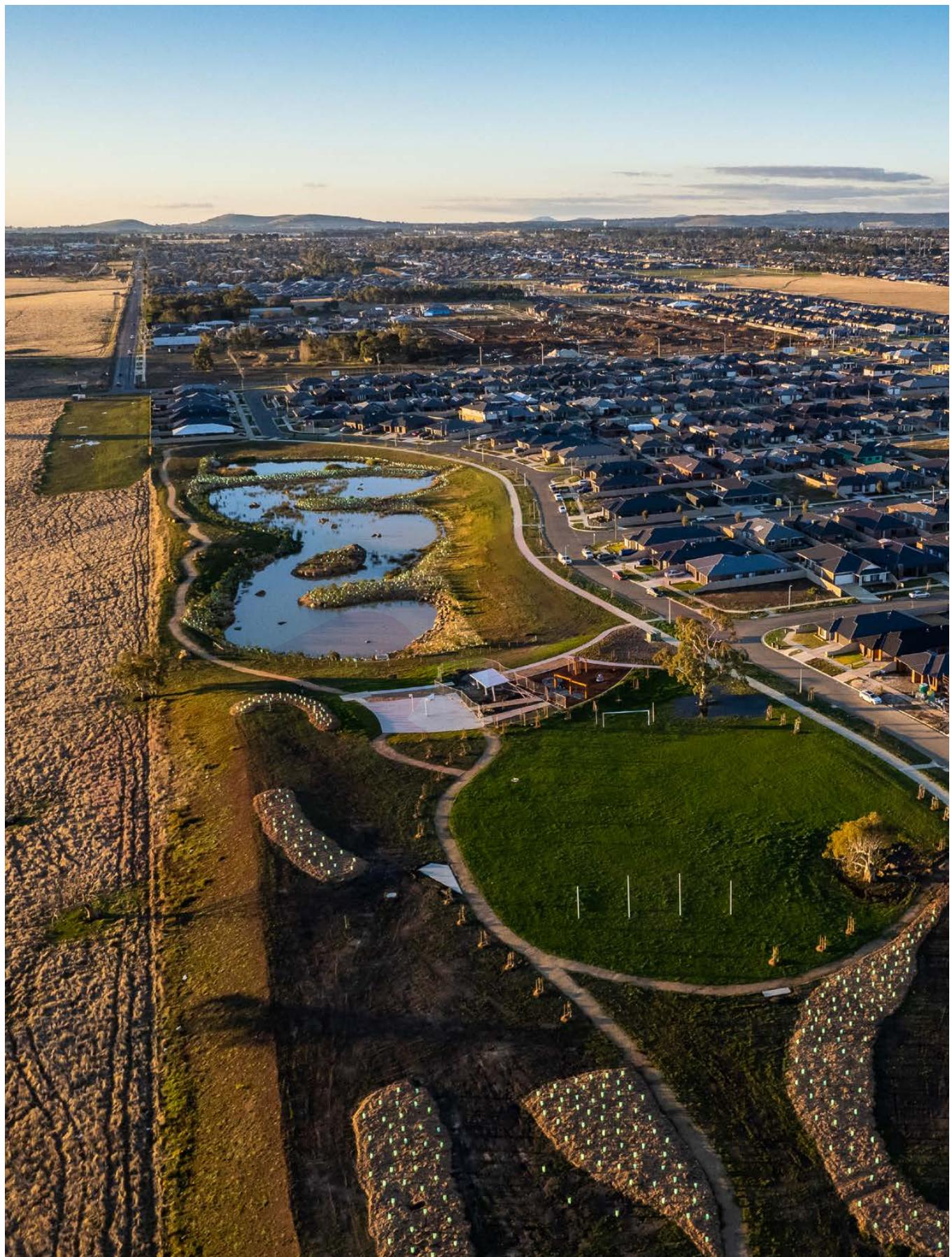
The passive heating and cooling elements include room orientation, north facing windows for sun, cooling cross breeze in the living area during summer, flexible shading on north side, thermal mass, double glazed windows, and door and window seals to limit undesirable air flow.

The site is now far more comfortable and ready to withstand hot summers within rising energy costs for years to come.

Source: ¹¹sustainablehouseday.com/listing/johnson-st-ballarat-house

Outcome 2:

| ROLE OF STAKEHOLDERS |
|--|
| Council |
| <ul style="list-style-type: none">• Amplify positive messages, stories and information to support households to transition from gas• Support residents to electrify everything including by providing information on products and local tradespeople who can help with removing gas• Advocacy to the Victorian and Australian Government |
| Community |
| <ul style="list-style-type: none">• Implement energy efficiency measures and remove gas within existing homes |



Ballarat Housing Development.

8. Outcome 3: Net Zero New Developments

Almost 80 per cent of emissions in Ballarat come from the energy use of residents and businesses. There are several opportunities to improve the sustainability of new developments.

Many development standards are governed by Victorian and Australian level organisations with local implementation of these requirements. The City of Ballarat has a core role in planning application approvals and can work together with developers and residents to ensure zero emission new developments are implemented.

> 8.1 Advocate for Higher Environmentally Sustainable Design Standards

The Council Alliance for the Sustainable Built Environment (CASBE) exists to “make a difference to the sustainability of our built environment, through the Victorian planning process”.

The City of Ballarat can work closely with CASBE on two key advocacy projects relating to Planning. The projects include:

1. Sustainable Subdivision Framework Trial; and
2. Elevating Environmentally Sustainable Design (ESD) in the Planning Scheme (Elevating ESD)

From October 2020, councils across Victoria including the City of Ballarat are conducting a voluntary trial of the Sustainable Subdivisions Framework. The framework seeks to provide statutory planners with a basis for measuring and achieving stronger sustainability outcomes in residential subdivisions, while also providing information on how sustainability interventions can be integrated in residential subdivisions. It identifies seven categories that can assist in creating sustainable subdivisions, including energy and circular economy.

Separate, but related, the Elevating ESD project can be summarised as simply increasing the stringency of regulations for developers regarding ESD.

If implemented by the Minister, the Elevating ESD project would require new developments to:

- Be net zero carbon emissions from operational energy use
- Be built to 7 stars NatHERS
- Require minimum solar PV provision
- Achieve all electric buildings
- Be capable of supporting EVs (or be ‘EV ready’) through minimum charging outlets and cabling.

The City of Ballarat can monitor its implementation for delivering energy and emissions outcomes within the planning system. Comparisons could be made to local government best practice in sustainability in the planning system by collecting data from CASBE. This data includes officer time dedicated to the ESD in Planning and for Council projects, and the theoretical impact of this work (in emissions, water and other metrics) from over 30 Victorian local governments.

> 8.2 Future Proof New Developments

Developers have the ability to actively engage with builders and owners to develop precincts to future proof new developments from future change in the energy supply. The design and development of new areas should follow these key requirements to ensure they are compatible with this Plan:

- Fully electrified (or zero emissions gas options, note this requires advocacy to the Victorian Government)
- Integrate net zero design standards within the construction
- Ensure the construction and development process eliminates waste to landfill
- Design includes resilience to hotter and drier conditions (including through extensive green space and vegetation)

Outcome 3:

| ROLE OF STAKEHOLDERS |
|--|
| Council |
| <ul style="list-style-type: none">Advocate to the Victorian Planning Minister to support the two key planning advocacy asks as outlined above (including removing the requirement for new gas connections for all residential developments)Ensure the planning process delivers best practice |
| Developers |
| <ul style="list-style-type: none">Actively encourage zero emission developments in BallaratDemonstrate ESD within display homes in new developments |
| Community |
| <ul style="list-style-type: none">Advocate to Council, local MPs, Victorian and Australian Governments |



10: Sturt Street Bike Path.

9. Outcome 4: Net Zero Transport

Transport emissions account for 17 per cent of Ballarat's total emissions profile. Council already has a comprehensive Integrated Transport Plan in place, as well as a dedicated Cycling Action Plan that covers the areas of public and active transport.

While these plans are critical to progress, this action area recognises the continued role for cars, trucks and other vehicles and the need to replace fossil fuel with renewable fuels.

Under a business-as-usual model this emissions source is expected to be similar in size in 2030 as in 2022. Despite this, significant opportunities exist for reducing transport emissions in Ballarat through public and active transport, Electric Vehicle passenger and fleet vehicles, and transitioning heavy fleet to alternative fuels.

> 9.1 Decarbonizing the Public Transport Network

Discussions are already underway with operators of the bus network and the Victorian Government for a potential hydrogen fuel cell bus trial in Ballarat. This would support the trial by Public Transport Victoria (PTV) in partnership with bus manufacturers in Geelong scheduled for 2023 and see a complete elimination of bus tailpipe emissions. In the longer term, an opportunity exists to use green hydrogen as a fuel source, suggesting public transport solutions in Ballarat could effectively be carbon neutral. Also refer to 4.3 Transitioning Heavy Fleet to Alternative Fuels.

> 9.2 Increasing Use of Active Transport Modes

Recognising that encouraging users to adopt walking and cycling involves a supportive statutory planning and infrastructure landscape, the Ballarat Integrated Transport Plan identifies and plans for targeted ways to support active transport within the region. Organisations such as the YMCA managed ReCranked are assisting in the uptake of bike riding locally.

Opportunities exist to increase the use and promotion of active transport in schools as well as to provide access to bikes through share programs. There are many existing programs to share tools, toys and other resources active in Ballarat. By expanding the remit of this work more people will use bikes for recreation and commuting.

> 9.3 Electric Vehicle Passenger and Fleet Vehicles

In understanding that private motor vehicles will remain a dominant mode of transport in Australian cities, this action area focusses on a transition towards electric vehicles (Electric Vehicle) from internal combustion engine (ICE) vehicles. This also includes the uptake of shared vehicles to ensure that growth in the total number of vehicles slows or declines.

Figure 4: Australian Electric Vehicle Sales to August 2021



The Victorian Government has a target of increasing Electric Vehicles to 50 per cent of all new car sales by 2030. In 2020 less than 1 per cent of all new car sales in Australia were electric vehicles, whilst in 2021 this increased to 2 per cent.

Australia has a large second-hand car market which is partly enabled by the turnover of corporate fleet. The transition of fleets by large companies and governments to Electric Vehicles will mean more affordable Electric Vehicles are available. Supporting large fleet transitions will have a real impact on the availability of charging infrastructure and cars for the second-hand market.

The Victorian and Australian Governments are largely focusing on large scale and long-distance charging. The City of Ballarat can lead local planning for localised charging for community destinations as well as charging facilities for those without off street parking available.

> 9.4 Transitioning Heavy Fleet to Zero Emission Fuels

Ballarat is well positioned to lead Victoria in exploring the planning and building of infrastructure and systems to service zero emissions heavy fleet markets. The intermodal freight hub on the Ballarat to Ararat railway line, which is part of the Ballarat West Employment Zone (BWEZ), provides an obvious area to locate regional transport energy supply infrastructure.

From a technology perspective, biofuels and green hydrogen provide some key advantages to service these long-haul transport options. A detailed feasibility of the viability of both transport and industrial zero emission energy provision should be carried out in the short term to inform the investment priorities of the Victorian and Australian Government in Ballarat. Supporting the proposed Ballarat Zero Emissions Fuels Hub has consistently been raised as a regional opportunity to drive the transition of both large gas and fuels users to renewable sources.

> 9.5 Facilitating Resources Opportunities Between Businesses

One business may need quality sources of renewable gas, another a system to create this, and a third too much organic waste. There are existing programs that can connect business to waste streams¹², how Electric Vehicleer, a focus on using these resources for energy generation is an important connection to make. Within the broader Ballarat region more than 25 per cent of emissions come from agriculture and there are extensive agricultural waste products that could be accessed.

In addition, the City of Ballarat have a key role to play by being a cornerstone provider of organic feedstock for centralized renewable gas as well as supporting regional planning processes.

Source: ¹²For example, the ASPIRE Program being run through the City of Ballarat (ballarat.vic.gov.au/business/circular-ballarat/aspire-online-platform)

> 9.6 Coordinating Business Transport Logistics

During the consultation process there was identification of significant transport logistics challenges in Ballarat. This included examples such as product manufactured in Ballarat being sent to Melbourne before being rerouted back through Ballarat to further destinations. Investigation of these logistics challenges and coordinated support in ensuring an efficient freight system for Ballarat, are expected to lead to improved emissions and cost outcomes for manufactures in the region. The first step in this process would involve engaging with the Victorian Government to confirm and understand this problem better.



Case Study:

Electric Vehicle Charging in Ballarat

Organisations within Ballarat have been leading the way in supporting the transition from combustion engine vehicles to electric through the installation of Electric Vehicle chargers. These include McCain Foods Australia, Central Highlands Water and Sovereign Hill.

Buninyong Sustainability successfully raised funds with the support of Bendigo Bank and the City of Ballarat to install a charging station in Buninyong. In addition, electric vehicles are a key focus of the 2022 Buninyong Smart Living and Building Expo.

Flagship Project: Ballarat Zero Emissions Fuels Hub

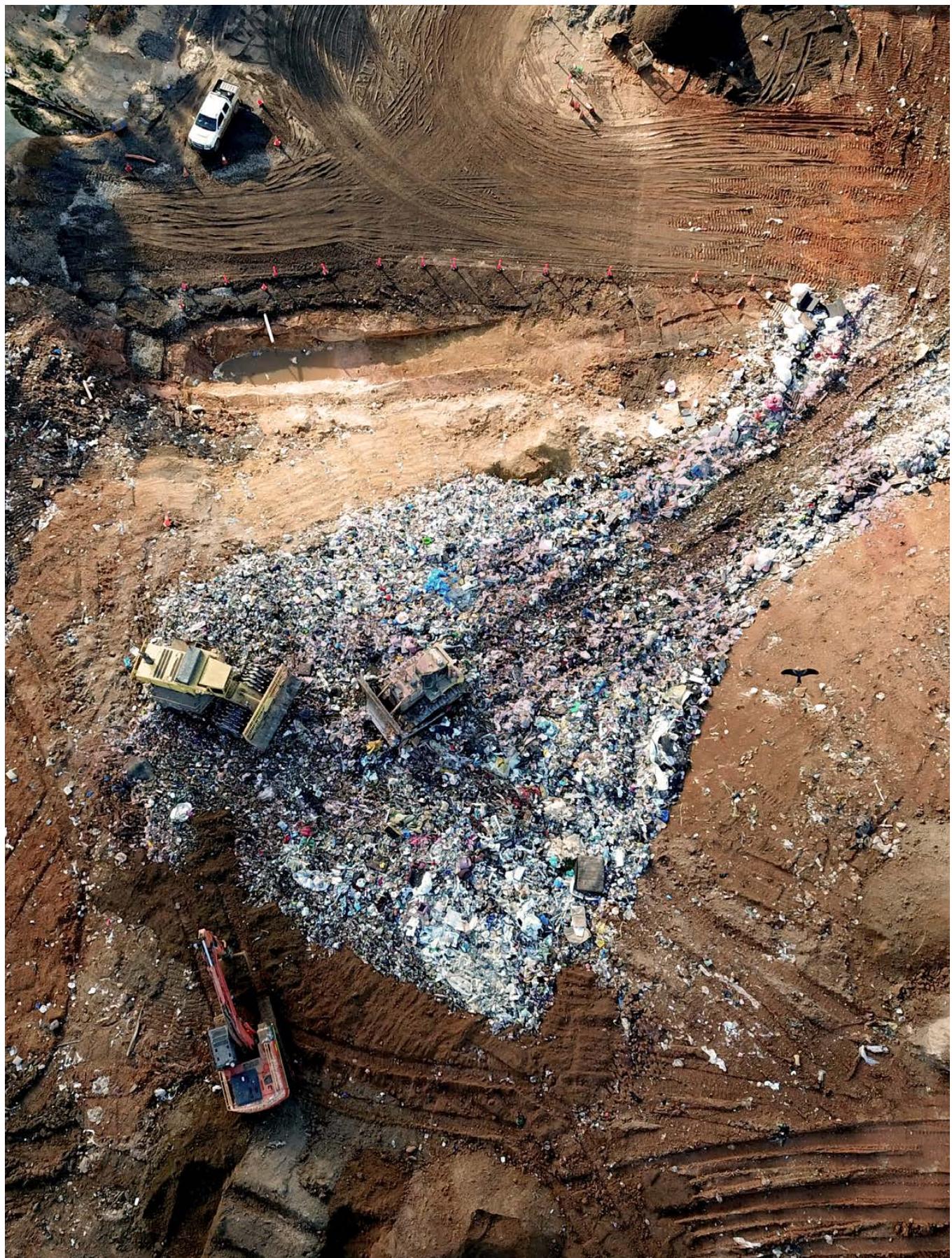
Transitioning transport and (some) heavy industrial gas users to renewable fuels is (currently) a challenging issue. The Ballarat Zero Emissions Fuels Hub aims to deliver fuel sources for applications that cannot be electrified and require reliable, quality fuel supplies from renewable sources like biomethane or renewable hydrogen.

The Ballarat West Employment Zone (BWEZ) already houses both industrial users, the airport, and Intermodal Freight Hub and will grow significantly over the coming 20 years.

The Hub aims to collocate research, the suppliers of zero emissions fuels and key demand from large industrial and transport users within BWEZ. By collocating these diverse energy stakeholders Ballarat can be a regional centre that attracts advanced manufacturing and transport employers who are wanting to accelerate their own plans to decarbonise their fuel supplies.

Outcome 4:

| ROLE OF STAKEHOLDERS |
|--|
| Council |
| <ul style="list-style-type: none"> Advocate to Victorian Government to accelerate and prioritise zero emission buses in Ballarat Support large fleets in Ballarat to plan transition away from fossil fuel vehicles Connect the community organisations who share resources with the community including YMCA Recrank, Tool Library, Toy Library and Repair Cafe to collaborate in providing expanded access to bikes and the skills to maintain and repair them Coordinate city planning of Electric Vehicle charging Ensure planning requirements for Electric Vehicle charging to be include in all new development applications Provide priority parking and public charging for Electric Vehicle vehicles, that increases over time, at key community facilities Advocate to Victorian and Australian government to support funding for Electric Vehicle chargers Support organic feedstock for the Zero Emissions Fuels Hub as well as regional planning processes |
| Business |
| <ul style="list-style-type: none"> Provide parking and charging for Electric Vehicle vehicles Advocate for funding for the Zero Emissions Fuels Hub Collaborate to bring major players (Federation University, City of Ballarat and business) together to the Zero Emissions Fuels Hub site Further investigate challenges around freight logistics in partnership with the Victorian Government |
| Community |
| <ul style="list-style-type: none"> Advocate for the introduction of zero emission community buses Schools to embed travel policies and procedures Advocate to and support large employers (including Victorian and Australian Governments) to provide priority Electric Vehicle parking and charging at key community facilities |



: Ballarat Regional Landfill.

10. Outcome 5: Net Zero Waste

While only accounting for a small proportion of the municipality's emissions, reducing waste has many social, financial, and environmental benefits to the community.

The 3 per cent of emissions from waste is an area that is within the control of the region and can be readily reduced to zero with appropriate planning and investment. Of these emissions around 19,000 tCO₂-e are from waste to landfill and a further 16,000 tCO₂-e from water management. Both the City of Ballarat and Central Highlands Water have plans to reach net zero emissions, by 2025 and 2050 respectively.

Connection to a number of other key initiatives outlined in this Plan is important, in particular the Zero Emission Fuels Hub (Section 4.3).

> 10.1 Co-locate Circular Economy Business

During the engagement for this Plan there was significant commitment of time by a wide variety of community stakeholders who support waste reduction including Repair Café, Ballarat Tool Library, Ballarat Toy Library, Ballarat Permaculture Guild and City of Ballarat.

A clear message from the community was a need to establish a collocated facility to house a number of circular economy organisations including a tip shop, Repair Café, and the Municipal Materials Recovery Facility (MRF). There is also potential to ensure this works in synergy with the plans for the Ballarat Zero Emissions Fuels Hub. Council will review and update the Resource Recovery and Waste Management Strategy in 2022/23 and this is a good opportunity to ensure there is synergy between its outcome and this Plan.

> 10.2 Increase the Impact of Sharing Services

Ballarat has a large number of providers who support sharing in the City. This has a direct impact on emissions and resource use generally. By increasing the skills and capacity of these organisations this can increase the resilience, improve access to services, minimise waste, and reduce costs and emissions for the Ballarat Community. Areas where increasing the sharing of products and services can have an impact include vehicles, community wide bulk buys bikes.

This support can include supporting the groups by upskilling (marketing and recruitment processes), providing offices space and storage facilities, access to transport (including bikes/ebikes with safe, undercover parking and end of trip facilities), and resourcing of staff and projects or campaigns.

> 10.3 Low Emissions Infrastructure

The increased use of recycled materials in infrastructure projects represents a strong opportunity to showcase climate change leadership and significantly reduce emissions. The specification and procurement of locally sourced and recycled materials reduces emissions associated with their processing and from transporting the materials to site.

With an increase in demand for recycled materials, construction contractors and recyclers would have an incentive to become more familiar with, and supply products associated with lower emissions infrastructure projects. There are three main ways to reduce emissions from infrastructure projects:

- Replace products with lower emissions products or processes
- Reduce of the amount of material required (through design changes or through the use of materials that last longer and require less frequent replacement)
- Change the process itself (e.g. using electric vehicles, sourcing electricity from renewable energy)

The City of Ballarat is already connecting waste producers with demand through the ASPIRE¹³ program. Council should continue to lead this work and support residential and commercial developers to also understand and access low emission infrastructure opportunities.

This program would leverage existing local recycled material contractors that crush construction materials and asphalt for use in infrastructure projects. It could also trial innovative processes such as including asphalts made with recycled tyres and used toner cartridges, or concrete reinforcement and aggregate made from recycled materials.

Engagement with residents could support these trials through feedback on the quality of the infrastructure and through the contribution of recyclable household products such as toner cartridges. This engagement would also build community awareness and support for the development of a circular economy.

Source: ¹³ballarat.vic.gov.au/business/circular-ballarat/aspire-online-platform

Outcome 5:

| ROLE OF STAKEHOLDERS |
|---|
| Council |
| <ul style="list-style-type: none">• Plan and implement zero emissions from and waste to landfill (City of Ballarat)• Advocate to the Australian and Victorian Government for funding and other support |
| Business |
| <ul style="list-style-type: none">• Plan and implement zero emissions from water and wastewater treatment• Implement infrastructure projects that reduce or eliminate emissions |



11. Monitoring, Reporting and Review

In partnership with the community, Council will start implementing the Plan in 2022–2023. Council will report annually on the key achievements, highlights and challenges for the implementation of programs. These updates and lessons learnt will be shared with the community in Councils' Annual Report.

Several key indicators will be monitored to provide a valuable way of understanding and communicating progress towards implementing the Plan.

Examples of areas to track include:

- Electric vehicles (EV)
- Electric Vehicle charging (public and private)
- Solar PV
- Battery storage
- Offset programs

Through ongoing monitoring Council will review the uptake and effectiveness of specific actions and redirect course if necessary. This will ensure that resources are used effectively to achieve the best outcome.

The Plan will be reviewed in 2025 and updated based on the success of programs and taking into account Australian and Victorian Government policy, funding opportunities, technology accessibility and other collaborative opportunities. The Plan will expire in 2030, the year of the aspirational target of achieving net zero emissions for the municipality.

12. Identified Action Opportunities

| NET ZERO BUSINESS | | | |
|--|---|---|-----------|
| Action | Primary Benefit | Co-benefits | Delivery |
| Encourage and facilitate best practice sustainable and zero emission industrial development, including ensuring relevant requirements in strategic planning processes. | Emissions reduction | Leadership, Economic impact | Ongoing |
| Introduce and promote financial support for energy efficiency such as Environmental Upgrade Agreements (EUAs) and grants. | Climate finance | Reduced energy costs, Energy efficiency | 1–2 years |
| Implement and enforce higher ESD standards for commercial and industrial developments if approved by the planning minister (e.g. net zero emissions developments). | Emissions reduction | Reduced energy costs, Environmental protection, Energy efficiency | Ongoing |
| Establish grants to support positive ESD outcomes in commercial and industrial developments. | Emissions reduction | Reduced energy costs, Reduced emissions | 2–3 years |
| Through partnerships, facilitate knowledge sharing and collaboration between commercial and industrial stakeholders (e.g. on topics such as group power purchase agreements, renewable energy). | Emissions reduction | Reduced energy costs, Knowledge sharing, Network building | Ongoing |
| Support locally sourced offsets to reduce emissions. | Emissions reduction | Network building, Knowledge sharing | Ongoing |
| Advocate for the participation of renewable energy and energy efficient bulk buy programs, such as MASH. | Emissions reduction | Reduced energy costs, supplementary income streams | Ongoing |
| Facilitate and support the uptake of PPAs to commercial and industrial organisations. | Emissions reduction | Reduced energy costs, Knowledge sharing, Network building | Ongoing |
| Perform audits, in collaboration with Committee for Ballarat, of the major gas users in the LGA. Audit would identify opportunities for decarbonisation and business cases for transition to alternative fuels or electrification. | Decarbonisation of Gas system | Planning, Leadership, Network building, Knowledge sharing | 1–2 years |
| Identify current and future energy needs in Ballarat West. Use this to plan and implement large scale zero emission energy infrastructure. | Decarbonisation of Gas system and local renewable energy generation | Planning, Leadership, Network building, Knowledge sharing | 2–3 years |

| NET ZERO HOMES | | | |
|---|---------------------|---|-----------|
| Action | Primary Benefit | Co-benefits | Timeframe |
| Improve communication and engagement with residents on climate change impacts and solutions. | Awareness raising | Emissions reduction, Community resilience | Ongoing |
| Educate and promote existing energy efficiency and renewable energy service providers and programs to assist residents, students, renters and low socio-economic groups, to make their homes more energy efficient and heatproof. | Reduced heat impact | Community health and well-being, Reduced energy cost, Reduced emissions | Ongoing |
| Trial then roll out a local version of Hepburn Wind's Heat Pump Hot Water Bulk Buy. | Emissions reduction | Energy efficiency, Reduced energy costs | 2–3 years |
| Create a vetted panel of renewable energy suppliers to streamline the installation process for landowners and tenants. | Emissions reduction | Energy efficiency, Reduced energy costs | 1–2 years |
| Implement programs to encourage landlords to install energy efficiency and renewable energy where tenants share the benefits. | Emissions reduction | Energy efficiency, Reduced energy costs | 2–3 years |
| Continue to support, promote and expand the role of local community renewable energy groups. | Awareness raising | Leadership, Knowledge sharing | Ongoing |
| Promote financial support for energy efficiency such as Environment Upgrade Finance and grants. | Climate finance | Reduced energy costs, Energy efficiency | 2–3 years |

| NET ZERO NEW DEVELOPMENTS | | | |
|---|---------------------|---|-----------|
| Action | Primary Benefit | Co-benefits | Timeframe |
| Advocate for greater climate action at Australian and Victorian levels including Environmental Sustainable Design (ESD) standards for new buildings. | Emissions reduction | Leadership, Economic impact, Community resilience | Ongoing |
| Advocate for improved building specifications and higher minimum NatHERS star rating or Net Zero Buildings to the ABCB for new buildings. | Emissions reduction | Leadership, Economic impact, Community resilience | Ongoing |
| Encourage and facilitate best practice sustainable and zero emission industrial and commercial development. | Emissions reduction | Leadership, Economic impact | 2–3 years |
| Ensure new development and precinct plans include shaded areas to enable active transport, including network of bike paths in vegetated areas. | Reduced urban heat | Community health and well-being, Resilient urban landscapes | Ongoing |
| Work within existing planning process to ensure a consistent standard of Environmentally Sustainable Design (ESD) for building applications. | Energy efficiency | Reduced energy costs, Reduced emissions | Ongoing |
| Increase the enforcement of National Construction Code (NCC) and planning requirements for new residential buildings and developments. | Energy efficiency | Reduced energy costs | Ongoing |
| Ensure appropriate resourcing for ESD compliance to educate developers around best practice building systems, and ensure new buildings are compliant with local and national standards. | Energy efficiency | Reduced energy costs, Reduced emissions | 1–2 years |
| Implement and enforce higher ESD standards for residential and commercial developments if approved by the planning minister (e.g., net zero emissions developments). | Emissions reduction | Reduced energy costs, Environmental protection, Energy efficiency | Ongoing |
| Advocate for integration ESD principles in the Local Government Infrastructure Design Manual. | Energy efficiency | Reduced heat impacts, Reduced energy costs | Ongoing |
| Promote performance or high energy rated buildings and ESD standards within the community. | Energy efficiency | Reduced emissions, Energy efficiency | Ongoing |
| Investigate grants to support positive ESD outcomes in commercial developments. | Emissions reduction | Reduced energy costs, Reduced emissions | Ongoing |

| NET ZERO TRANSPORT | | | |
|--|---------------------|---|-----------|
| Action | Primary Benefit | Co-benefits | Timeframe |
| Advocate for greater climate action at Australian and Victorian Government levels for better electricity infrastructure and decarbonised transport systems. | Emissions reduction | Leadership, Economic impact, Community resilience | Ongoing |
| Work with car share organisations to facilitate EV car-share vehicles to be rolled out in Ballarat or facilitate a locally run EV car share service. | Emissions reduction | Leadership, Economic impact, Community resilience | 2–3 years |
| Show leadership through trialling new and innovative transport solutions and infrastructure for Council and other major fleet operators in Ballarat. | Emissions reduction | Leadership, Economic impact, Community resilience | Ongoing |
| Develop a Zero Emissions fleet transition plan for the City of Ballarat. Support other large fleet operators to do the same. | Emissions reduction | Leadership, Economic impact, Community resilience | 1–2 years |
| Promote low emission transport options such as car sharing, commuter cycling, and public transport. | Emissions reduction | Improved air quality, Reduced noise pollution, Improved mobility, Public health | Ongoing |
| Provide incentives for zero emissions vehicles including through direct incentives, preferential car parking locations, available charging facilities and education , training, promotion and signage. | Emissions reduction | Leadership, Economic impact, Community resilience | Ongoing |
| Investigate the installation of electric vehicle and carshare infrastructure such as designated, accessible parking areas. | Emissions reduction | Leadership, Improved mobility | 1–2 years |
| Provide low emission/active transport infrastructure (bike lanes/electric bike charging stations etc). | Emissions reduction | Community health and well-being, Improved air quality | 2–3 years |
| Carry out planning and feasibility for large scale alternative energy transport fuels hub in Ballarat West. | Emissions reduction | Leadership, Economic impact, Community resilience | 2–3 years |

| NET ZERO WASTE | | | |
|---|---------------------|--|-----------|
| Action | Primary Benefit | Co-benefits | Timeframe |
| Promote engagement with the two existing Circular Ballarat initiatives. | Emissions reduction | Circular economy, Economic impact, Community Resilience | Ongoing |
| Assist businesses in preparing for upcoming Victorian Government -level Container Deposit Scheme and the ban on single use plastics. | Emissions reduction | Circular economy, Economic impact, Reduced waste to landfill | 1–2 years |
| Trial new and innovative solutions to use waste products in operations, such as recycled content in building materials. | Emissions reduction | Leadership, Economic impact, Community resilience | Ongoing |
| Trial and review infrastructure design guidelines to require all building materials for roads, paths, kerb and channel, and concrete to use high recycled content and/or low emissions materials. | Emissions reduction | Circular economy | Ongoing |
| Engage with residents on infrastructure projects including providing an opportunity for residents to provide feedback and support trials through feedstock contributions. | Emissions reduction | Circular economy, Leadership | Ongoing |
| At the City of Ballarat, contractor specifications to be introduced around processes and products used in council infrastructure projects. Specification to be shared with other large infrastructure developers. | Emissions reduction | Circular economy | 1–2 years |
| Support local recyclers investigate and finance facilities to process suitable construction waste for use on Council projects. | Emissions reduction | Circular economy | Ongoing |
| To consider waste to energy in the review and update of the Resource Recovery and Waste Management Strategy. | Emissions reduction | Circular economy, Economic impact, Reduced waste to landfill | 1–2 years |
| Advocate to the Australian and Victorian Government for funding and support to research, develop and trial biomass projects. | Emissions reduction | Circular economy, Economic impact, Reduced waste to landfill | 1–2 years |
| Support large businesses and developers understand the potential benefits of implementing biomass projects. | Emissions reduction | Circular economy, Economic impact, Reduced waste to landfill | 2–3 years |
| Continue an education campaign aimed at ensuring all businesses and residents in the region are familiar with the various waste streams. | Emissions reduction | Community health and well-being, Improved air quality | Ongoing |
| Offer incentives to users of Council-managed waste transfer stations for disposing of separated waste. | Emissions reduction | Circular economy | Ongoing |
| Calculate the requirement and feasibility of installing methane reduction (can include energy generation) technologies at old landfill sites and sewage treatment plans. | Emissions reduction | Circular economy | 2–3 years |



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July 2022

8.3. DRAFT YOUTH STRATEGY

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Sharelle Knight, Executive Manager Family, Youth and Children's Services

PURPOSE

1. To present Councillors with the draft Youth Strategy 2022 – 2026 and seek approval to release the draft strategy for public exhibition until 29 August 2022.

BACKGROUND

2. A Council endorsed Youth Strategy is an important strategic document to support planning and delivery of infrastructure, services, programs and events for young people in the municipality.
3. The Youth Strategy has a focus on young people aged 12 – 25 years old which is the standard age range for local government youth services.
4. The Youth Strategy consultation period occurred from January to June 2022 and has been undertaken within the City of Ballarat Community Engagement Policy.
5. A co-design process and extensive consultation has occurred to develop the Youth Strategy. A diverse group of 12 young people were engaged as Youth Co-designers to actively support and guide the development of the Youth Strategy. Their involvement supported further consultation and engagement with other young people, internal staff, sector stakeholders and the broader community, and the design of three community surveys – youth survey, sector survey and community survey. All surveys were available on the City of Ballarat's MySay page.
6. In total, 1221 survey responses were completed, inclusive of 1082 from young people aged 12 – 25 years old. Approximately 50 people attended a Sector and Community workshop, and 26 attended internal Council workshops. The results of the surveys and workshops were utilised in the development of the draft Youth Strategy.

KEY MATTERS

7. Consultation with the community and Co-designers has developed five key focus areas for the Youth Strategy. The draft Youth Strategy aims to strengthen council's response to these focus areas through the development of a 5-year action plan.
 - a. Health and Wellbeing:
 - i. Overwhelmingly, young people told us that mental health is their number one concern (54%) and this was also supported by feedback from the sector (67%) and community (58%).
 - ii. Council's proposed actions include provision of information about health and wellbeing services for young people; advocacy for accessible and affordable mental health services; delivering the Live4Life program; and provision of safe places, spaces, and activities.

- b. Connected Community:
 - i. Young people told us they feel strongly about the need for accessible, safe places that are inclusive and reduce discrimination. They are also concerned about respectful relationships; and access to transport.
 - ii. Council's proposed actions include provision of inclusive programs that promote the value and importance of equality and diversity; and advocacy for improved transport options.
 - c. Living and Learning:
 - i. Young people have told us they want more diverse educational and employment related training, including life skills training.
 - ii. Council's proposed actions include continued provision of programs such as Youth Ambassadors; delivering and partnering with other organisations to deliver work and life skills related programs; and advocacy for housing programs.
 - d. Safety:
 - i. Approximately 49% of young people surveyed stated they have experienced situations where they have been concerned for their safety, including harassment, bullying, physical violence, homophobia, gender violence and conflict in the home.
 - ii. Council's proposed actions include urban renewal projects to be inclusive of young people and their needs; information provision regarding resources; and delivering or partnering with other organisations to deliver programs to prevent bullying and family violence.
 - e. Youth Infrastructure, Sector Leadership and Partnerships:
 - i. 28% of young people surveyed struggle to access support services when needed.
 - ii. Council's proposed actions include advocacy for improved support services for young people and facilitating network leadership and advocacy; providing opportunities to recognise the contributions of young people through the annual Youth Awards; and undertaking a feasibility study for development of an integrated multi-agency youth hub.
8. The Youth Strategy will be reviewed on an annual basis. Each project is subject to Council's budgetary processes and, where required, will involve the development of a detailed business case including financial considerations as part of Council's project management framework.
9. The voice of young people has been empowered through the co-designer and community engagement process. This aligns to principles of the Positive Youth Development Framework – Leadership and Decision Making, Inclusive Ethos. Furthermore, this also adheres to the Child Friendly City principle of children being free to express their individual opinions and to have these considered in decisions that impact them.
10. The draft Youth Strategy is presented to Council seeking endorsement to place it on public exhibition until 29 August 2022, after which submissions will be considered.

OFFICER RECOMMENDATION

11. That Council:

11.1 Endorse the draft Youth Strategy 2022 – 2026 for public exhibition until 29 August 2022.

ATTACHMENTS

1. Governance Review [8.3.1 - 3 pages]
2. Draft Youth Strategy 2022 2026 [8.3.2 - 36 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Youth Strategy 2022 -2026 was developed with input from an internal steering group including representatives from key business units to ensure alignment with other plans and strategies; such as Development Facilitation, Communications and Design, Business Improvement, Arts and Events, Recreation Services, Engaged Communities, Libraries and Lifelong Learning and Family, Youth and Children's Services.
2. Alignment with the Council Vision, Council Plan (specifically Goal 2: A healthy, connected and inclusive community), strategies and policies are explicit throughout the Youth Strategy; and links with the other plans and strategies in the City of Ballarat strategic framework, including:
 3. 10 Year Horizons
Community Vision 2030
Health and Wellbeing Plan 2021-2031
Community Infrastructure Plan 2022 - 2036
Four Year Horizon
The Council Plan (2021-2025)
Other relevant plans, strategies and frameworks
Municipal Early Years Plan 2022 – 2026
Ballarat Strategy 2015
Ballarat Planning Scheme
Community Engagement Framework
Intercultural City Strategic Plan 2018-2021
Play Space Management Plan 2021-2025
Libraries and Learning Strategy 2022-2027
Reconciliation Action Plan 2022-2024
Ballarat Integrated Transport Plan 2020
Ballarat Prosperity Framework 2020
Circular Ballarat Framework 2021
Bakery Hill Urban Renewal Plan 2019
Gender Equality Action Plan 2021-2025
Disability Access and Inclusion Plan 2019-2022
Active Ballarat Strategy 2020
Active Women and Girls Strategy 2018
Ballarat Creative City Strategy 2019
Ballarat Cycling Action plan 2017-2025
Ballarat Event Strategy 2018-2028
Ballarat Heritage Plan 2017-30
Food Strategy 2019-2022
Road Management Plan
2021 Urban Forest Action Plan 2019

COMMUNITY IMPACT

4. In 2020, young people make up 17.5% of the population of Ballarat. This number is forecast to increase by 12% by 2026. We need to plan for our growing population and the Youth Strategy supports the identification of priorities and planning to meet the diverse needs of our population, with a focus on mental health and wellbeing, inclusion, safety, learning and infrastructure.
5. Key themes that emerged during the consultation with young people, sector and community stakeholders focused on the need to support young people to reach their

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full potential in a welcoming, inclusive and safe environment. By investing in our young people, we are investing in a more sustainable, resilient and inclusive community.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

6. Environmental issues is one of the priorities outlined in the Youth Strategy and the plan identify actions related to environmental issues, activities and initiatives.

ECONOMIC SUSTAINABILITY IMPLICATIONS

7. There are no economic sustainability implications identified.

FINANCIAL IMPLICATIONS

8. The action plan identifies links to recurrent and grant based budgets. Business cases will be developed including financial considerations as part of Councils budgetary and project management processes.

LEGAL AND RISK CONSIDERATIONS

9. There are no immediate risks that have been identified.

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

11. Eleven young people were recruited to become Co-Designers for the development of the Youth Strategy 2022-2026. The Co-Designers promoted the Youth Survey via community events such as Ballarat Begonia Festival and by speaking in schools and workplaces, and with family and friends.
12. Three surveys were developed and available via the City of Ballarat MySay page – Youth; Youth Sector; and Community.
13. Broad consultations and co-design workshops were held with youth sector organisations and City of Ballarat staff.
14. The consultation process was broadly promoted through local print and radio media, as well as the City of Ballarat social media platforms, schools and local youth networks.
15. Subject to Council approval, the draft Youth Strategy 2022 – 2026 will proceed to public exhibition.

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GENDER EQUALITY ACT 2020

16. There are gender equality implications identified for the subject of this report and a gender impact assessment has been conducted.

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

17. 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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CITY OF BALLARAT
Youth Strategy
2022–2026

CITY OF
BALLARAT



YOUTH
SERVICES



—
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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Message from the Mayor of Ballarat



The young people who live and work in the City of Ballarat will one day grow to be the future leaders of our community.

It is our responsibility as local government leaders to provide young people in our city with the space, support, and direction to help our young residents grow and thrive to become the best they can be.

The City of Ballarat *Youth Strategy 2022 –2026* lays the foundation for our young people to access the programs and services they need to build a brighter future for our city.

The visions, voices and creativity of young people will be fostered to grow through a range of exciting programs for young people aged 12 –25.

With a focus on ‘Positive Youth Development’ the City of Ballarat’s Youth Services team will upskill, engage, inspire and provide new opportunities to develop personal skills and interests while creating change in the Ballarat.

Through incredible programs like the ever-popular Youth Awards, workshops and arts programs such as pod casts, screen printing, badge making, film/photography, movie nights, novelty events, and so much more, young people will have so many options to take a hold of their ideas and really run with them to creative positivity right here in our community.

It is an exciting time for young people in our city to reach out and explore the opportunities for new leadership roles that allow them to create real and lasting change for our city.

It is also an exciting time for City of Ballarat to embrace the ideas and initiatives of our young people and champion their voices to ensure their vision for a better and stronger Ballarat is realised.

A handwritten signature in black ink, appearing to read "Daniel Moloney".

Cr Daniel Moloney
Mayor, City of Ballarat

Message from our Co-Designers



This Youth Strategy has been co-designed by 11 young people from the Ballarat community, with support from the City of Ballarat's Youth Services team and an external consultant. We are aged from 12-25 years and represent a diversity of backgrounds and experiences. Our role as Co-Designers involved us meeting regularly and engaging with other young people and the youth sector in many different ways and settings to really understand the issues impacting young people. The actions we have developed are likely to have a positive impact on the lives of many young people who live, study, work or play in the Ballarat region, both now and well into the future. In essence, we have put in motion the actions that will make Ballarat a better place for everyone.

Young people play a massive role in our Ballarat community and will be the group who shape and determine its future. Therefore, we believe it is vital to involve them today, to ensure they receive the essential skills and knowledge to advocate for a positive future

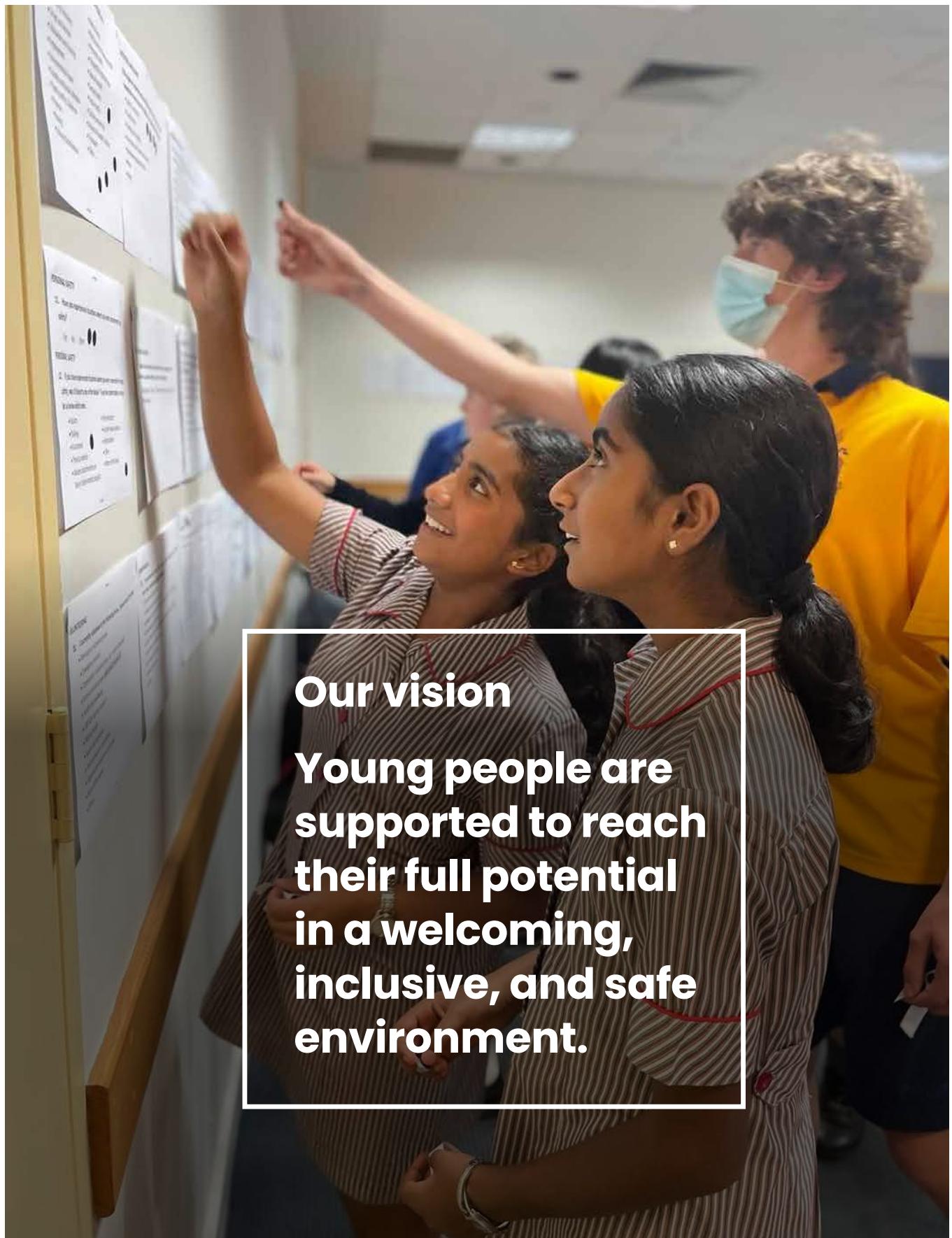
for all. So, as a group of 11 diverse, enthusiastic and passionate young people, we are thrilled to partake in this journey to create a 'Youth Strategy' that is dedicated to creating a stronger, supporting and safer future for every young individual in the Ballarat area. Coming from a past where the voices of youth were often overlooked, now, more than ever, it is imperative to consider the young people in our community and provide them with the opportunity to voice their experience and needs for change. As co-designers, it is our role and honour to speak on behalf of our peers on changes that are essential to provide us with the best and most successful opportunities and lifestyles. We are excited for the more inclusive, supportive and diverse future which the Youth Strategy will bring, and it is our pledge to ensure the voices and ideas of the Ballarat youth are heard in this new future.

Introduction



Young people are not only the future; they are our present. We have seen young people take the lead locally at an international level on things that concern them such as climate change, inclusion, equality and gender-based violence, but we have also seen young people experience high levels of anxiety and stress. Similarly, young people's experience with rapidly changing technology and social media has created some great innovations and learning opportunities but has also come at a significant cost for others through online bullying. To ensure that our young people can reach their full potential and navigate their transition from childhood to adulthood, we need to listen to their voices, understand their needs and struggles, empower them and support them. We must work in genuine partnership with young people to ensure that they can develop the tools they need and are provided with opportunities to achieve their aspirations. By investing in young people, we are investing in a more sustainable, resilient and inclusive community.

Our Youth Strategy identifies a vision for young people aged 12-25 years and the key priority areas that need to be addressed to achieve this vision. The vision acknowledges that it takes a whole community to nurture and support a young person in their journey from childhood to adulthood, including parents / carers, siblings, extended family, friends, teachers, coaches / instructors, employers, elders, community leaders and youth-based organisations. For each of our priority areas, we have developed actions which we aim to achieve over the next five years. These actions have been developed in partnership with our Co-Designers, based on what we heard from young people, the youth sector, the City of Ballarat business units and the broader community as current and emerging issues for young people in the City of Ballarat.



How we developed the Youth Strategy



We put a call out to young people living in the City of Ballarat to join us on the journey of producing a new youth strategy. This call was heeded by 11 young people aged 12-25 years of age, representing a diversity of backgrounds and experiences. These Co-Designers met regularly with the City of Ballarat's Youth Services Team and an external consultant to design the process. Many hours were spent researching youth issues, preparing survey questions, speaking with young people and delivering workshops to the youth sector and the broader community. We had t-shirts and hundreds of bookmarks printed to promote our engagement activities.

Our engagement activities included:

- Developing a youth survey (1,082 surveys completed). This survey was promoted through attendance at various community events including the Ballarat Begonia Festival and by speaking in schools and workplaces, and with family and friends.

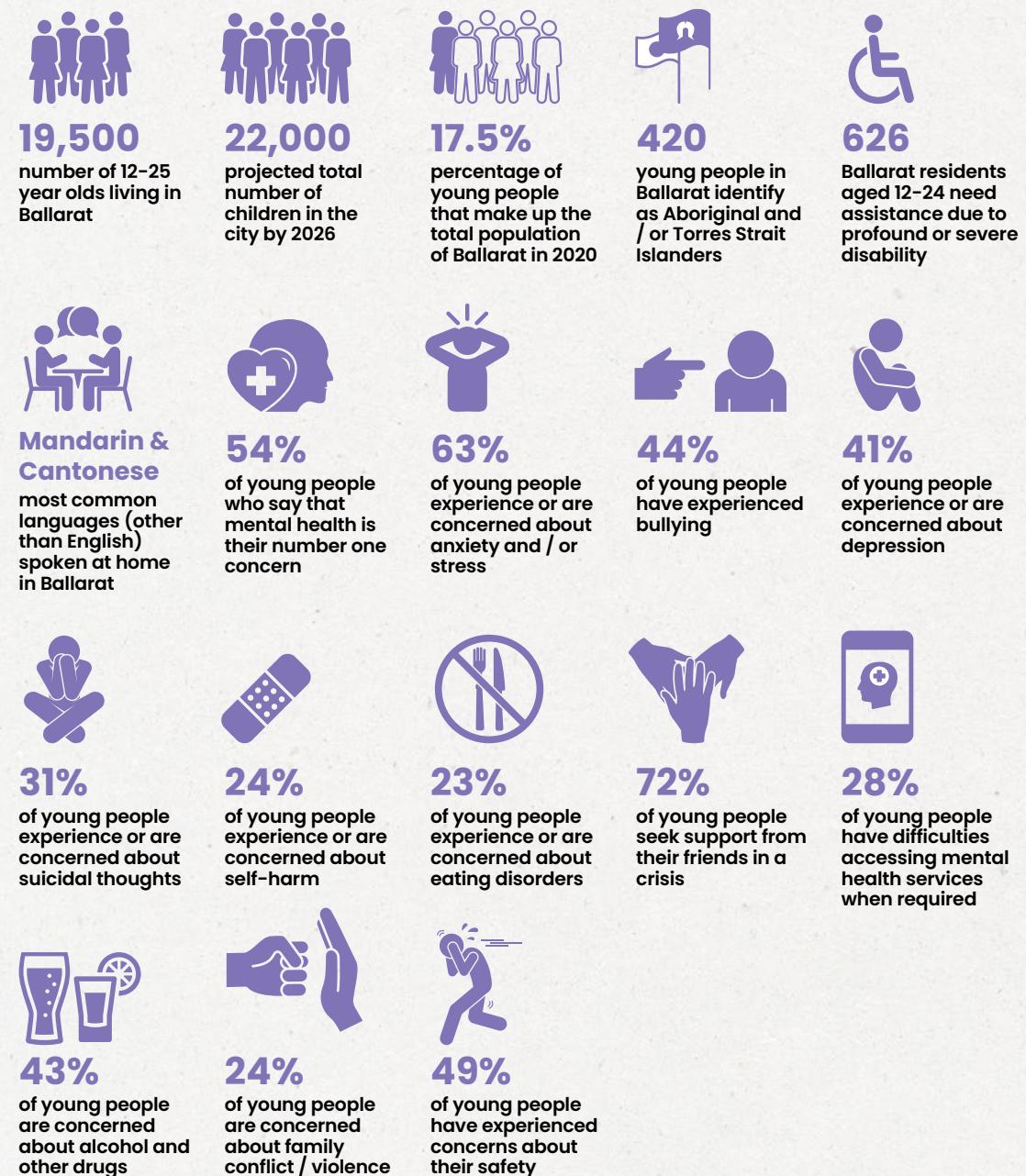
- Developing a youth sector survey (48 surveys completed)
- Developing a community survey (91 completed surveys)
- Holding 2 workshops with Council staff (26 attendees)
- Holding 1 workshop with youth sector organisations (50 attendees).

In addition to engagement activities, we also reviewed the demographic profile of young people, undertook some service mapping to understand more about the types of organisations working with young people in the City of Ballarat and reviewed relevant local, state, and national reports and strategies.

Our young people

There are over 19,500 young people aged between 12-25 years currently living within our city. This figure is expected to grow to 22,000 by 2026. Other young people from neighbouring areas come into the city each day to study, work and play.

A snapshot of young people living in Ballarat (taken from Ballarat Youth Profile 2020 and our survey):



The City of Ballarat's role and strategic focus

The City of Ballarat has many roles including:

- Planning and delivering community facilities such as skate parks, libraries, swimming pools, sports facilities, footpaths, bike paths and parks
- Delivering programs and services such as the FReeZA program, programs for young parents and career expos
- Providing information to the community about services, programs and events such as the Ballarat Begonia Festival through its various promotional outlets, e.g. website, social media pages, media releases, banners, posters, etc
- Advocating to other organisations for improvements, e.g. advocating to the Department of Transport for changes to public transport routes
- Working in partnership with other organisations to deliver facilities, programs or services such as schools and businesses to run careers expos for young people.

The City of Ballarat is guided by strategic plans which identify the key priorities of Council into the future. Many of the actions contained within these plans directly or indirectly impact young people. These actions are designed to continually improve the health, wellbeing and liveability of the Ballarat community by focussing on enhancing facilities / infrastructure, programs, services and inclusion.

Relevant strategic plans include:

- Council Plan 2021-2025
- Gender Equality Action Plan 2021-2025
- Community Vision 2030
- Disability Access & Inclusion Plan 2019-2022
- Health and Wellbeing Plan 2021-2031
- Active Ballarat Strategy 2020
- Community Infrastructure Plan 2021-2036
- Active Women and Girls Strategy 2018
- Libraries and Learning Strategy 2022-2027
- Ballarat Creative City Strategy 2019
- Reconciliation Action Plan 2022-2024
- Ballarat Cycling Action Plan 2017-2025
- Ballarat Integrated Transport Plan 2020
- Ballarat Event Strategy 2018-2028
- Ballarat Prosperity Framework 2020
- Food Strategy 2019-2022
- Circular Ballarat Framework 2021
- Road Management Plan 2021.

City of Ballarat Youth Services

› Our current activities

The City of Ballarat's Youth Services Team currently works with young people to deliver youth services such as:

- **Youth Ambassadors** - Learn leadership and life skills. Team building, community networking and social connections.
- **FReeZA Program 'Sonika'**- Learn live music and event management skills. Deliver all-ages music, arts, cultural and recreation events.
- **T.E.A.M** – Learn event management, team building and develop social connections. Deliver youth-designed events and activities that promote health and wellbeing. Examples include R U OK? Day, IDAHOBIT, IDPWD and annual Youth Awards.
- **Youth Awards** – youth-led annual event to celebrate and recognise the contribution young people make to Ballarat.
- **Youth Facilitator Training** - mentoring and training opportunities to develop skills. Deliver paid workshops within the community in young people's areas of interest.
- **Youth led workshops, events and activities** – Youth Facilitators plan and deliver workshops at community events and venues. Examples include arts, cooking, photography, music, screen printing, etc
- **Skills for Life** – training and skill development opportunities to enable young people to reach their full potential in education, vocation, and community. Examples include training in media/podcasts, barista, water safety, environmental sustainability, first aid.
- **Western Bulldogs Leadership Program** - opportunities for young people aged 14 - 16 years. Build confidence, make new friends, and develop skills to become community leaders.
Young Entrepreneurs' Program - build skills around enterprise and business development.

› Youth framework

The Youth Services Team has a strong focus on youth-led, co-design approaches to working with young people. The Team utilises the Positive Youth Development Framework developed by Griffith University to guide the way in which they do this. This framework is based on:

-  1. Learning and development
-  2. Leadership and decision making
-  3. Inclusive ethos
-  4. Community service
-  5. Partnerships and social networks
-  6. Ethical promotion.

›The following diagram shows where Council's Youth Services Team works in the vulnerable youth continuum:

The majority of young people

This is a large group of young people who cope well with normal vulnerabilities that arise through adolescence.

Council's role:

Service Policy and Planning, Advocacy and Leadership, Service Provision and Management, Facilitation and Communication, Organisational Development



Young people who are highly vulnerable

This is a group of young people who experience a high level of vulnerability and require comprehensive and co-ordinated interventions from a range of support services.

Council's role:

Advocacy and Leadership, Facilitation and Communication



Young people who are experiencing additional problems

This is a group of young people who are experiencing additional problems that require 'early service intervention'.

Council's role:

Service Policy and Planning, Advocacy and Leadership, Facilitation and Communication



Young people who are high risk

This is a relatively small group of young people with an extreme level of vulnerability and who require intensive support service

Council's role:

Advocacy and Leadership



› Sector leadership

The Youth Services team also has a sector leadership role. This means that it coordinates meetings of youth-based organisations in the City of Ballarat so that workers and volunteers of these services can come together and discuss youth related issues; instigate shared programs; and work as a united group to advocate for more resources or changes to existing youth services in the region. This network of partners includes:

- Ballarat Youth Services Network Committee of Support
- Centre for Multicultural Youth, Y Ballarat, Ballarat Community Health, HLLEN, BADAC, headspace, Victoria Police, cafs
- L2P Advisory Group
- Ballarat Active Women's Leadership Network
- Community Safety Working Group
- Wendouree Renewal Project
- Central Highlands Innovation and Entrepreneurship Network.

These organisations that are included in our network of partners have a focus on:

- Mental health
- Leadership
- Housing
- Family support
- Alcohol and other drugs
- LGBTIQA+ support
- Health and health promotion
- Recreation
- Education, skills and training
- Youth justice
- Employment
- Cultural services
- Legal issues Relationships
- Emergency relief
- Entrepreneurship.



Focus area 1: HEALTH AND WELLBEING



Health and wellbeing refers to our physical and mental state as well as how we feel about ourselves and life in general. Health and wellbeing is influenced by connections to family, friends and the community; being physically active; eating healthy food; access to housing; education and skills; work opportunities; money; resources; the environment; health care; gender; discrimination; childhood experiences; and development.

"I was too scared to, was embarrassed to, or felt like my issues weren't bad enough to warrant getting help."

Survey respondent

› OUR PRIORITIES

1. **Mental health:** young people have access to preventative programs that promote positive mental health and access to information about mental health services that are available
2. **Physical health:** young people have a range of physical activity opportunities and healthy eating options to help them maintain good physical health
3. **Alcohol and other drugs:** young people understand the risks of drug and alcohol consumption and are able to enjoy entertainment free of these substances
4. **Suicide prevention:** young people at risk of suicide are supported and have access to positive mental health promotion and messaging.

What young people in Ballarat told us

Just over half of all young people surveyed (54%) told us that mental health is their number one concern and the most important issue for us to focus on is to provide and promote programs that focus on positive

mental health. Almost two thirds of young people said that they experience anxiety and stress (63% and 62% respectively) and two in five young people (41%) experience depression. Almost one third of young people have experienced suicidal thoughts or are concerned about suicide and approximately one quarter of young people have experienced or are concerned about self-harm (24%) and eating disorders (23%). For those young people who have needed mental health support, 28% of them have had difficulties accessing mental health services when needed.

Young people told us they need:

- faster access to mental health practitioners
- more affordable mental health services
- greater support for young people battling suicidal thoughts
- more support in non-school environments
- more support for young men
- greater diversity of mental health services
- mental health support available before or after school
- more welcoming and inviting mental health facilities
- better quality support from helplines
- more support for parents (as this impacts young people)
- to know that they are not alone when suffering from mental health issues.

In terms of physical health, young people said they want to make sure they can get the physical health support that they require, including easier access to contraception.

Young people said that drug and alcohol misuse, including vaping, is their 3rd highest concern. They want it to be harder for young people to access drugs and would like to see less drug-affected people in public places.

What the youth sector told us

Two thirds of youth organisations (67%) identified mental health as the biggest issue impacting young people in Ballarat. These organisations told us:

- the existing prevalence of mental health issues among young people has been exacerbated by COVID-19
- mental health including depression, anxiety, eating disorders and suicidal ideation is rising
- mental health services are struggling to meet demand by young people for their services
- young people need help to improve their resilience and coping mechanisms.

What the community told us

- Young people's mental health is the number one priority for the broader community (58%), with alcohol and other drugs coming in at 3rd place (31%). The community sector told us that:
- COVID-19 lockdowns impacted young people's mental health

- some young people are self-harming and others are self-medicating due to large mental health waitlists and having difficulties accessing doctors to refer them to services they need
- vaping is a growing issue amongst young people.

What we will do

Council's objectives in relation to health and wellbeing for young people aged 12-25 are:

- To ensure that young people have access to information about health and wellbeing services
- To advocate for more mental health services that are accessible and affordable
- To provide places and spaces where young people can be physically active
- To provide activities, programs and events in environments that enable young people to develop strong social connections and to increase their resilience
- To promote messaging about socially healthy lifestyles.

HOW WE WILL DO IT

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|--|---|------|------|------|------|------------------|--------------------------------|---|
| Mental health and suicide prevention | | | | | | | | |
| Produce and regularly update a youth services directory to inform young people about support available to them via Council's website, posters and the Youth Services social media sites. |  Deliver | | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Deliver events and festivals that contribute to positive health and wellbeing. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent Government grants |  |
| Deliver the Live4Life program (youth mental health and wellbeing program). |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Deliver VicHealth module on addressing the social determinants of mental wellbeing – including an assessment of Council action on the social determinants. |  Deliver | | ✓ | | | | External grants |  |



Family, Youth and Children's Services (FY&CS)



Communication and Design



Arts and Events



Health and Social Planning

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|--|-------------------|------|------|------|------|------------------|-----------------------------|---|
| Physical health | | | | | | | | |
| Develop the Len T. Fraser Skate Park into a significant youth destination incorporating a range of activities. | Deliver | ✓ | ✓ | | | | Recurrent Government grants |  |
| Provide unstructured and social recreation programs to promote positive physical health and participation (e.g. swim survival, Stand Up Paddleboarding (SUP), skate park activations). | Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | |   |
| Install condom vending machines in designated public toilets / community infrastructure to help reduce the transmission of sexually transmitted infections and decrease teenage pregnancy rates. | Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | |      |
| Prevention of alcohol and other drugs usage | | | | | | | | |
| Provide messaging, information, events and programs in environments that encourage socially healthy lifestyles, e.g. adopt a smoke/ alcohol/ drug free environment FReeZA and the VicHealth LGP health promotion module. | Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent External grants |     |





Focus area 2: CONNECTED COMMUNITY



Being connected to the community can mean many different things. It can mean feeling included in a community, feeling safe, being valued for who you are, having good social networks and having your voice heard. It can also mean being connected electronically through various applications such as social media and being physically connected to the community and the people within it through transportation.

“As someone a part of the LGBTQ (community), I love seeing pride stuff around town”

Survey respondent

“(We need) a city circle bus route. Rather than going direct to the train station, an additional bus route that travels around the suburbs would make navigating the city faster and easier”

Survey respondent

› OUR PRIORITIES

- 1. Equality / inclusion / challenging discrimination** – young people are included in all aspects of community life
- 2. Transport** – young people have access to safe, affordable and convenient transport options to get to the places they want to go
- 3. Respectful relationships / friendships** – young people are supported and respected by their family and friends

What young people in Ballarat told us

Young people told us they feel strongly about equality, inclusion and eliminating/ reducing discrimination. This was rated the 6th highest issue from a list of 18 issues by young people we surveyed. Community education around diversity and inclusion was also identified as valuable.

Access to transport can be a challenge for many young people. A high proportion of young people said that they do not feel safe using the bus interchange or the train station and that buses don't go where they want to go when they want to go there. Young people who live in the outer suburbs find it particularly difficult to access the CBD via bus due to lack of services in those areas. Crossing from one side of Ballarat by public transport to another has also been identified as a challenge.

Young people recognise the value of social media in keeping them connected to their friends. However, they also recognise that social media usage comes with risks of bullying and other unwanted and inappropriate behaviours. Social media was listed as the 4th highest concern amongst young people we surveyed.

Young people are concerned that relationship and friendship issues such as bullying, coercion, criticising, excluding, physical abuse and sexual abuse can cause significant anxiety and harm to their physical and mental state.

What the youth sector told us

The youth sector told us that the young people they work with want to be included in broader community life, but for many, family breakdown, disengagement from school and poor mental health are barriers to community inclusion and connectedness. They feel that social media is harming young people's perception of self and image (for girls in particular). In terms of respectful relationships, members of the youth sector believe that some young people are lacking positive role models in their lives.

What the community told us

Members of the community feel that the impact of social media can be harmful for young people. It was rated as the 4th highest issue. They feel that much of the information obtained via social media is incorrect and misleading and that the focus on 'likes' and having a young person's self-worth attached to the online version of themselves is problematic.

Following in 5th place was equality, inclusion and reducing discrimination. They want to see a more inclusive city where everyone can participate, be heard and valued.

Community members acknowledge that transport is essential for building independence and feeling in control but recognise that improvements need to be made to the transport service so that it enables young people to travel around Ballarat (not just to and from Melbourne) and that young people in rural and remote areas need better access to Ballarat.

HOW WE WILL DO IT

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|--|-------------------|------|------|------|------|---------------|-----------------|---|
| Equality / inclusion / discrimination | | | | | | | | |
| Provide youth content and engagement / involvement opportunities for young people in events. | Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Provide dedicated youth spaces and programming in libraries. | Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Incorporate a greater 'youth lens' and strengthen engagement with young people when developing social policy-related documents, social inclusion frameworks and 'Design Guidelines' for community infrastructure plan. | Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |   |
| Deliver broad inclusion training to volunteers and the community, e.g. Cultural competency, disability, etc. | Deliver | | ✓ | ✓ | ✓ | ✓ | External grants |  |
| Seek partnerships to deliver intergenerational programs. | Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |



Family, Youth and Children's Services (FY&CS)



Engaged Communities

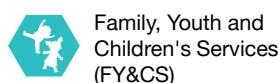


Libraries and Lifelong Learning



Health and Social Planning

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|--|---|------|------|------|------|------------------|----------------|--|
| Equality / inclusion / discrimination | | | | | | | | |
| Seek partnerships to deliver intergenerational programs. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Include a youth lens in the work of the Ballarat Community Safety Partnership Social Inclusion working group. |  Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |   |
| Undertake a disability inclusion audit (of Council facilities and services) from a children's and young person's perspective. |  Deliver | | ✓ | | | | External grant |  |
| Provide inclusive social connection programs (including a geographical spread) to improve access and connectedness within communities. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Work with young people to plan and deliver youth-focused creative events and culture-based programs and events. | | | | | | | |   |
| Activate key facilities and community spaces that provide access to safe, inclusive and welcoming youth friendly programs for young people across the municipality e.g. Pools, libraries, school holiday programs. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |    |
| Involve young people in key inclusive community awareness days/weeks of significance activities e.g. Harmony, IDPWD, IDAHOBIT and RAW. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |   |



Family, Youth and Children's Services (FY&CS)



Engaged Communities



Libraries and Lifelong Learning



Health and Social Planning



Recreation Services



Art Gallery



Creative City

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|--|-------------------|------|------|------|------|------------------|-----------------|---|
| Transport | | | | | | | | |
| Advocate to PTV to review and overhaul the Ballarat Bus Network. | Advocate | ✓ | ✓ | | | | Recurrent |   |
| Continue to support the delivery of L2P Program. | Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Respectful relationships | | | | | | | | |
| Engage secondary schools/flexible learning options in respectful relationships initiatives such as 'Expect Respect'. | Deliver & Partner | | ✓ | ✓ | ✓ | ✓ | External grants |  |



Family, Youth and Children's Services (FY&CS)



Engaged Communities



Advocacy and Lobbying





Focus area 3: LIVING AND LEARNING



Living and learning relates to education, training, employment and the material basics that we need to survive such as housing, access to food and money. It also refers to other issues that can impact our lives such as the environment.

Employment challenge:

“Balancing work and school. Being able to get hired with only working a few hours a week due to school and out of school commitments.”

Employment challenge:

“Lots of rude people; too much abuse from customers.”

› OUR PRIORITIES

- **Education, training and life skills** – young people have access to quality and diverse educational and training opportunities that help them to achieve their goals
- **Employment** – young people have access to suitable and safe employment opportunities within their areas of interest.
- **Housing** – young people have information about safe and secure housing options
- **Finances** – young people have access to information and training programs that help to increase their knowledge about finances and budgeting
- **Environmental issues** – young people are supported to help reduce the impact of climate change, fossil fuel usage, pollution and other forms of environmental damage so that they can live in a safe and healthy world
- **Access to food** – young people have access to information about healthy food options and about organisations that provide emergency food relief.

What young people told us

Young people told us they want more diverse educational opportunities and want to learn more life skills such as money / budgeting and cooking skills (64%) and to undertake more employment related skills training such as barista training and first aid (52%). They were also interested in accessing more work experience and internships (30%), business start-up programs (30%) and volunteering opportunities (24%). From an employment perspective, some young people said that they don't get enough hours or suitable hours of work (22%) and would like to learn how to apply for jobs and prepare a resume (20%).

What the youth sector told us

People who work in the youth sector told us that programs / initiatives designed to improve independence and relevant life skill development that will ultimately lead to improved mental health and outcomes for young people are important.

The youth sector told us that young people struggle to obtain affordable rents and struggle to compete with older renters to secure a home to live in. They also are struggling to enter the private property market due to price increases. Some people who work in the youth sector would like to see an investment in increased social / crisis / transitional housing.

The youth sector acknowledges that there are extremely limited housing options for young people experiencing homelessness or leaving care and that the leading cause of homelessness for young people is family violence / breakdown in relationships. Some members of the youth sector would like to see a dedicated youth housing service operate in Ballarat who can also work holistically with young people about their other issues.

Members of the youth sector also believe that the current levels of Youth Allowance / Job Seeker payments, jettison too many young people in our community into unstable housing, poor nutrition, anxiety, negative self-image/esteem and disconnect them from friendship groups and leisure pursuits.

What the community told us

The community would like to see more career guidance offered and more education options and supports for young people who find mainstream school unsuitable. They acknowledge that young people are keen to develop new life skills such as financial literacy training.

The community identifies underemployment is an issue for many young people who want and need work. They also identify the value of volunteering programs to help young people develop work-related skills, as well as developing a stronger sense of community connection.

Community members state that housing stress puts families in a precarious position, which then impacts every aspect of young people's lives. They state that young people often can't move out of unsafe family environments because of the difficulty in successfully sourcing a rental property.

Partial or full subsidisation of program costs need to be considered so that all young people can participate, e.g. breakfast at school, school uniforms, and so on, according to community member feedback.

Some community members state that we need significantly greater environmental sustainability within the community, or our young people simply won't have a world to live in.

What we will do

Council's objectives in relation to living and learning for young people aged 12-25 are:

- To support a diversity of learning and educational options for young people
- To equip young people with skills and experiences which will enhance their work opportunities and independence
- To advocate for additional resources to improve housing access for young people
- To advocate for increased youth allowances and payments
- To support initiatives that reduce the impact of climate change, fossil fuel usage, pollution and other forms of environmental damage
- To support programs that increase food security for young people.

HOW WE WILL DO IT

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|--|---|------|------|------|------|------------------|---------------------------|---|
| Education, training, volunteering and life skills | | | | | | | | |
| Deliver youth leadership programs, e.g. Youth Ambassadors, and the Western Bulldogs Leadership Program. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent External grants |  |
| Deliver and partner with other organisations to provide work related and life skill development programs such as: job readiness, worker rights, volunteering, barista training, first aid training, cooking, money matters, etc. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Support pathways for young people to access local volunteering opportunities in the community, e.g. the Soup Bus. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |



Family, Youth and Children's Services (FY&CS)



Regulatory Services



Libraries and Lifelong Learning



Neighbourhood Houses

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|---|--|------|------|------|------|------------------|-----------------|--|
| Education, training, volunteering and life skills | | | | | | | | |
| Support young people to be involved in youth led and designed events and initiatives. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Build on training opportunities and pathways through youth facilitation programs e.g. creative programs and business entrepreneur programs. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Employment | | | | | | | | |
| Provide greater access to employment programs such as graduate / apprenticeship / traineeships as well as work experience placements, internships, mentorship and career expos at the City of Ballarat. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Better connect industry to education providers to understand local needs – via expos, industry tours for schools, committees and taskforces. |  Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |   |
| Develop paid pathway opportunities for young people within events, programs, workshops etc. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Housing | | | | | | | | |
| Involve young people in the development of the Ballarat Housing Strategy. |  Deliver | ✓ | ✓ | | | | Recurrent |   |
| Support sector advocacy for more resources for youth housing. |  Advocate | ✓ | ✓ | ✓ | ✓ | ✓ | External grants |    |



Family, Youth and Children's Services (FY&CS)



People and Culture



Economic Development



Engaged Communities



Development Facilitation

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|---|---|------|------|------|------|------------------|-----------------|---|
| Environmental issues | | | | | | | | |
| Engage young people in consultation about environmental issues to inform actions and initiatives. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Access to food | | | | | | | | |
| Develop a food coalition with input from young people - (potential to advocate for food security and food access issues, healthy eating etc). |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Work with sports clubs and event organisers to ensure healthy food choices are available at venues attended by young people. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | External grants |  |



Family, Youth and Children's Services (FY&CS)



Health and Social Planning





Focus area 4: SAFETY



There are many things that can impact our feelings of safety, ranging from physical spaces that may be dark, isolated or have blocked views, through to our interactions with others including people we know such as family members, friends, other students, colleagues or strangers.

"If I were the one being bullied, I probably wouldn't tell anyone cause I'd be embarrassed. Telling someone about it isn't really an option for someone with social anxiety like myself."

"Making all these bullying programs and things isn't doing anything...Bullies don't respond to the assemblies we have at schools like mine. They just laugh cause they think it's stupid."

› OUR PRIORITIES

- **Personal safety** – young people feel safe and secure in public spaces throughout Ballarat
- **Bullying** – young people have the confidence, resilience and coping mechanisms to call out this negative behaviour and seek support
- **Social media** – young people are able to benefit from the connections provided by social media
- **Family conflict / violence** - young people have access to programs that increase their confidence, resilience and coping mechanisms and know where to seek support in relation to family conflict / violence.

What young people in Ballarat told us

Young people said they would like to see safety and security addressed through more security, policing and CCTV cameras. At the same time, they would like to see a focus on creating safer community spaces through urban design, including lighting, more colour, more appropriate plantings, art installations and more regular maintenance.

Almost half of all young people surveyed (49%) stated that they have experienced situations where they have been concerned for their safety. The key types of safety concerns experienced are harassment (46%), bullying (44%), physical violence (26%), homophobia (21%), gender-based violence (20%), discrimination (16%) and racism (13%). Family conflict / violence was identified by 24% of young people as a concern.

Areas where young people feel most safe in Ballarat include the library (97% feel safe), workplaces (96%), Lake Wendouree (96%), sports grounds (95%) and shopping centres (90%). Conversely, the places where young people feel most unsafe include public toilets (55% feel unsafe), bus stops / interchange (44%), Bridge St Mall (40%), Ballarat Train Station (35%) and schools (13%).

What the youth sector told us

Family conflict (30%) was identified by members of the youth sector who completed a survey as the second biggest issue facing young people, followed by bullying (28%) in third place. The youth sector told us that they believe that there has been an increase in family violence in the home and that this disempowers our youth and affects many areas of their lives including physical health, mental health, education and employment.

What the community told us

Bullying (face to face and cyber bullying) was identified as the 2nd highest priority by community members. They acknowledged the huge impact bullying has on people's mental health. Similarly, community members note that if young people aren't safe at home, every aspect of their development is impacted. Community members also mentioned the impact that urban design can have on providing public spaces where young people feel welcome, safe and respected.

What we will do

Council's objectives in relation to safety for young people aged 12-25 are:

- To work in partnership with urban planners and young people to improve safety and the perception of safety in public places
- To instigate programs that actively discourage bullying, conflict, and violence
- To instigate programs that increase young people's resilience and improve their community connections so that they have improved support mechanisms to cope with issues
- To educate young people about social media
- To provide information to young people about what types of support are available for those who are experiencing bullying or family conflict / violence.

HOW WE WILL DO IT

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|---|---|------|------|------|------|------------------|-----------|---|
| Personal safety | | | | | | | | |
| Provide opportunities for young people to influence urban renewal projects to increase their sense of safety. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |   |
| Implement and embed the Victorian Family Violence Multi-Agency Risk Assessment and Management (MARAM) Framework and Child Safe Standards across all City of Ballarat services, policies and frameworks. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |



Family, Youth and Children's Services (FY&CS)



Engaged Communities



Development and growth

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|---|---|------|------|------|------|------------------|-----------|---|
| Bullying / Social Media | | | | | | | | |
| Engage secondary school students in bullying prevention and awareness initiatives (including a component on critical thinking) and campaigns such as Project Rockit or similar. |  Deliver & Partner | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Family conflict / violence | | | | | | | | |
| Include a youth lens in the work of the Ballarat Community Safety Partnership Family Violence working group and respectful relationships programs. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Improve access to information, resources and supports for issues related to family violence. |  Deliver | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |





Focus area 5: YOUTH INFRASTRUCTURE, SECTOR LEADERSHIP AND PARTNERSHIPS



Although there are numerous youth services operating in Ballarat, there is significant value in bringing these services together on a regular basis to network with one another, discuss youth related issues and opportunities, undertake joint projects, share resources and advocate for additional resources to enhance programs, services and support offered to young people.

Council role: “Advocacy on the bigger stage for local youth issues – leading the charge with and on behalf of the youth sector”

Youth sector survey respondent

“Young people need more coordinated service support – i.e. a one stop shop. Especially important for young people with complex needs”

Youth sector survey respondent

> OUR PRIORITIES

- **Support service access** - young people have access to information about available support services
- **Sector leadership** – youth services in Ballarat are connected and supported and work together to improve outcomes for young people.

What young people told us

28% of young people told us that they struggle to access support services when needed.

What the youth sector told us

Agencies are keen to work in partnership with Council, but also for Council to provide more support, network leadership, sharing of resources and advocacy. Some specific assistance that they would like from Council includes:

- Advocate for easily accessible information for youth on how to get help for mental health related issues
- Easily accessible information on transport options and/or lobbying for additional public transport routes or frequency of current services.
- Provide young people with an opportunity to have their voice and opinions heard
- Support the development of a regional youth hub that supports the physical, emotional and social needs of vulnerable young people through the provision of youth programs and services.

What the community told us

The community told us that access to quality support services in the Ballarat area is a huge obstacle and the wait to see a mental health specialist is very long. Therefore, mental health issues cannot be appropriately treated.

There was strong support from community members who completed a survey for the development of a dedicated youth space where young people can access support, programs, and services.

What we will do

Council's objectives in relation to sector leadership and partnerships are:

- To advocate for improved support services for young people
- To support the Ballarat youth sector through facilitating network leadership and advocacy.

| ACTIONS | COUNCILS ROLE | 2022 | 2023 | 2024 | 2025 | 2026 & beyond | BUDGET | LEADING TEAMS |
|---|--|------|------|------|------|---------------|-----------------------------------|---|
| Support service access | | | | | | | | |
| Support the youth sector to advocate for additional mental health support in Ballarat for young people. | Advocate  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Undertake a study to determine the feasibility of developing an integrated and multidisciplinary youth hub in Ballarat. | Deliver  | | ✓ | | | | Council budget External grants |  |
| Develop an integrated youth hub in Ballarat (if feasible). | Deliver  | | | | | ✓ | Council budget External grants |  |
| Sector leadership | | | | | | | | |
| Play an active role in contributing to sector networking, professional development, advocacy and leadership via Ballarat Youth Services Network. | Deliver  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Provide recognition to young people celebrating their contributions and achievements via annual Youth Awards. | Deliver  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Improve provision of information via Youth Services landing page/website that provides program info and support services which have various methods of contact e.g. Chat function, text, phone. | Deliver  | ✓ | ✓ | | | | Recurrent |  |
| Develop inclusive engagement guidelines and opportunities to ensure that young people are actively consulted, engaged and considered in Council's decision-making processes. | Deliver  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |   |
| Review and develop Youth Profile on periodic basis. | Partner  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Increase accessibility of Parent Place and early years information for all families – inclusive of young parents, including outreach and co-delivery with community organisations. | Deliver  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Collaborate with antenatal care providers to link vulnerable young parents with the types of services they need at the earliest possible stage. | Partner  | ✓ | ✓ | ✓ | ✓ | ✓ | Recurrent |  |
| Provide diverse representation of imagery on Council social media platforms and collateral | | | | | | | |  |



Communication and Design



Family, Youth and Children's Services (FY&CS)



Engaged Communities

Implementation and evaluation



Although reporting of actions contained within this Youth Strategy lies with the Youth Services Team, overall responsibility for implementation of this Youth Strategy lies with the entire City of Ballarat. Some aspects will be the responsibility of one area of Council, whilst others will be the responsibility of multiple units working together in partnership.

The Youth Strategy should be reviewed on an annual basis by a cross-sectoral group and a new strategy should be prepared in 2025.



City of Ballarat - Youth Services
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July 2022

8.4. FINAL COMMUNITY INFRASTRUCTURE PLAN

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Belinda Hynes – Coordinator Health and Social Planning

PURPOSE

1. The purpose of this report is to present Council with the proposed Community Infrastructure Plan 2022 – 2037 for Council adoption.
2. To note the changes made to the draft Community Infrastructure Plan 2022 – 2037 following consideration of submissions, to reflect any infrastructure changes required because of increased service levels of kindergarten / pre prep and to ensure economic and financial considerations of current construction industry are considered in budget development.

BACKGROUND

3. The Community Infrastructure Plan 2022 - 2037 (Plan) articulates Council's intention to invest in community infrastructure to support the health, education, and social wellbeing of our community into the future.
4. The Plan will guide future planning and decision making around investment in facilities to ensure the equitable, efficient, and sustainable provision of high-quality community infrastructure that meets community's current and future needs.
5. This version of the Plan assessed the need for community facilities where people can access a wide range of services, programs, and opportunities such as community halls, community meeting spaces, library services and kindergarten and maternal and child health services. Future iterations will broaden the scope and include other types of community infrastructure such as arts and culture facilities. The community infrastructure planning process will also be applied to sport and recreation infrastructure and findings will be included in a similar plan to be presented to Council at a future date.
6. Developed over an 18-month period and demonstrating evidence-based decision making the Plan completes a Year 1 action of the Council Plan.
7. Projected and ongoing costs of the projects listed will be included in Council's long term financial planning processes to ensure that the proposed commitments within the Plan can be delivered. While this Plan and associated works forms the evidence base to inform Council decision making processes, decisions regarding the allocation of funding are made at the time of setting the annual budget.

KEY MATTERS

8. The draft Community Infrastructure Plan was placed on public exhibition and open to community feedback from 26 May to 17 June 2022.

9. Eight surveys were completed providing feedback on the draft Plan. Feedback related to
- a. Suggested earlier timeframe for construction of Integrated Youth Hub and highlighted need for community infrastructure guidelines to be developed in consultation with relevant advisory committees and organisations.
 - b. Suggested earlier timeframe for construction of Wendouree Library and need for youth facilities.
 - c. Identified limitations with Alfredton Scout Hall and queried the future planning for youth facilities particularly in Ballarat West.
 - d. Nothing planned for Buninyong.
 - e. Excellent plan for some of the facilities as part of community infrastructure portfolio. Identified Community Infrastructure broader than just facilities. Suggestion of change to title to Community Facilities Plan. Identified need for greater clarity regarding strategic alignment. Very good strategic, service and asset analysis focused on facilities.
 - f. Each of the types of infrastructure is important to sections of community. Would like more detail on the planning for roads, water, and telecommunications in Ballarat West Growth Area.
 - g. Well balanced plan. Growth of Sebastopol and Delacombe rapid but adequately planned for.
 - h. Facility required for Ballarat East Neighbourhood House.

A more detailed summary of submissions and an officer response to how feedback was considered is provided as an attachment to this report.

10. Council has had the opportunity to consider the submissions and note some minor wording changes to the draft plan to be included in the final plan. The proposed wording changes are outlined as follows.
- a. Action 1.1
 - Reword the action to ‘Expand the community infrastructure planning process to include other types of community facilities’.
 - Reword third dot point to ‘In new growth areas findings of community infrastructure planning process to inform and support the development of needs analysis and growth area plans to ensure community facility requirements are considered early in the planning stages’.
 - Reword the last dot point ‘Additional facilities that are Council assets and support the delivery of community services and programs to be fed into the community infrastructure planning process to ensure the needs of community groups and organisations utilising these facilities are met’.
 - b. Action 1.2
 - Reword to “Implement audit phase of community infrastructure planning process every two years to inform future planning, delivery, maintenance and compliance. This information will also inform long term building asset management plan for community facilities”.
11. The announcement on 16 June 2022 regarding 30 hours of pre prep will change service levels for kindergartens. More detail and a greater understanding of the implications of this announcement is required. Council Officers have commenced reviewing projects.

12. Due to the current construction industry challenges financial implications of capital projects will need consideration in budget development.
13. Following considerations of submissions, recent State announcement and construction industry considerations a recommended change to the Plan is to reduce the full review period from four years to two years to ensure;
 - a. Any infrastructure requirements for pre prep and kindergarten are delivered at the right time and in the right places to meet the needs of our community.
 - b. Financial considerations of capital projects and higher project costs are considered and inform budget development.
 - c. Additional facilities that are Council assets and support the delivery of community services and programs are fed into the community infrastructure planning process to ensure the needs of community groups and organisations utilising these facilities are met. The community infrastructure planning process will also be applied to sport and recreation infrastructure and findings will be included in a similar plan to be presented to Council at a future date.
 - d. The inclusion of Neighbourhood houses in needs and gap analysis to inform decision making about future infrastructure requirements.
 - e. Clearer wording regarding alignment to Asset Plan and Building Asset Management Plan (once the Building Asset Management Plan developed).
14. An additional statement has been made to page 30 of the Plan under Monitoring and Review to capture this change.
 - a. This version of the Plan will undergo a full review in two years based on the service implications of kindergarten and pre prep, additional facility inclusions and economic and financial considerations.

OFFICER RECOMMENDATION

15. That Council:

15.1 Adopt the Community Infrastructure Plan 2022 – 2037.

ATTACHMENTS

1. Governance Review [8.4.1 - 2 pages]
2. Community feedback on draft Community Infrastructure Plan [8.4.2 - 3 pages]
3. Community Infrastructure Plan final [8.4.3 - 37 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Community Infrastructure Plan aligns with several key strategic documents
 - a. Community Vision 2021 – 2031
 - b. Council Plan 2021 – 2025
 - c. Community Infrastructure Planning Policy 2020
 - d. Health and Wellbeing Plan 2021 – 2031
 - e. It informs and is informed by the Financial Plan and will be important in the development of the Building Asset Management Plan.

COMMUNITY IMPACT

2. The Community Infrastructure Plan outlines City of Ballarat's long term directions for community infrastructure provision in the municipality over the next 15 years. Broadly it defines where, when, and how community facilities should be provided to meet current and future community needs.
3. The Community Infrastructure Plan 2022 – 2037 demonstrates Council's commitment to ensuring the community is informed about the key community infrastructure projects planned for the next 15 years. The plan demonstrates evidence based decision making

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

4. The Community Infrastructure Planning Policy (2020) sets out the underlying philosophy that should be followed in the prioritisation, planning, design and provision of community infrastructure. Environmental sustainability is addressed in this policy.
5. Action plan identifies development of Environmental Sustainable Design Policy and Framework will occur and inform projects.

ECONOMIC SUSTAINABILITY IMPLICATIONS

6. The Community Infrastructure Plan will stimulate further investment in the Ballarat economy through the attraction of funding using evidence-based project proposals, based on clearly articulated community need.
7. The Plan will support the prioritised allocation of available capital funds to projects which have been identified as providing the best community outcomes.

FINANCIAL IMPLICATIONS

8. The Community Infrastructure Plan identifies the capital projects that Council will undertake each year for the next 15 years. The Community Infrastructure Plan will provide evidence to inform budget allocation in the most effective way possible to ensure best value is achieved for the community.
9. The Plan will assist with the generation of funding revenue through high quality and timely funding applications based on evidence.

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LEGAL AND RISK CONSIDERATIONS

10. The Plan has positive risk management implications for the organisation as it ensures that decision making and budget prioritisation will be made based on strong and documented evidence.

HUMAN RIGHTS CONSIDERATIONS

11. 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

12. The draft Plan was placed on public exhibition and community members encouraged to provide feedback. Eight community members completed surveys.
13. Community consultation occurred as part of the community infrastructure planning process that informed the development of this plan. Previous consultation activities such as Ballarat Our Future and Township plans informed the development of this Plan.
14. Community consultation will occur throughout the lifecycle of the plan with a complete review recommended within two years.

GENDER EQUALITY ACT 2020

15. There are gender equality implications identified for the subject of this report. A Gender Impact Assessment has been undertaken.
16. Based on the findings from the gender impact assessment, it is recommended as far as practical, action is taken to ensure strategic investigations and operations improvements identified to address gender and intersectional impacts are undertaken in the short term.

CONFLICTS OF INTEREST THAT HAVE ARisen IN PREPARATION OF THE REPORT

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

OFFICIAL

Summary of community feedback on the Draft Community Infrastructure Plan 2022 – 2037

The draft Community Infrastructure Plan was placed on public exhibition and open to community feedback from 26 May to 17 June 2022.

Eight community members provided feedback, five people requested a Council Officer contact them regarding their feedback and this has been actioned.

A summary of the submissions and how the feedback was considered is captured below.

Submission 1

Design and construction of the integrated youth hub should be brought forward. Community infrastructure guidelines should be developed in consultation with relevant advisory committees and organisations

Officer comment

Feasibility report for the integrated youth hub will be completed in 22/23 financial year. Recommendations of the feasibility report will inform the timeline identified for delivery. External funding opportunities and financial considerations are also considered when identifying project timelines. The development of community infrastructure guidelines will include consultation opportunities.

Submission 2

Comments and suggestions for improvements about a vast number of topic areas, not all relating to the scope of this plan were provided. This individual identified uniting the community, social connections and equity important. Comment regarding the timeframe Wendouree Library and questioning why it is not planned for many years with higher percentage of people of low socio economic demographic. Identified youth services and more investment for youth – sporting, arts, technology, shared space for different interests as important.

Feedback outside the scope of this plan related to the following

- Aquatic centre
- Homelessness, social justice, medium density CBD living
- Events and markets
- Limitations with the bus service
- Development of open space

Officer comment

The adoption of this plan makes the commitment to ensure there are the spaces and places for people to meet and develop social connections. The planning districts are utilised to ensure equitable spread of facilities across the municipality.

The current Wendouree Library has limitations that impact on service delivery, but a balance of financial considerations has informed the timelines proposed for projects. External funding opportunities may see projects fast tracked where possible.

Council has developed a Youth Strategy, soon to be adopted, that recognises the ideas and issues of importance to young people and demonstrates the City of Ballarat's ongoing commitment to improving the health and wellbeing outcomes for young people aged 12 – 25 years. The plan will identify and provide strategic direction for programs, information, and services.

Sport and recreational facilities will be included in a similar plan which will be developed during 22/23.

Submission 3

Scout Hall, limitations with current facility in Alfredton. What consideration is given in Ballarat West Growth Areas to youth facilities?

Officer comment

As identified in the action plan a Scout Hall Report, in partnership with Council, Scouts and Guides will be completed to determine optimal facility model to maximise participation in fit for purpose infrastructure. A number of multipurpose community hubs will be built in Ballarat West Growth area. These facilities will provide meeting spaces for a diverse range of community groups and organisations and could be activated by groups such as Scouts and Guides.

Submission 4

Buninyong is not included.

Officer comment

Stage 2 of the Royal Park project and Buninyong Kindergarten are both located in Buninyong.

Submission 5

Acknowledged excellent plan for some of the facilities that are part of the community infrastructure portfolio. Very good strategic, service and asset analysis focussed on facilities. Queried the title because community infrastructure portfolio is broader than just facilities. Identified the plan is not clear where it sits in the strategic framework. Acknowledged has some additional specific comments which can be provided.

Officer comment

Title to remain as Community Infrastructure Plan to align with the Community Infrastructure Planning Policy adopted by Council in 2020. A list of the facilities which are included in the scope of the plan is provided to ensure no confusion as to what is considered by the plan. Minor wording changes made in Action Plan to ensure it is clear the plan is focussed on facilities.

The Community Infrastructure Plan was developed prior to the finalisation of the Asset Plan 2022 - 2032. The other relevant asset management plans are not yet developed. Wording may change in future iterations as work in this space progresses. The plan is informed by and informs the Financial Plan.

Submission 6

Each of the community infrastructure projects are of importance to a section of our Ballarat wide community. As a resident in Ballarat West growth area what are the plans for connecting roads, mobile phone coverage and water security.

Officer comment

Outside the scope of this plan. Community member requested contact from a Council Officer and information was provided including;

Ballarat West Precinct Structure Plans. There are multiple road projects including widening and new intersections that will be delivered in the Western Growth area.

Central Highlands Water Urban Water Strategy. Council works closely with Central Highlands Water to ensure that growth is consistent with their development servicing plans. Referred to Central Highlands Water future water planning web page.

Community member provided with a link to the Australian Government telecommunications in new developments policy and informed that there are current applications for telecommunications towers lodged with Council.

Submission 7

Well balanced plan. Rapid growth in Sebastopol and Delacombe is worrying but there seems to be adequate planning for this area.

Officer comment

None required.

Submission 8

Significant information was provided regarding the need for future facility for Ballarat East Neighbourhood House.

Officer comment

Neighbourhood houses were not included in this version of the plan. Future iterations of this plan will consider other types of infrastructure. Acknowledging that there are some limitations, activation of existing infrastructure in the short term provides opportunities for programs and services to be delivered within this catchment area.



CITY OF BALLARAT

**Community
Infrastructure Plan
2022–2037**



CITY OF
BALLARAT





—
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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The City of Ballarat is responsible for the provision of community facilities where people can access a wide range of community services and programs, and sport and recreational opportunities.

We also support the provision of community infrastructure by other providers through direct funding and advocacy.

We are not responsible for the provision of schools, hospitals, medical facilities or emergency and safety facilities, however we can play an advocacy role in these areas.



Message from the Mayor of Ballarat



Our city boasts some of the best community facilities in the state and we are incredibly proud as local government to be able to provide libraries, early years facilities, community hubs, and so much more.

This new Community Infrastructure Plan will help guide our future planning to ensure our growing community has access to the best of the best community facilities to help our population grow into a sustainable, resilient and inclusive community.

The plan will guide future planning and decision making around investment in facilities to ensure the equitable, efficient, and sustainable provision of high-quality community infrastructure across the municipality that meets community's current and future needs.

This plan seeks to create lasting benefits by delivering community services and buildings that unlock potential, support multiple uses, and enable social and economic growth.

Access to well-planned and supported community facilities is so important for the health and wellbeing of our community. We are dedicated to making sure Ballarat has enough of these facilities all over the municipality to ensure equitable access to these essential services and support.

This plan contains key projects, considerations, and actions backed by information and planning formed by working directly with our community members.

The Community Infrastructure Needs and Gap Analysis Report, which forms the basis of this plan, gathered

information directly through community engagement about existing facilities and our population forecasts to consider service needs and related infrastructure that our growing and changing population will have over the next 15 years.

By gathering this important feedback from the people who use and access these services, coupled with understanding how our community will change in the future, means we can be confident this plan delivers the services people genuinely need and want.

This plan lays out how we will make sure everyone in Ballarat has access to the infrastructure they need easily and how we will plan to continue to provide those services for a sustainable future.

The community infrastructure plan is aimed at making sure our future decision making and investment in community infrastructure and services is accountable and transparent, based on evidence of need and insights of our community.

A handwritten signature in black ink, appearing to read "Daniel Moloney".

**Cr Daniel Moloney
Mayor, City of Ballarat**





Community infrastructure includes the buildings and spaces where our community comes together... to connect, to learn, to be active, to access vital services. To strengthen our sense of belonging. To thrive.



These community facilities are integral to promoting health and wellbeing and supporting a sustainable, innovative and inclusive community.

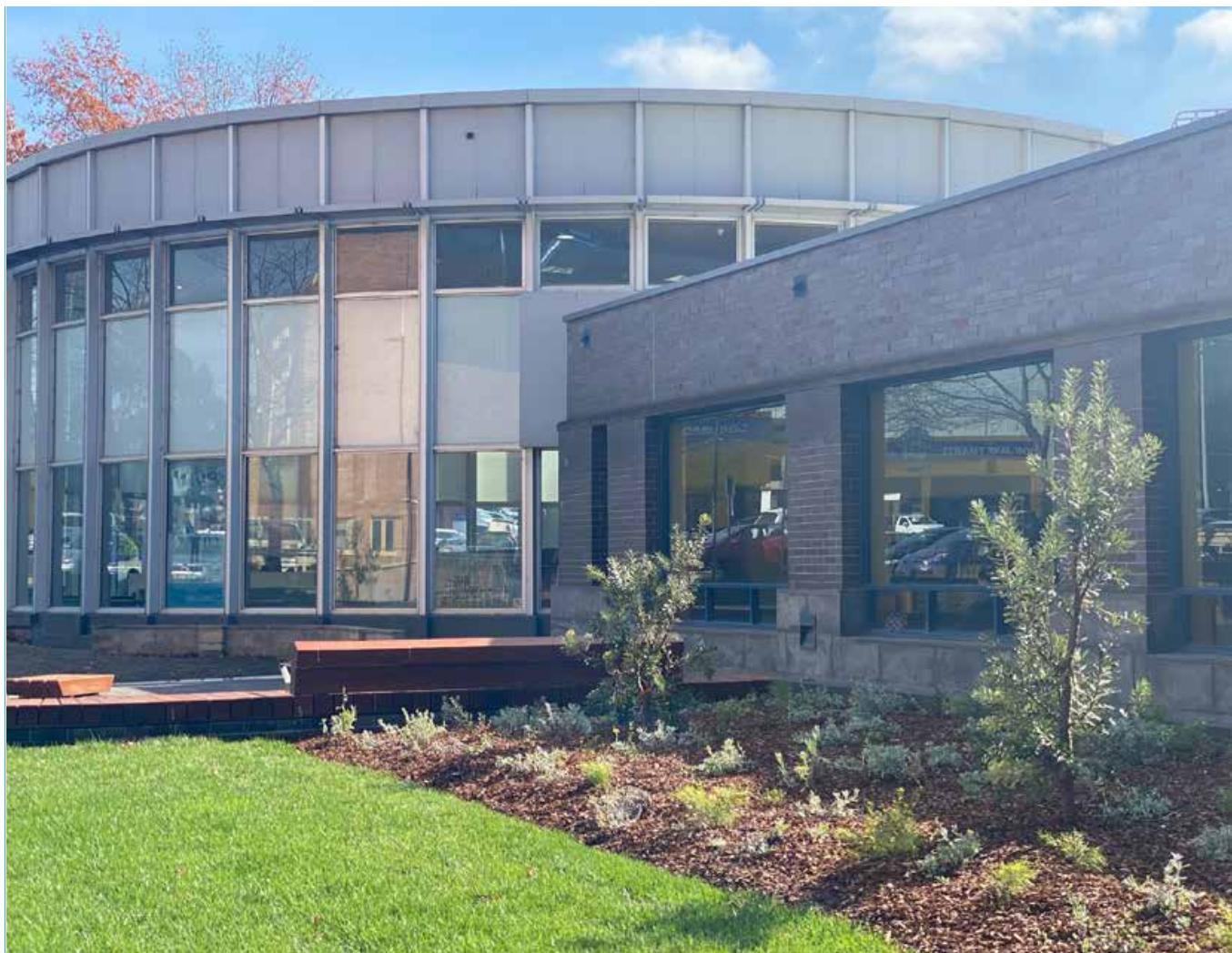


Through the application of rigorous and transparent processes, the City of Ballarat will target investment to provide equitable, accessible and sustainable community infrastructure across the municipality that meets the needs of our community, now and into the future.



Purpose

- This plan provides clear direction about the City of Ballarat's community infrastructure investment priorities over the next 15 years
- It shows our community what is being planned in the area where they live and when it will be delivered.
- It is designed to ensure community resources are directed where they best meet the needs of our growing and changing community.
- The plan sets out how we plan and activate projects to ensure decision-making is consistent and transparent and based on robust evidence.
- It provides an overview of the services and facilities our community needs now and over the next 15 years.
- It will guide decision making on future community infrastructure projects, funding requirements, advocacy efforts and partnership opportunities.
- Informs business cases for community infrastructure projects, service plans and reviews, planning studies, masterplans, Infrastructure Contributions Plans, Development Contributions Plans and other City of Ballarat business.
- Helps inform Council Plan, budget, Finance Plan, Asset Plan and capital works program.



"This Council is committed to making informed decisions based on the best available evidence and community engagement to ensure transparency in all of Council's decision-making."

***Cr Daniel Moloney,
Mayor***



"As an organisation, we are developing a clear plan for how we will invest in our assets long-term to ensure they are fit-for-purpose and deliver the service levels that residents need and expect."

***Evan King,
Chief Executive Officer***

What is Community Infrastructure?

Community infrastructure is integral to promoting community wellbeing and leading to better quality of life for residents by shaping and influencing social and economic outcomes.

> For the purposes of this plan, community infrastructure refers to the portfolio of buildings and spaces Council has responsibility for that support the delivery of community services and programs.

Facilities included in the scope of this plan include community hubs, halls and meeting spaces, Library

services, Kindergarten and Maternal and Child Health services.

While we acknowledge that this definition is limited in scope as many other facilities play a role in supporting our communities, this plan identifies a scope of works or projects that is both sizeable and achievable. This scope will be broadened over time to include other facilities that support and contribute to meeting the needs and promoting the wellbeing of individuals, families, groups and communities through the life stages such as arts and culture facilities and recreation facilities.



HOW COMMUNITY INFRASTRUCTURE BENEFITS OUR COMMUNITY

The provision of equitable, accessible and sustainable community infrastructure and inclusive services, programs, activities and initiatives provides access for all residents, not only to a wide range of opportunities but also to vital social and community networks.



City of Ballarat role

The planning and financial management obligations outlined in the *Victorian Local Government Act 2020* and the *Planning and Environment Act 1987* are the legislative drivers for the development of a future focused Community infrastructure plan.

Delivering the full range of community infrastructure required to meet community needs cannot be the responsibility of any one agency. It requires a coordinated response that involves strong partnerships between the three

levels of government and with non-government organisations, the private sector and the community. As one of the largest municipalities in the region by population, Ballarat is recognised as a major service centre for the Central Highlands and Grampians regions. This has implications for the provision of facilities to service the needs of not just local communities but also those across the wider region.

As part of our leadership role within the municipality and more broadly across the region, the City of Ballarat recognises the important role we have to play to meet current and future needs in the following areas:

| We plan community infrastructure... | We provide community services... | We provide community infrastructure... |
|---|--|---|
| <p>Undertake policy development, needs analysis and strategic planning</p> <p>Seek financial and in-kind contributions from other levels of government, nongovernment organisations and the private sector</p> <p>Develop innovative pathways for the delivery of infrastructure with the potential to leverage a range of public and private opportunities</p> <p>Council aims to align services that address all life stages, through the provision of community infrastructure that is flexible, well located and accessible</p> | <p>Council commits to delivering quality services in and out of Council infrastructure that adopt best practice approaches that support the health and wellbeing of the community</p> <p>Provide funding and in-kind support to assist other service providers to deliver community services</p> <p>Partner with and advocate to other levels of government and community service providers to ensure appropriate services are available</p> <p>Consider where, when and how facilities should be provided</p> | <p>Plan, fund, develop, deliver and manage a wide range of community facilities</p> <p>Maintain and improve existing facilities informed by community needs</p> <p>Council will sometimes seek alternate service delivery options by establishing partnerships with other service providers and community groups.</p> <p>Review service agreements to maximise use of existing facilities</p> |

Strategic context

The Community Infrastructure Plan supports our community's vision for Ballarat as outlined in the City of Ballarat Community Vision 2021–2031...

› **Ballarat, Victoria's heritage city: leading the way as a sustainable, innovative and inclusive community**

› **City of Ballarat Strategic documents**

The Victorian Local Government Act 2020 requires local governments to provide the best outcomes for the community, while having regard to the long-term cumulative effects of decisions.

There are several key overarching local government plans and relevant legislation considered in the development of the community infrastructure plan which provide direction as to the priorities and desired outcomes for the municipality. These have been identified below.

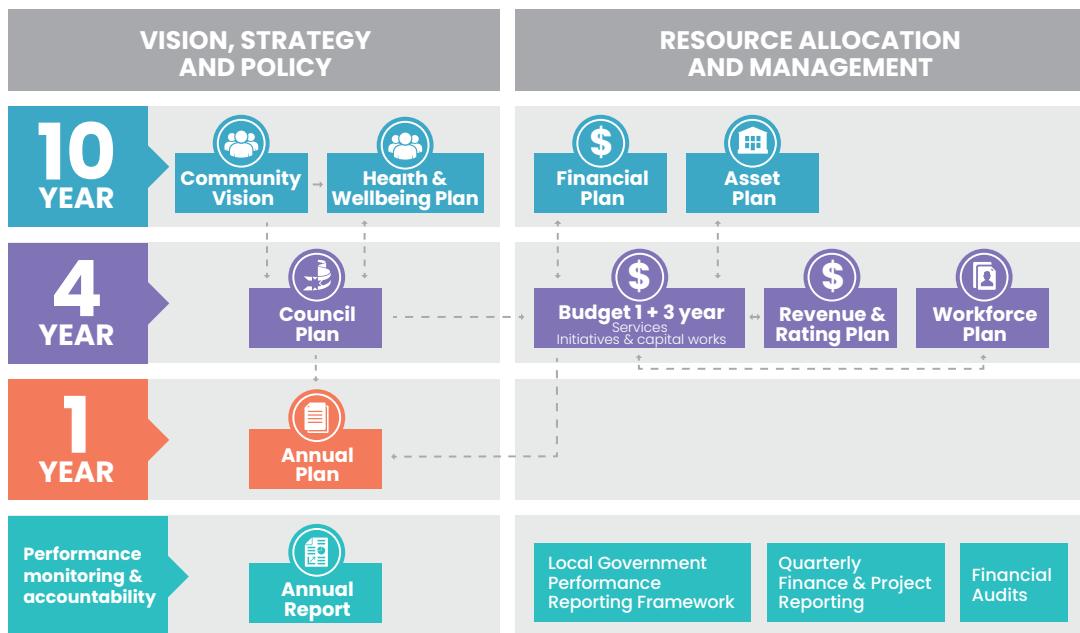
- Community Vision 2021 - 2031
- Council Plan 2021 - 2025
- Financial Plan
- Asset Management Plans
- Ballarat Strategy 2040
- Health and Wellbeing Plan 2021 - 2031
- Local Government Act 2020
- Gender Equality Act 2020

The Community Infrastructure Plan has been informed by and provides an evidence base to support and inform the development of other plans and strategies that are currently under development, such as the *Asset Plan 2021–2031* and others (*a list is provided in Appendix 1*).

The *Community Infrastructure Needs and Gap Analysis Report (2021)* was used as a key source of evidence to inform this plan's development and will also inform other plans and practices. Information gathered in the audit phase of the process was considered in relation to the Desired Provision Standards, service levels, agreed hierarchies (looking at specific population catchments to ensure an integrated community infrastructure network of complementary regional, district and neighbourhood facilities) and assessments based on demand and usage to identify current and future gaps in community infrastructure provision.

A review of existing plans, strategies, policies and known projects was taken into account. This also recognises the contributions that have already been made by the community to these processes and by facility managers who were provided with the opportunity to give feedback. Data and information that informed the *Needs and Gap Analysis Report* will be reviewed every two years.

> City of Ballarat integrated strategic planning framework



> Community engagement

The community was provided with a range of opportunities to give feedback on community infrastructure planning at key stages in the **community infrastructure planning and delivery process** (shown on page 15) as well as through feedback incorporated into broader City of Ballarat plans and strategies which were considered in the process including the Community Vision, Council Plan, Community Infrastructure Planning Policy, and

other key strategic plans and master plans such as Township Plans and Local Area Plans.

This is a living document and there will be ongoing opportunities for the community to provide feedback, such as on draft documents, during the auditing and review process which will occur every two years throughout the life of the plan, and in the development of feasibility reports, and pre-planning strategic investigations (these are identified in the action plan on pages 29 - 32).



How we make decisions about Community Infrastructure

To ensure the equitable, efficient and sustainable provision of high-quality buildings and spaces that meet current and future needs, community infrastructure planning and delivery is guided by a robust and transparent process.

> Community infrastructure planning and delivery process

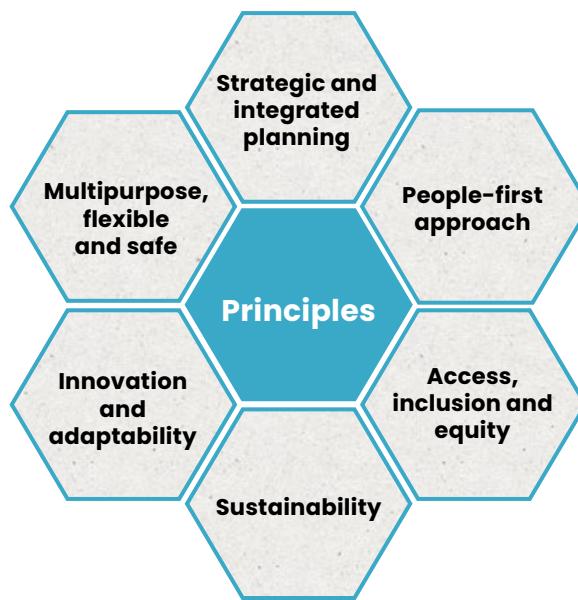
Decision-making in relation to the prioritisation, investment, design and delivery of community infrastructure is based on robust evidence, with a strong focus on community engagement and service-based reviews balanced with quantitative assessment.

The consistent application of guiding principles supports the identification of infrastructure priorities across the whole organisation. This collaborative approach is designed to ensure we clearly understand and deliver on what our community needs.

Community infrastructure planning process provides a whole of Council approach to inform evidence based decision making. The process is developed and implemented in an iterative way that allows for responsive planning over time.

Community infrastructure planning principles

These guiding principles have been developed in line with best practice contemporary approaches to community infrastructure development and provide the overall direction to decision making for community infrastructure planning.



› Strategic and integrated planning

Projects will consider community needs and priorities at both a municipal and local area level from a service delivery perspective. A pipeline of projects will be planned and costed to ensure funding submissions are strategic and based on identified needs. A whole-of-organisation approach will ensure consistency in decision-making.

› People-first approach

Projects will focus on connecting people to services and facilities that enhance overall health and wellbeing, encourage social connection and cohesion, foster creativity and economic and environmental vitality, build social capital and capacity, and create a strong sense of community and local identity. A commitment to community engagement will ensure community voice is considered.

› Access, inclusion and equity

Projects will consider an equitable provision and standard of facilities, be universally accessible and welcoming, promote social and cultural inclusion and liveability and encourage active lifestyles, taking into account the diverse needs of the community. They will recognise Traditional Owners.

› Sustainability

Wherever possible, projects will provide a standard of infrastructure, management and service delivery that focuses on environmental and social outcomes and balances economic and heritage considerations. A commitment to robust and ethical governance structures will ensure consistency and transparency in decision-making.

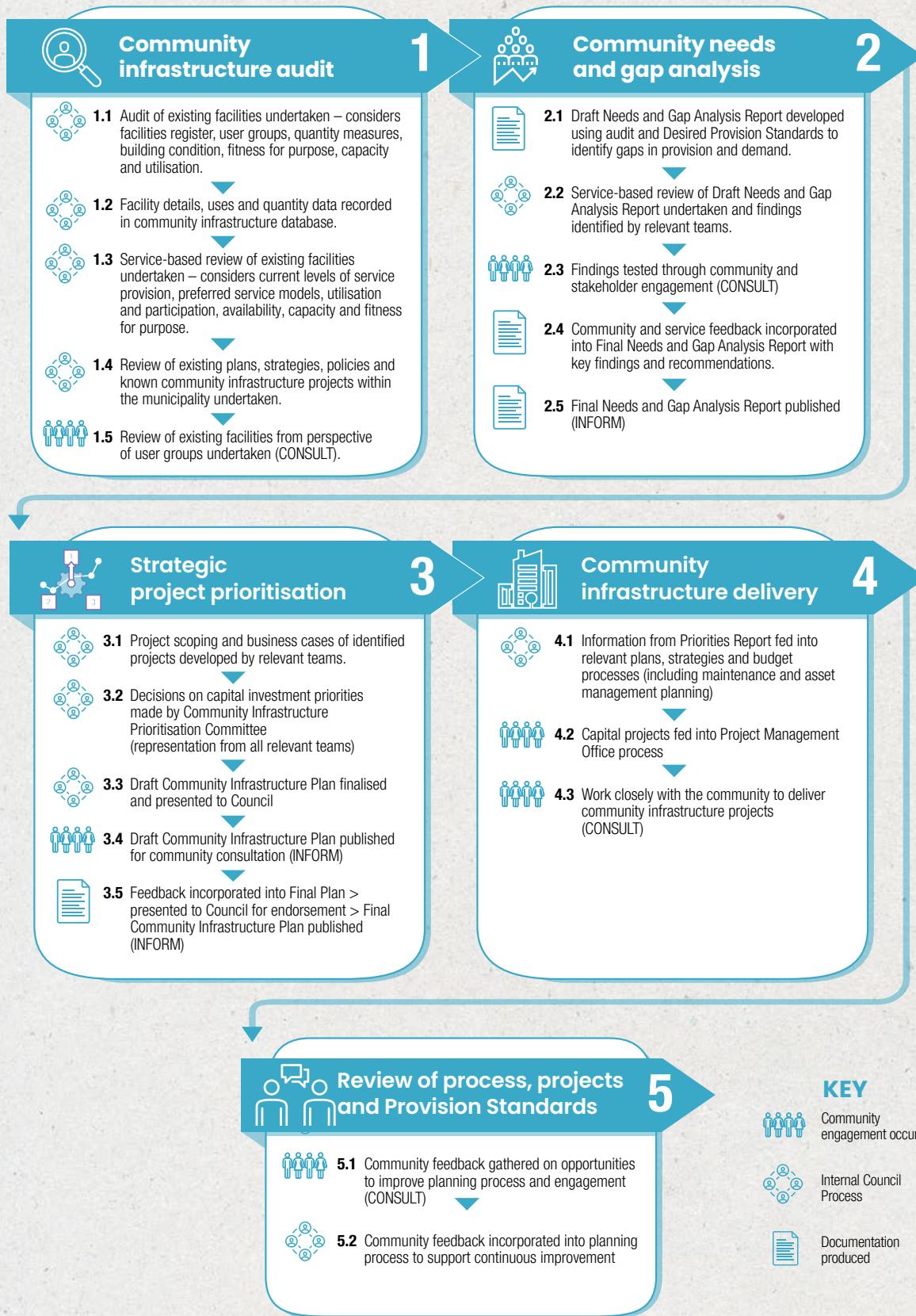
› Innovation and adaptability

Wherever possible, projects will value and prioritise innovation and successful models of delivery. Design will take advantage of new technologies to achieve outcomes that are ecologically sustainable and responsive to changing community needs and priorities and new opportunities. The City of Ballarat will show leadership in supporting innovation and will prioritise local expertise and creativity through planning and procurement systems.

› Multipurpose, flexible and safe

Wherever possible, projects will be designed for maximum flexibility and adaptability to enable the broadest possible use by a range of groups, services and activities and to ensure they can be repurposed over time in response to changing community needs and priorities and new opportunities. They will be delivered in line with appropriate infrastructure standards, universal design standards and best practice environmental design principles to enhance accessibility and enhance community safety.

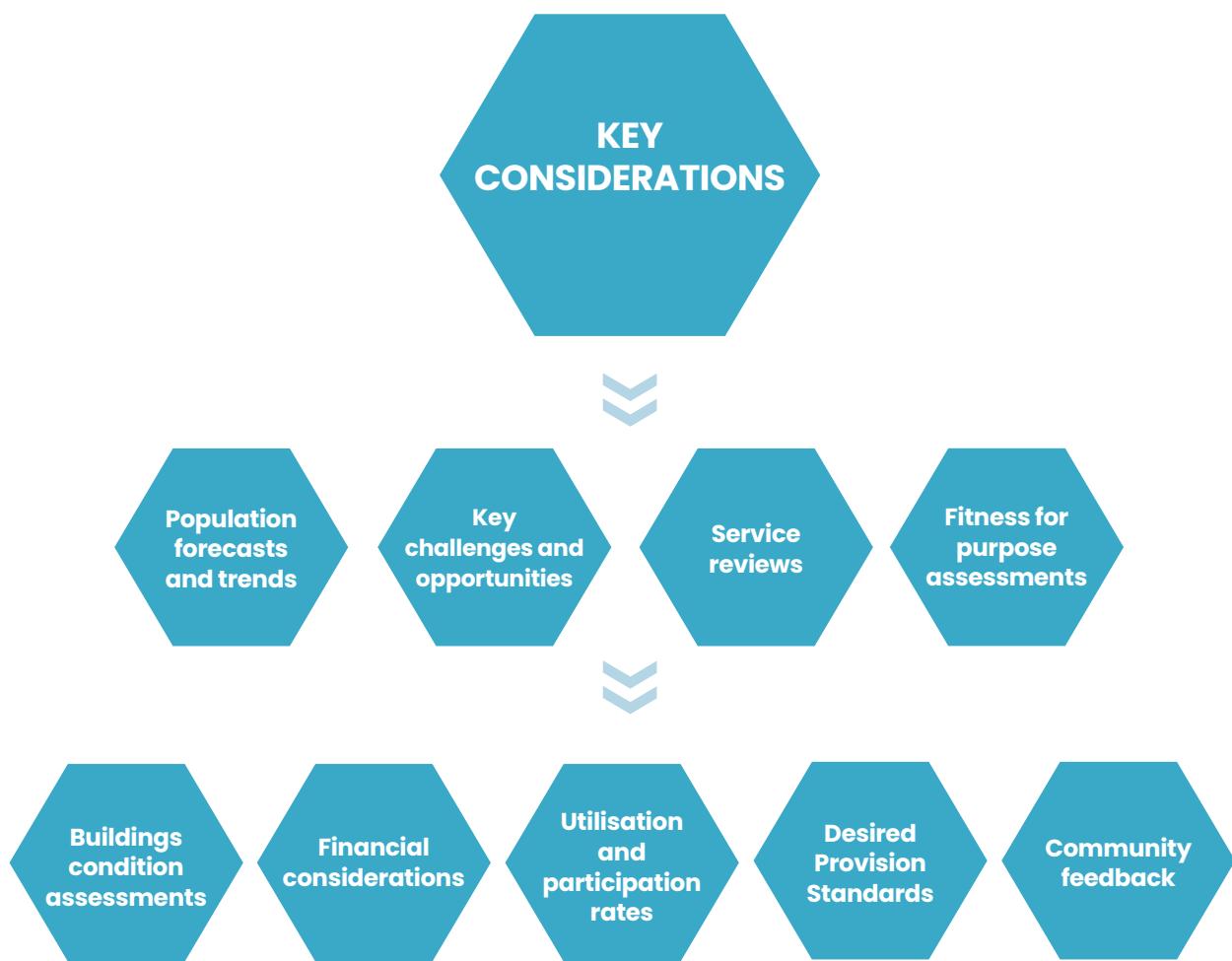
> Community infrastructure planning and delivery process



Key considerations in our decision-making

Community need and demand is influenced by factors from population growth rates, new and emerging opportunities and private sector investment to participation rates and the location and suitability of facilities.

For this reason, a wide range of factors are considered as part of a broad assessment in all planning and decision-making.



- › While this plan and associated work forms the evidence base to inform the City of Ballarat decision-making process, decisions regarding the allocation of funding are made at the time of setting the annual budget.

1. Population forecasts and trends

Building a comprehensive understanding of population and demographic trends at both a municipal and local area level is an essential starting point for effective community infrastructure and service planning.

More detail is provided in the *Community Infrastructure Needs and Gap Analysis Report*.

A snapshot of Ballarat



113,725

Population
in 2021

Source: forecast.id



19%

Population growth
2010–2019

Source: forecast.id



144,108

Population
forecast for
2021–2036 a
growth of 26.72%

Source: forecast.id



9.5%

Population born
overseas

Source: profile.id



1.4%

Population identify
as Aboriginal
or Torres Strait
Islander

Source: profile.id



28%

Lone person
households

Source: profile.id



22.4%

Low income

Source: ABS Census 2016



6.2%

Disability

Source: ABS Census 2016

Ballarat is currently experiencing significant population growth. Compared to the state average, Ballarat's population is ageing, with a higher proportion of people aged over 55 years and a smaller proportion aged 20–55.

The large majority of residents were born in Australia which is significantly higher than the state average. While small in number, our Aboriginal and Torres Strait Islander population is the same or greater than the regional Victoria and state averages.

Compared to the regional Victoria average, there is a higher proportion of lone person households, one parent families, low income households and people with disability, a similar proportion of couple families with children and a lower proportion of couples without children. City's population is characterised by disparity in socio-economic status.

It is expected that rapid growth will drive notable changes in the wider region's demographic makeup. This, together with an ageing population and changing household and family structures, will have implications for community infrastructure and service planning.

2. Key challenges and opportunities

Effective community infrastructure planning involves the consideration of current and emerging challenges and opportunities.

- Planning for rapid population growth
- Servicing diverse communities
- Servicing changing demographics
- Balancing the needs of growth areas and existing neighbourhoods
- Achieving equitable provision and standard of facilities across the municipality
- Maintaining ageing infrastructure, balancing new and renew
- Balancing social and financial responsibilities
- Maximising external funding opportunities
- Achieving an integrated, coordinated network of facilities (community facilities providing different but complementary services to avoid duplication of resources)
- Achieving integrated service delivery (services and agencies working together to coordinate their support and services for clients).

3. Service reviews

A broad range of information was collected and analysed to help build a comprehensive understanding of service levels and service trends to ensure best practice service provision. More detail is provided in the *Community Infrastructure Needs and Gap Analysis Report*. Service information will continue to inform development throughout the life cycle of the plan.

4. Fitness for purpose assessments

Information was collected and analysed to help build a comprehensive understanding of the suitability of existing facilities for supporting quality service delivery. Assessments considered:

- Travel accessibility from the perspective of location related to its intended users, proximity to related services and facilities, transport options and parking, personal safety.
- Appearance and fit out
- Configuration and size
- Universal access and equity (people of all abilities access to facility, appropriateness for all genders, cultures and ages).

5. Building condition assessments

A broad range of information was collected and analysed to help build a comprehensive understanding about whether existing buildings meet established facility standards or have any building condition issues. Decisions about future capital projects will be informed by factors such as building condition and remaining economic life.

6. Financial consideration

Long term financial planning supports Council to make informed decisions to bring about quality outcomes for our current and future community. The long term costs of maintaining and managing community infrastructure is taken into account in the decision making processes. Key considerations that have, and will continue to, inform decision making about future capital projects include Councils' projected cash position, expenditure/maintenance history (if relevant), budget estimates, proposed funding sources and alternatives, future budget allocations made and/or required and lifecycle costs of projects.

Developing a future focussed community infrastructure plan supports alignment with financial planning and the resources and facilities that are required for service delivery. A number of operational improvements will aim to increase the financial viability, use and activation of existing community infrastructure.

7. Utilisation and participation rates

A broad range of usage and demand information was collected and analysed, including facility specific assessments, to help build a comprehensive understanding about whether existing facilities and services have adequate capacity to meet community demand and maximise utilisation.

8. Desired Provision Standards

A set of standards has been developed to determine the number of each facility type required to meet the needs of the Ballarat community at both a municipal and local level. These standards are based on assessments of all existing City of Ballarat community facilities as well as non-City of Ballarat facilities that are available for community use. They set clear expectations about the community infrastructure required in a given Planning Area to service certain population sizes now and in the future. While these standards serve as a useful guide, it is not possible to apply a one-size-fits-all approach to a city as diverse as Ballarat. As such, these are 'Desired' Provision Standards.

9. Community feedback

The City of Ballarat recognises engagement leading to well-informed decisions based on a better understanding of community needs is fundamental to effective and transparent governance and enables bold, vibrant, and thriving communities. The application of the City of Ballarat's Community Engagement Principles ensures community input is valued and respected.

Community engagement is undertaken at key stages throughout the **community infrastructure planning and delivery process** (shown on page 15) – and community members have opportunities to provide ongoing input through feedback incorporated into broader City of Ballarat plans and strategies which are considered in the community infrastructure planning process.



Planning areas

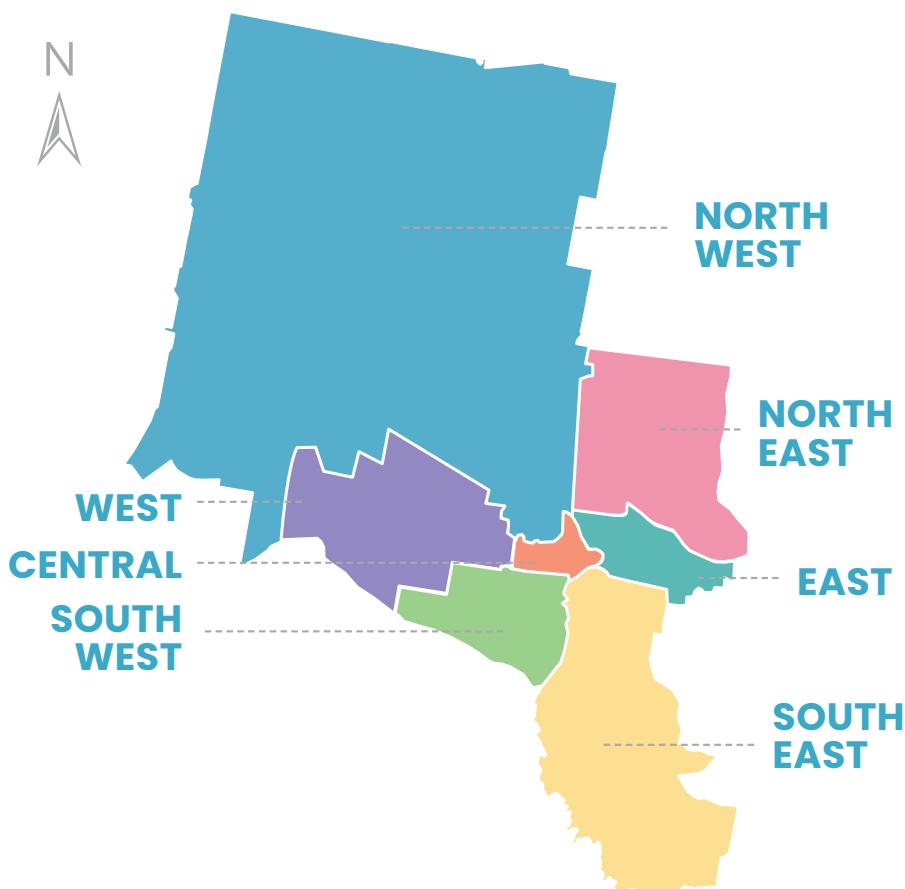
A place-based approach has been used in the analysis of service delivery and infrastructure planning to guide accessible and equitable infrastructure provision across the municipality. This approach is designed to ensure established

neighbourhoods are considered as well as growth areas so that localities with limited or no capacity for growth or which are experiencing population decline will be supported, while highlighting opportunities for integrated solutions.

City of Ballarat Planning Areas

Seven Planning Areas have been identified. These are comprised of groups of suburbs identified by **Profile ID** (<https://profile.id.com.au/ballarat>) which provides Census data for the City of

Ballarat broken down into small areas based on customised localities while also considering typical travel patterns across the municipality.

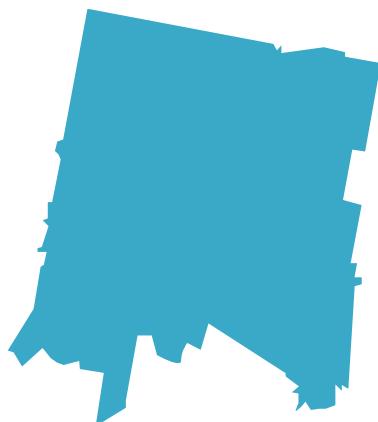


Community profile snapshots and key findings

For each of the seven Planning Areas, we looked at what is currently available from the perspective of the spread of facilities across the municipality and service delivery to identify current and future

demand levels. More detail is provided in the *Community Infrastructure Needs and Gap Analysis Report*.

› North West Planning Area



The North West planning area covers the profile areas of Rural West, Miners Rest - Mitchell Park, Wendouree, Lake Wendouree (North) - Lake Gardens.

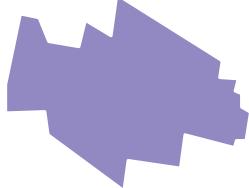
- **Population 2021:** 20711 **2036:** 22532 (13.33% increase¹)
- 9.16% increase in births between 2016-36¹
- 31.8% of households in Wendouree and 25% in Rural West are **low income households**
- 10.8% of households in Wendouree have no car
- More residents in Wendouree (36.4%) **live alone** than the state average (23.3%)
- 14.5% of residents in Lake Wendouree and Lake Gardens are **born overseas**, higher than other locations in this area but still noticeably lower than the state average (28.4%)

The population in this area is growing steadily and is projected to increase across all age groups from babies to older people by 2036. The area includes rural communities, a wide range of socio-economic diversity and suburbs experiencing high levels of vulnerability. It is well serviced by community infrastructure and will meet most Desired Provision Standards once planned projects are completed. Fitness for purpose assessments have identified significant impact on service delivery at two facilities. This has informed capital projects identified in this plan.

What's important?

- Ensuring there are locally accessible facilities and spaces for programs, services and activities to support residents of all ages
- Ensuring there are appropriate spaces for services to support vulnerable communities
- Ensuring existing facilities are fit-for-purpose to enable service and participation continuity
- Monitoring birth rates and demand for Maternal Child Health Services
- Ensuring locally accessible community meeting spaces are available in rural communities in NW planning area.

> West Planning Area



The West planning area encompasses the profile areas of Cardigan Village - Bunkers Hill, Lucas - Cardigan and Alfredton.

- **Population 2021:** 14577 **2036:** 25229 (73.07% increase¹)
- 64.67% increase in births between 2016-36¹
- Increase in families with dependent children in Cardigan-Lucas-Bunkers Hill (+156.95%) and Alfredton (+36.11%)
- 408.4% increase in residential developments in Cardigan-Lucas-Bunkers Hill¹ (2016–2036)

The population in this area is growing rapidly and is projected to increase across all age groups by 2036, with a notable increase in families with dependent children. Due to this rapid growth, significant gaps in community infrastructure provision are expected over the next 15 years. Much of this is planned for within the Ballarat West Development Contributions Plan. Ongoing monitoring and review that considers Desired Provision Standards and participation rates will

ensure appropriate facilities make the best use of available land and are delivered at the right time to meet changing community needs and increasing demand.

What's important?

- Ensuring appropriate facilities are built to meet the needs of the growing population, notably kindergarten places and recreation facilities and community meeting spaces
- Ensuring existing facilities are fit-for-purpose to enable service and participation continuity
- Monitoring participation trends to ensure responsive planning to changing community needs
- Exploring opportunities for shared use of facilities with other service providers
- Multipurpose spaces to cater for all life stages

> North East Planning Area



The North East planning area covers the profile areas of Ballarat North - Invermay Park and Rural East.

- **Population 2021:** 8852 **2036:** 10032 (13.33% increase¹)
- 8.74% increase in births between 2016-36¹

This is the smallest and most rural of the Planning Areas. The population is growing steadily and is projected to increase steadily across all age groups by 2036. It is also ageing, with the highest growth expected in the 70+ age group. When assessing the demand for additional facilities over the coming years, consideration will be given to the rural composition of this area as well as the requirements of new growth fronts in the north of the municipality, which will be adjacent to or included in this area. This will be subject to ongoing monitoring and review.

What's important?

- Ensuring existing facilities are fit-for-purpose to enable service and participation continuity
- Monitoring population growth, participation trends and utilisation of existing facilities to inform future needs
- Exploring opportunities associated with the northern growth front
- Consideration of needs of rural communities
- Considering flexible service delivery options such as outreach services
- Monitoring demand for early years services such as kindergarten spaces and Maternal Child Health services.

> South West Planning Area



The South West planning area covers the profile areas of Delacombe and Sebastopol - Redan

- **Population 2021:** 23285 **2036:** 45352 (94.77% increase¹⁾)
- 103.02% increase in births between 2016-36¹
- This area will see a significant **increase in families with children** between 2016-36: Bonshaw/Smythes Creek (597.38%), Delacombe (97.17%) and Ballarat West Growth Area (97.52%)
- Sebastopol-Redan households have a higher percentage of **low income** (31.8%), **housing stress** (18.1%), **no car ownership** and **lone person** households compared to other suburbs in this area

The population in this area is growing quickly and is projected to increase across all age groups by 2036. The area has a mix of new housing developments and existing neighbourhoods. It includes suburbs experiencing high levels of vulnerability and the highest levels of housing stress in the municipality. Rapid growth will see this area increase by 20,000 people over the next 15 years. Extensive community infrastructure provision is planned for within the Ballarat West Development Contributions Plan. Ongoing monitoring and review that considers

Desired Provision Standards and participation rates will ensure appropriate facilities make the best use of available land and are delivered at the right time to meet changing community needs and increasing demand. Fitness for purpose assessments have identified significant impact on service delivery at a number of facilities. This has informed capital projects identified in this plan.

What's important?

- Ensuring existing facilities are fit-for-purpose to enable service and participation continuity
- Ensuring there are locally accessible facilities for programs, services and activities to support residents of all ages
- Ensuring there are appropriate spaces for services to support vulnerable communities
- Monitoring participation trends to ensure responsive planning to changing community needs
- Ensuring appropriate facilities are built at the correct time to meet the needs of the growing population

> Central Planning Area



The Central planning area encompasses the profile area of Central Ballarat - Bakery Hill - Lake Wendouree (South) - Newington.

- **Population 2021:** 10055 **2036:** 10134 (0.79% increase¹⁾)
- 9.82% **decrease in births** between 2016-36¹
- 31.9% of lone person households (state average 23.3%)

The population is ageing and is projected to increase by only 0.79% by 2036 – the smallest increase across the municipality – with a significant decrease in the under-18 age group and a large increase in the 70+ age group. The percentage of lone person households is higher than the state average. Some of the municipality's centralised infrastructure is located in this area which contributes to a surplus of a number of facility types in relation to the Desired Provision Standards for the resident population.

Fitness for purpose assessments have identified significant impact on service delivery at two facilities. This has informed capital projects identified in this plan.

What's important?

- Ensuring existing facilities are fit for purpose to accommodate programs, services and activities
- Ensuring there are locally accessible community meeting spaces
- Undertaking strategic investigations to inform future infrastructure projects to service this area and the whole municipality
- Monitor population growth
- Maintaining ageing infrastructure, balancing new and renew.

> East Planning Area



The East planning area covers the profile areas of Soldiers Hill - Black Hill - Nerrina (South) - Brown Hill (West) and Ballarat East - Eureka - Warrenheip

- **Population 2021:** 15579 **2036:** 16245 (**4.27%** increase¹)
- 3.63% decrease in births between 2016-36¹
- Ballarat East, Eureka and Warrenheip households: 26.9% **low income**, 13.8% experiencing **housing stress**, 7.5% with **no car**, **32.5% lone person** households

The population in this area is ageing, with a projected decrease in babies, pre-schoolers and primary schoolers, and a significant increase in the 70+ age group by 2036. The area includes suburbs with households experiencing high levels of vulnerability and housing stress and a high number of lone person households. Overall, there is a comprehensive supply of community infrastructure that meets or exceeds most Desired Provision Standards.

What's important?

- Ensuring existing facilities are fit-for-purpose to enable service and participation continuity
- Ensuring there are locally accessible facilities and services in the different suburbs in the planning area
- Monitoring population growth, participation trends and use of existing facilities to inform future needs
- Undertaking strategic investigations to inform future infrastructure projects to service this area
- Monitoring birth rates and demand for maternal and child health services within the planning area.

> South East Planning Area



The South East planning area covers the profile areas of Golden Point - Mount Pleasant - Canadian - Mount Clear - Mount Helen and Buninyong - Rural South.

- **Population 2021:** 20978 **2036:** 23380 (**11.45%** increase¹)
- Average **SEIFA Index** of 1023.672
- 2.59% increase in births between 2016-36¹
- 14.2% of households in Golden Point, Mount Pleasant and Canadian experienced **housing stress** in 2016
- An **increase in families with children** in Mount Clear-Mount Helen between 2021–2036 (+18.88%)

The population in this area is ageing and is projected to increase steadily across all ages by 2036, with a significant increase in the 70+ age group and, in some suburbs, families with children. The area includes suburbs with households experiencing high levels of housing stress. It is relatively well serviced by community infrastructure and meets most Desired Provision Standards.

Participation data and service capacity reviews have informed capital projects identified in this plan.

What's important?

- Ensuring existing facilities are fit-for-purpose to enable service and participation continuity and respond to identified community need
- Monitoring participation and utilisation of existing facilities to inform future needs
- Undertaking strategic investigations to inform future infrastructure projects to service this area
- Monitoring need for community meeting spaces across the planning district. Current distribution is limited to one area
- Consideration of surrounding LGA's and utilisation of services.

1. <https://profile.id.com.au/ballarat>



Community Infrastructure Capital Projects

Facilities that support community services and programs

Implementation of the community infrastructure planning process has identified the following major capital projects and timeframes for delivery. The City of Ballarat will seek external funding through appropriate grant streams and financial considerations will be integral in determining the timeframe of projects.

Due to the continuous nature of community infrastructure planning project timelines may change depending on ongoing assessments of community needs, review of data, consideration of other infrastructure types, monitoring population changes and trends and external funding opportunities.

Project summaries providing details about each project will be made available to the community as project progress.

Maintenance, minor works programs and upgrades will continue and these projects are not included in the following table.

> Facilities that support community services and programs

| Capital project | Forecast year of delivery | | | | | | | | | | | | | |
|---------------------------------------|---------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| | 2022 -23 | 2023 -24 | 2024 -25 | 2025 -26 | 2026 -27 | 2027 -28 | 2028 -29 | 2029 -30 | 2030 -31 | 2031 -32 | 2032 -33 | 2033 -34 | 2034 -35 | 2035 -36 |
| Alfredton (Ballymanus) Community Hub* | D | C | | | | | | | | | | | | |
| | C | | | | | | | | | | | | | |
| Ballarat Library | C | C | | | | | | | | | | | | |
| Royal Park, Buninyong (stage 2) | D | C | C | | | | | | | | | | | |
| Sebastopol Community Hub | D | C | C | | | | | | | | | | | |
| | C | | | | | | | | | | | | | |
| Eastwood Community Hub | D | C | C | | | | | | | | | | | |
| Brown Hill Kindergarten | | | D | C | | | | | | | | | | |
| Delacombe Library and Community Hub* | | | | D | C | C | | | | | | | | |
| Delacombe Early Years Facility* | | | | D | C | C | | | | | | | | |
| Youth Hub (new facility) | | | | | D | C | C | | | | | | | |
| Alfredton Kindergarten | | | | | D | C | C | | | | | | | |
| Buninyong Kindergarten | | | | | | D | C | | | | | | | |
| Wendouree Library | | | | | | | D | C | C | | | | | |
| Winter Valley Community Hub* | | | | | | | | D | C | C | | | | |
| Rowan View Kindergarten | | | | | | | | | D | C | C | | | |
| Western Oval Community Hub | | | | | | | | | | D | C | C | | |
| | | | | | | | | | | D | C | C | | |

*Project identified in Ballarat West Precinct Structure Plan.
A rolling maintenance program to ensure facilities are fit for purpose exists.
These projects are not included in the list above.

D = Design

C = Construct



› Monitoring and Review

Community infrastructure planning is not a set and forget process. It needs to be flexible to ensure both infrastructure and service provision are responsive to changes in population, demographics, policy and service levels and priorities over time, and capitalise on emerging trends and opportunities.

This plan will be subject to ongoing monitoring and review as follows:

- An annual report card will be prepared for Council to provide an update on works completed in that year
- Audits, community needs and desired Provision Standards will be reviewed every two years taking into account feedback from user groups as well as population, demographic and service trends to ensure community infrastructure provision continues to meet demand as needs change and to provide opportunities to make changes to capital project scheduling
- A complete review and update will be undertaken every four years in line with the new Council term to provide opportunities for the new Council to make any changes as required
- This version of the Plan will undergo a full review in two years based on the service implications of kindergarten and pre prep, additional facility inclusions and economic and financial considerations.

› Continuous improvement

The City of Ballarat is committed to continuing to improve its knowledge, skills and operational practices based on sector-wide best practice.

Improved knowledge about the future direction of Council and non-Council services, and an understanding of sector-wide best practice and population forecasting will drive integrated community infrastructure planning and the provision of community facilities.

Action plan

To support the implementation of the Community Infrastructure Plan we have detailed key activities, initiatives, and complementary work that Council will undertake to inform decision making and continual evolution of this plan. This work will occur over the lifecycle of the plan and may result in amendments and updates to the plan. This may be through the inclusion of additional infrastructure types, identification of

additional projects based on community need and in response to factors that are considered as part of the decision making process. Some of the actions build upon current projects and programs being undertaken by Council. Other actions signify new and innovative ways to plan, deliver and activate community infrastructure.

The Community Infrastructure Planning Policy 2020 identified six guiding principles to provide the overall direction to decision making for community infrastructure planning. The actions are grouped under the six guiding principles. An annual progress update will be presented to Council.

| Principle | Actions |
|---|---|
| 1. Strategic and integrated planning | <p>1.1 Expand the community infrastructure planning process to include other types of community facilities;</p> <ul style="list-style-type: none"> Art and Culture infrastructure report identified a number of feasibility studies and reports to be undertaken. Findings to inform and be included in future iterations of the Community Infrastructure Plan. Sport and recreation facilities to be included in a future Recreation Infrastructure Plan that will utilise the same planning and decision making process. Reword third dot point to “In new growth areas findings of community infrastructure planning process to inform and support the development of needs analysis and growth area plans to ensure community facility requirements are considered early in the planning stages. Additional facilities that are Council assets and support the delivery of community services and programs to be fed into the community infrastructure planning process to ensure the needs of community groups and organisations utilising these facilities are met. |
| | <p>1.2 Implement audit phase of community infrastructure planning process every two years to inform future planning, delivery, maintenance and compliance. This information will also inform long term building asset management plan for community facilities.</p> |
| | <p>1.3 For new plans and strategies, reviews and updates apply the community infrastructure planning process to inform decision making, identify and prioritise capital projects.</p> |
| | <p>1.4 Collect participation, usage and occupancy data which will be considered alongside any quantitative standards to inform future planning. Monitor trends of new activities.</p> |
| | <p>1.5 Review of the City of Ballarat’s existing land holdings to be undertaken to identify potential community infrastructure development sites.</p> |
| | <p>1.6 Informed by the 15 year community infrastructure capital program, prepare plans and designs to support funding applications and service enhancements (i.e. business cases, concept designs)</p> |
| | <p>1.7 Sebastopol Library report to be undertaken to consider if the building size can adequately accommodate users and is appropriate for the population catchment.</p> |

| Principle | Actions |
|---|---|
| 1. Strategic and integrated planning | <p>1.8 Established hierarchy and provision standards guides community infrastructure planning and delivery. Review every two years taking into account service trends, population growth, demographic data, community feedback and other factors that have an impact on existing plans for community infrastructure.</p> |
| | <p>1.9 Maternal and Child Health rooms – further investigations to be undertaken to determine service demand for additional facilities in northern growth zone and planning areas where shortfall identified.</p> |
| | <p>1.10 Performing Arts Space – report to be undertaken to investigate the need identified in the Arts and Culture infrastructure report for a new live performance venue of less than 300 seats to support block bookings for rehearsals and semi-professional performances.</p> |
| | <p>1.11 Monitor relevant community infrastructure funding opportunities and budget announcements and identify strategic opportunities for project alignment.</p> |
| 2. People First Approach | <p>2.1 Facilitate community engagement processes in the planning, design, and management of community infrastructure. Ensure target users are well represented and to capture needs of the community regarding infrastructure provision.</p> <p>2.2 Feasibility report, including costings, to be undertaken to identify suitable facilities to incorporate display spaces to enable First Nations arts and crafts, and local arts artists and craftspeople to showcase their work in common areas. A checklist to be developed to assess suitability of venues.</p> <p>2.3 Identify and consult with non-Council community facility providers to help promote and increase utilisation of non-Council provided facilities.</p> <p>2.4 Work with lessees and other community organisations to build capacity to design services and programs that respond to identified community needs and aspirations.</p> <p>2.5 Aboriginal Cultural space - Feasibility report to be undertaken to identify the need for a space to accommodate cultural experiences targeted at the local community and visitors and to foster and incubate local Aboriginal businesses as identified in the Arts and Culture report.</p> |
| 3. Access, Inclusion and Equity | <p>3.1 Develop community infrastructure guidelines to ensure all new facilities meet the diverse needs and expectations of our community. Include information relating to minimum facility inclusions and standards and universal design considerations and outline the required attributes to improve community building accessibility and inclusivity.</p> <p>3.2 Equitable provision and standard of facilities will be promoted using established hierarchy and provision standards. Ongoing monitoring of meeting space to ensure suburbs within planning districts have accessible spaces to meet.</p> <p>3.3 Community infrastructure will recognise the traditional custodians of the land through signage and in other culturally appropriate ways.</p> <p>3.4 Provide a centralised point to access information regarding community facilities in City of Ballarat (e.g., Community Directory)</p> <p>3.5 Update Council's website with sufficient information about Council's community facilities. Include information relating to location, capacity, fees, amenities, equipment, and accessibility.</p> <p>3.6 Investigate online booking system for community facilities to improve convenience for community, facility managers and increase utilisation.</p> |

| Principle | Actions |
|--------------------------|---|
| 4. Sustainability | <p>4.1 Building audits - Rolling building audit program for City of Ballarat facilities to inform future planning, delivery, maintenance, and compliance to continue. This information will inform the development of a long term Asset Management Plans.</p> <p>4.2 Development of City of Ballarat Environmental Sustainable Design (ESD) Policy and Framework. Purpose is to incorporate and embed ESD principles to the design, construction, refurbishment, operation and demolition of all Council buildings and infrastructure (assets).</p> <p>4.3 Advocate to State and Federal Government to provide increased funding towards the delivery of community infrastructure projects within the City of Ballarat.</p> <p>4.4 Leasing and licensing policy to be reviewed and updated.</p> <p>4.5 Review existing reporting options and where required develop robust electronic reporting system/s to capture data that measures the use of services. This reporting system will generate reports (i.e., occupancy, attendance etc) across varied time periods (i.e., weekly, monthly etc) and will be used to drive continuous improvement.</p> <p>4.6 Rationalise ageing and/or inadequate community infrastructure to help facilitate provision of new and improved community facilities:</p> <ul style="list-style-type: none"> • Identify ageing, inadequate, or surplus community infrastructure. • Identify rationalisation options (e.g., dispose, sell, re-purpose) and • Confirm a process to steer community infrastructure asset rationalisation, that includes a percentage of any revenue received being reinvested back into local community infrastructure. <p>4.7 A report to be developed on the ownership and management models of Band Halls to identify user group needs, optimise use of existing facilities by current and future users, ensure fit for purpose infrastructure, and inform opportunities to improve acoustic amenity.</p> <p>4.8 Scout Halls Report to be undertaken to identify future possibilities. Council, Guides and Scouts Victoria and local groups to work in partnership to determine optimal facility model to maximise participation in fit for purpose infrastructure.</p> |

| Principle | Actions |
|--|--|
| 5. Innovation and adaptability | <p>5.1 Business case to be developed for an Arts Incubator and co-working space to investigate opportunities to establish a space, (in partnership with State Government), to support collaboration and learning and local and export content development.</p> <p>5.2 Report to be undertaken to investigate opportunities for outreach service provision based on the Parent Place model at existing and planned children's and community facilities with a focus on identifying best placed locations to increase access for vulnerable communities.</p> <p>5.3 Partnerships – explore opportunities to partner with development partners (private developers, businesses, philanthropists, community organisations) to help deliver community infrastructure projects</p> <p>5.4 Further investigations to be undertaken to explore opportunities to partner with private providers to increase access to existing age-specific community infrastructure.</p> <p>5.5 Maker Space - report to be undertaken to explore opportunities to develop a creative entrepreneurs maker space to scale production and access shared equipment.</p> <p>5.6 Library outreach services - feasibility study to be undertaken to identify new outreach service delivery models with a focus on identifying best place's locations to increase vulnerable community access and travel accessibility.</p> <p>5.7 Library kiosks – feasibility study to be undertaken to consider potential locations in community hubs.</p> <p>5.8 Eureka Centre redevelopment – business case to be developed to consider this facility's role and purpose as a viable community and education hub to ensure provision of a functional physical space and service model that supports sustainable operations and strengthens local community connections.</p> |
| 6. Multipurpose, flexible, and safe | <p>6.1 Arts and Culture spaces – report developed to identify opportunities to include cultural use and programming in planned and future community infrastructure projects, with relevant findings to be fed into Community Infrastructure Guidelines (to be developed).</p> <p>6.2 Youth spaces – further investigations to be undertaken to explore opportunities to improve existing facilities accessibility and appropriateness for youth programming and increased activation.</p> <p>6.3 Community halls report to be undertaken to determine improvements required to increase utilisation, ensure fitness for purpose and to explore new opportunities, for example as art spaces or performing arts spaces.</p> <p>6.4 Develop governance materials that can be provided to facility managers and support the operation of multipurpose, welcoming, and accessible community facilities.</p> <p>6.5 Management models to be investigated to identify the most effective models for City of Ballarat facilities to increase utilisation and user group diversity. Opportunities to develop a resourced network of community hubs to be investigated.</p> <p>6.6 Identify Council's underutilised community infrastructure and investigate options for future use.</p> <p>6.7 Explore and trial new operating and governance models in community facilities, including models of integrated service delivery.</p> |

City of Ballarat > Community Infrastructure Plan 2022-2037

➤ APPENDICES

> Appendix 1: City of Ballarat policies, plans and strategies that informed this plan

The following legislation, Council adopted policies, strategies and plans as well as those under development have informed the Community Infrastructure Plan.

***Currently under development*

Integrated strategic framework

Asset Plan 2021–2031**
Council Plan 2021–2025
Community Vision 2021–2031
Health and Wellbeing Plan 2021–2031

Others

Active Ballarat Strategy (2021)
Active Women and Girls Strategy (2018)
Ageing Well in Ballarat: An Age Friendly City Strategy 2022
Arts and Culture Infrastructure Report (2021)
Asset Management Policy 2020
Bakery Hill Urban Renewal Plan Parts 1&2 and Parts 3, 4 & 5 2019
Ballarat Aquatic Strategy (2014)
Ballarat Cycling Action Plan (2017)
Ballarat East Local Area Plan 2019
Ballarat Intercultural City Strategic Plan 2018 - 2021
Ballarat Open Space Strategy (2008) – to be updated soon
Ballarat West Development Contributions Plan 2017
Burrumbeet Township Plan 2018
Carbon neutrality action plan
City of Ballarat Reconciliation Action Plan 2019 - 2021
Community Infrastructure Planning Policy (2020)
Disability Access and Inclusion Plan 2019 - 2022
Lake Wendouree Master Plan (2017)
Lawn Bowls Facilities Framework 2015
Libraries of the Future Strategy - Libraries and Learning Strategy 2022-2027
Municipal Early Years Plan 2021-2025
The Cardigan Village Plan 2018
The Learmonth Plan 2016
Victoria Park Master Plan Volume 1, Volume 2 2015
Youth Strategy 2022



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July 2022

8.5. WENDOUREE WEST COMMUNITY HUB

Division: Community Wellbeing
Director: Matthew Wilson
Author/Position: Trent Bursill, Project Manager

PURPOSE

1. The purpose of this report is to inform Council about contract variations, predominantly relating to emergency soil remediation works that have been required during the site excavation for the Contract No. 2021/22-360 Wendouree West Recreation Reserve – Community Hub, Sports Pavilion, Changerooms and Mens Shed. The contract was awarded to Plan Group Pty Ltd (Plan Group) for \$4,763,830 at the December 15, 2021 Council Meeting (R275/21).
2. The net impact of the emergency soil remediation is projected to be a \$2.0M variation to the Plan Group Contract, taking the contract value from \$4,763,830 to \$6,763,830. The \$2.0m contract variation is offset partially by existing contingency resulting in a project budget shortfall of \$1.5M.
3. The existing budget for the project is \$8,685,000. and has been funded through \$7M from State Government, \$1.3M from the Federal government Local Roads and Community Infrastructure fund, and \$385,000 from Council budget. This will mean that the \$8,685,000 project budget will need to increase to \$10,185,000 to cover this contract variation.
4. In addition to the contract awarded to Plan Group, other elements of the project include soccer pitch upgrades, lighting upgrades, pump track and skate element construction, and street soccer construction.
5. In accordance with the Procurement Policy, it is a requirement to report back to Council if variations to a contract exceed 20% of the original contract award. As the cumulative variations being claimed relating to the soil remediation works have now been identified as exceeding 20%, this report has therefore been prepared.
6. It is also necessary under the Procurement Policy to advise when it is expected that the cost of the variances will exceed budget. That is now identified to occur in this instance. The \$1.5M net impact of the variation on the total project budget will be referred to next budget review process, which will occur when 2021/22 year-end carryover is considered.

BACKGROUND

7. Geotechnical Site Investigation (Preliminary Environmental Site Assessment) was undertaken prior to design works commencing. This included 16 test holes across the entire site (including the new playing fields) and 2 specifically under the building site. The preliminary environmental site assessment stated that “this site does not indicate evidence of contamination or historical contaminating activities that would prevent development of the existing site for a sensitive use”.
8. An additional 13 boreholes were taken in June 2021 to determine the soil classification of the site and no contamination issues were found at this time.

9. During the site cut, Hazardous materials (asbestos pipe) & Industrial waste (concrete and asphalt) was found buried below natural ground level.
10. Works were immediately placed on hold by the contractor following the discovery of this material.
11. Landserv Environment were engaged by the Plan Group to provide direction for resolving the waste and asbestos issues in a way that protects workers and future occupants of the site, and identified approach's / next actions for the management of all spoil on the site.
12. Twelve extra test pits were investigated by Landserv to determine the type and extent of material found within the works site.
13. An asbestos ID report confirmed that waste pieces of former sewer pipe discovered during the site excavation contain asbestos.
14. The Environmental Consultant engaged to review the site and exposed contamination outlined the works required to remove the contamination and remediate the soil.
15. As is outlined below the resulting remediation works required have been extensive due to the amount of contamination discovered as the works on-site have progressed.

KEY MATTERS

16. Soil remediation works commenced onsite on Wednesday 27 April 2022.
17. The contractors encountered numerous large pockets of historical industrial waste throughout the work site which have resulted in significant additional quantities of unsuitable material being required to be excavated from site.
18. The pockets of buried industrial waste have meant that a consistent excavation depth across the works site has not been able to be achieved, resulting in significant extra excavation than initially expected.
19. Approximately 2.5 - 3m³ of Asbestos containing material has been discovered to date. The Asbestos fragments have been spread throughout the site without any consistency to their discovered locations. The contractors have continued to discover this material as the soil remediation works have moved into new areas of the site, thus removing the option of reducing the extent of the soil remediation treatment.
20. Approximately 600m³ (25 Truck & Trailers) of Industrial Waste has been removed from site to date.
21. The soil remediation works have been extensive and costly, hence the variation claims exceeding the 20% threshold within the Procurement Policy and requiring reporting to Council.
22. The \$1.5M net impact of the variation on the total project budget will be referred to next budget review process, which will occur when 2021/22 year-end carryover is considered.

OFFICER RECOMMENDATION

23. That Council:
- 23.1 Reviews and notes the above project variation report, and
- 23.2 Note that the project budget is expected to be exceeded and that the financial impact of the budget variation will be referred to the next budget review process, which will occur when 2021/22 year-end carryover is considered.

ATTACHMENTS

1. Governance Review [8.5.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. City of Ballarat Council Plan 2017 – 2021
2. City of Ballarat Procurement Policy

COMMUNITY IMPACT

3. During the site cut, Hazardous materials (asbestos pipe) & Industrial waste (concrete and asphalt) was found buried below natural ground level.
4. Works were immediately placed on hold by the contractor following the discovery of this material.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

5. The soil remediation works will remove historical industrial waste (asbestos pipe, buried asphalt rubble, concrete kerbs, boulders, paving and hazardous material throughout the work site which had previously been buried under the works site).

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

7. Contract No. 2021/22-360 Wendouree West Recreation Reserve – Community Hub, Sports Pavilion, Changerooms and Men's Shed was awarded to Plan Group Pty Ltd (Plan Group) for \$4,763,830 at the December 15, 2021 Council Meeting (R275/21).
8. In accordance with the Procurement Policy, it is a requirement to report back to Council if variations to a contract exceed 20% of the original contract award. As the cumulative variations relating to the soil remediation works have now exceeded 20%, this report has therefore been prepared.
9. Funding for these works is the subject of this report and is referred to the 2022/23 end of financial year carry forward budget process.

LEGAL AND RISK CONSIDERATIONS

10. Council is required to remediate contamination and hazardous materials when discovered in the course of capital projects in public spaces such as that at Wendouree Recreation Reserve.
11. Failure to do so would expose Council to legal and reputational risk.

OFFICIAL

OFFICIAL

HUMAN RIGHTS CONSIDERATIONS

12. 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

13. Following the discovery of the hazardous martial, the Major Projects and Recreation Services Departments immediately engaged with the Communications team to ensure that all key stakeholders, media outlets and neighbouring properties were fully informed about the contamination discovered and the need for remediation works to occur on site.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

OFFICIAL

8.6. DRAFT GOVERNANCE RULES

Division: Corporate Services
Director: John Hausler
Author/Position: Cameron Montgomery – Executive Manager Governance and Risk

PURPOSE

1. The purpose of the report is to present Council with an opportunity to consider amendments to the City of Ballarat Governance Rules now that the *Regulatory Legislation Amendment (Reform) Act 2022* has passed; and seek Council endorsement to release the proposed new section of the Governance Rules for public exhibition and seek submissions for a 14 day period from 28 July 2022 to 9.00am, 12 August 2022.

BACKGROUND

2. Section 60 of the *Local Government Act 2020* requires Council to develop, adopt and keep in force Governance Rules. Council adopted (R211/20) its first Governance Rules on 26 August 2020, in accordance with requirements of the Act.
3. The Governance Rules give effect to the overarching governance principles of the Act and the supporting principle of public transparency. In keeping with these principles, Council must also undertake consultation with the community before amending the Rules.
4. The development and implementation of the Governance Rules was undertaken as part of a staged implementation of the new Act, where a review was foreshadowed to be undertaken within 12 months of their adoption.
5. A review of the governance rules was undertaken in 2021 with revised draft provided to Council at the 24 November 2021 Council meeting for consideration following community engagement. The item was deferred and sought to return to Council and has been delayed awaiting the outcome of the *Regulatory Legislation Amendment Bill*.
6. The Victorian Government introduced the Regulatory Legislation Amendment (Reform) Bill 2021 (the Bill) into Parliament on 30 November 2021 seeking to make measures permitting Council meetings and Councillor participation and attendance to be recorded by electronic means permanent.
7. Royal Assent was recently given to the *Regulatory Legislation Amendment (Reform) Act 2022*. As such, it amends the *Local Government Act 2020*.
8. On 2 September 2022, the amendments to the *Local Government Act 2020* take effect enabling provisions for:
 - Holding meetings by electronic means;
 - Requesting and approving attendance at Council meetings by electronic means.

KEY MATTERS

9. The result of the change to the *Local Government Act 2020* provides permanently for the holding of hybrid meetings to take place provided that Councils include provisions within their respective Governance Rules.
10. Officers believe that both holding meetings by electronic means and having electronic attendance, have been beneficial for the continued operations of Council, and retention of such a capability provides future flexibility.
11. A proposed new section in the governance rules that provide for attendance by electronic means to be recorded and for meetings to be conducted remotely have been prepared.
12. In accordance with Act and Council's Community Engagement Policy, it is recommended to Council that the draft of the proposed new section of the rules be placed on public exhibition with the availability for members of the public to make written submissions.
13. In 2021, Council undertook a community engagement process to receive feedback with regards to proposed changes to the Governance Rules. As there was an extensive consultation process on the previously proposed changes already, the scope of this community consultation will be limited to the feedback sought on the changes to electronic means of public meetings only.
14. Following the conclusion of the electronic means community engagement, feedback will be combined with that received from the 2021 proposed changes in a further report to be provided to Council for consideration.

OFFICER RECOMMENDATION

15 That Council:

- 15.1 Endorse the draft proposed new section of the rules as shown at Attachment 2 for public consultation from 28 July 2022 to 9:00am, 12 August 2022.
- 15.2 Note that a further report will be presented to the 24 August 2022 Council Meeting to consider feedback received during the community consultation and to formally endorse the Governance Rules.

ATTACHMENTS

1. Governance Review [8.6.1 - 2 pages]
2. Proposed Rules electronic means July 2022 [8.6.2 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Governance Rules are a statutory requirement of the *Local Government Act 2020* (the Act)

COMMUNITY IMPACT

2. Council's Governance Rules outlines how the community can participate in Council Meetings.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

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

ECONOMIC SUSTAINABILITY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

LEGAL AND RISK CONSIDERATIONS

6. In accordance with section 60(1) of the Act, Council must develop, adopt and keep in force Governance Rules.
7. In accordance with section 60(4) of the Act, Council must ensure that the process of community engagement is followed in developing or amending its Governance Rules.

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. Proposed new section of the Council's Governance Rules will be put on public exhibition from 28 July 2022 to 9.00am, 12 August 2022 to seek public feedback.

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.

PROCUREMENT COLLABORATION

(For Contracts Only)

OFFICIAL

Proposed new Rules:**New definition:**

Council Meeting conducted remotely means a Council Meeting or a joint meeting of Council which is attended by one or more Councillors by electronic means of communication and conducted in accordance with rule 3.14.1.

3.14 Meetings conducted remotely**Overview:**

Council is permitted by the Act to hold meetings by electronic means, and a Council meeting will be open to the public if members of the public are able to attend it in person, or if it is broadcasted live on Council's website.

Where a meeting is conducted remotely, the Rules will be modified in accordance with this Part 3.14.

3.14.1 Requests to attend Council Meeting by electronic means

- a) Councillors and members of Delegated Committees who wish to attend a Meeting by electronic means, may submit a request in writing to the Chairperson.
- b) The submission must state the reason requesting attendance by electronic means.
- c) The request must be made at least 8 hours prior to the meeting(s) that will be attended via electronic means.
- d) The Chairperson must consider request for attendance by electronic means.
- e) The Chairperson will provide a response to the request by no later than 4 hours prior to commencement of the Meeting and notify the rest of the members of the meeting of this decision.
- f) It will remain the responsibility of the Councillor or member of Delegated Committee attending electronically to ensure that they have the required access and environment suitable for electronic communications.
- g) Requests for attending by electronic means for Delegated Committee meetings can be done annually for a maximum period of 12 months

3.14.2 Council Meetings conducted remotely

- a) Where a Councillor attends a Council Meeting conducted remotely, they must be able to:
 - i) hear the proceedings of the Council Meeting;
 - ii) see all Councillors also attending the Council Meeting at least when they are speaking;
 - iii) be seen at all times by all Councillors, members of Council staff and members of the public also attending the Council Meeting; and
 - iv) be heard when they speak.
- b) If the conditions of sub-rule a) cannot be met by one or more Councillors attending a Council Meeting conducted remotely, but a quorum is still present, the:

- i) Council Meeting will proceed; and
- ii) Councillor (or Councillors) will be treated as being absent from the Council Meeting,

unless the Council Meeting is adjourned in accordance with these Rules.

- c) Nothing in rule 3.14.1 prevents a Councillor from remotely joining a Council Meeting at the time that they achieve compliance with sub-rule a), even if that Council Meeting has already commenced.
- d) The Chief Executive Officer must ensure that a Council Meeting conducted remotely is broadcasted live continuously on Council's website.
- e) Nothing in sub-rule d) requires any portion of a Council Meeting conducted remotely that is closed to the public under section 66(1) of the Act to be broadcasted live on Council's website.
- f) If the live broadcast of a Council Meeting conducted remotely is interrupted for any reason, the Chief Executive Officer must immediately inform the Council Meeting and the Council Meeting must be adjourned and, except for a resolution of Council made under sub-rule f)ii), no further business can be conducted until:
 - i) the live broadcast can be reinstated; or
 - ii) such later date and time fixed by resolution of Council, in which case rule 3.4.6 applies.

8.7. AUDIT AND RISK COMMITTEE MEMBERSHIP AND REMUNERATION REVIEW

Division: Corporate Services
Director: John Hausler
Author/Position: Cameron Montgomery – Executive Manager Governance and Risk

PURPOSE

1. The purpose of the report is to extend the Audit and Risk Committee independent memberships and review the Audit and Risk Committee independent remuneration.

BACKGROUND

2. As per the Audit and Risk Committee Charter, the Committee comprises of seven members, three Councillors and four external independent persons, with all members having full voting rights. It is essential that the Audit and Risk Committee is made up of a majority of external members to adhere to the Audit and Risk Committee Charter.
3. In accordance with 5.8 of the Audit and Risk Committee Charter, independent members will be appointed for an initial period not exceeding three years. Members may be re-appointed at the discretion of Council for a total period of up to six years including their initial term.
4. In accordance with section 5.10 of the Audit and Risk Committee Charter, independent member's remunerations rate per meeting are required to be reviewed annually.

KEY MATTERS

5. The Independent Audit and Risk Committee memberships are due for review, the memberships are as follows:
 - John Watson – Appointed until 29 September 2022
 - Jason Hargreaves - Appointed until 31 December 2022
 - Linda McNeill – Appointed until 8 February 2023
 - Jeff Rigby – Appointed until 30 November 2023
6. Consultation with independent members indicates an interest in continuing their terms.
7. Consistent with the Audit and Risk Committee Charter, independent members shall be appointed for an initial period not exceeding three years. The current appointments have met this criterion and may now be considered for re-appointment.
8. It is recommended that Council exercise the option to re-appoint the independent members and extend terms in accordance with Audit and Risk Committee Charter. However, it is proposed that the renewals be staggered appropriately to mitigate the loss of a majority of independent members to ensure continuity.
9. In accordance with section 5.10 of the Audit and Risk Committee Charter, independent member's remunerations rate per meeting will be reviewed annually by benchmarking against similar Councils in size and complexity; and the allowance 'will be adjusted annually by at least the percentage movement in allowances for Councillors of the Ballarat City Council'.

10. At the 28 July 2021 Council Meeting following a substantial benchmarking exercise, Council resolved (R144/21) to increase the allowance for independent members remuneration by 6%; and the Chair by 25%.
11. Independent membership current rate per meeting was set at:
 - Chair: \$1,000.00 (excluding GST)
 - Member: \$850.00 (excluding GST)
12. A determination on Councillor allowances was made on 7 March 2022 by the Victorian Independent Remuneration Tribunal. The determination was to phase in increases over three years, with a four per cent increase to apply from 18 December 2021 and the remaining six per cent increase to be applied in two equal portions, 3% on 18 December 2022 and 3% on 18 December 2023.
13. It is considered that the increase applied on 28 July 2021 reflects the increase for FY21/22 and as such no further increase is required for that period.
14. Taking into account the determination of the Victorian Independent Remuneration Tribunal it is recommended to apply the increases to the Chair and Independent Members remuneration for FY's 22-23 and 23-24.
15. The proposed membership rate per meeting in accordance with the Councillor Allowance increase of 3% equates to:

| | 2022 | 2023 |
|---------------------------|-------------------------|------------------------|
| Chair | \$1,030 (excluding GST) | \$1061 (excluding GST) |
| Independent Member | \$876 (excluding GST) | \$902 (excluding GST) |

OFFICER RECOMMENDATION

16. That Council:
 - 16.1 Extend John Watson's Independent Membership on the Audit and Risk Committee for a period of 3 years commencing 30 September 2022 and concluding 31 December 2025.
 - 16.2 Extend Jason Hargreaves' Independent Membership on the Audit and Risk Committee for a period of 3 years commencing 1 January 2023 and concluding 31 December 2025.
 - 16.3 Extend Linda McNeill's Independent Membership on the Audit and Risk Committee for a period of 3 years commencing 9 February 2023 and concluding 31 December 2026.
 - 16.4 Extend Jeff Rigby's Independent Membership on the Audit and Risk Committee for a period of 4 years commencing 1 December 2023 and concluding 31 December 2026.
 - 16.5 Apply increases of 3% on 18 December 2022 and 3% on 18 December 2023 to the remuneration of the Chair and the independent members.

ATTACHMENTS

-
1. Governance Review [8.7.1 - 2 pages]

OFFICIAL

ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The appointment of Independent Members to the Audit and Risk Committee 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 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 Independent Members to the Audit and Risk Committee ensures that the core functions of the Committee are not impeded.
7. Council's appointments to the Audit and Risk Committee are constantly maintained and periodically monitored to ensure that the members of the Committee have the right 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, external stakeholders including the Chair of the Audit and Risk Committee to ensure the correct process has been followed in the appointment of the Independent Member Audit and Risk Committee.

OFFICIAL

OFFICIAL

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.

PROCUREMENT COLLABORATION

(For Contracts Only)

OFFICIAL

8.8. 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 meeting of this Committee held on 25 May 2022 one contract, one variation to a contract and a decision to join a Municipal Association Victoria (MAV) tender were approved by the Committee. This report provides a copy of the minutes of this meeting 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 meeting held on 25 May 2022.
3. The Committee has been established to more effectively facilitate Council's Capital Works Program. To that end, the Committee meets 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 |
|-------------|----------------|---------------------------------|--|-----------------------|
| 2020/21-264 | CONVIC Pty Ltd | \$550,000.00 (excluding GST) | Provision of Skate Park facility and 3x3 Basketball Court at M.R. Power Park | No |

| Variation to Contract | Awarded on 24/2/21 to | Value of Variation | Outcomes | Local Content Outcome |
|-----------------------|-----------------------|---------------------------|--|-----------------------|
| 2020/21-264 | Ducon Maintenance | \$130,500 (excluding GST) | Ballarat Airport Hut 44 and 45 Renewal | No |

| Decision to join tender | Outcomes |
|--------------------------|--------------------------|
| MAV EC8310-2022 Large NG | Large Market Natural Gas |

OFFICER RECOMMENDATION

5. That Council:

- 5.1 Note, as per the *Local Government Act 2020* Section 66 that the material contained in the Contracts Approval Delegated Committee agenda has been designated confidential.
- 5.2 Receive the Contracts Approval Delegated Committee minutes of the meeting held on 25 May 2022.

ATTACHMENTS

1. Confirmed Contracts - Minutes of meeting held Wednesday 25 May 2022 [8.8.1 - 7 pages]

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***CONTRACTS APPROVAL
DELEGATED COMMITTEE***

MINUTES

25 May 2022

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**MINUTES OF THE MEETING OF THE SPECIAL CONTRACTS APPROVAL DELEGATED
COMMITTEE OF THE BALLARAT CITY COUNCIL, HELD BY A VIRTUAL MEETING
ON WEDNESDAY 25 MAY 2022 AT 12:32PM**

Evan King
(Chief Executive Officer)

MINUTES

ORDER OF BUSINESS:

PRESENT

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

IN ATTENDANCE

Mr John Hausler (Director Corporate Services)
Ms Bridget Wetherall (Director Infrastructure and Environment)
Ms Natalie Robertson (Director Development and Growth)
Mr Michael O'Connell (Project Officer Facilities)
Mr Robbie Burns (Project Manager)
Mr Rod Leith (Manager, Revenue and Procurement)
Mr Trevor Harris (Procurement Co-ordinator)
Ms Lorraine Sendall (Minutes)

APOLOGIES

Nil

ACKNOWLEDGEMENT TO COUNTRY

Acknowledgement to Country was read by the Chair.

DECLARATIONS OF INTEREST

No conflicts of interest were recorded.

CONFIRMATION OF MINUTES

RESOLUTION:

That the minutes of the Contracts Committee meeting held on 13 April, 2022 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 May, 2022

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**6.1 TENDER 2020/21-264
BALLARAT AIRPORT HUT 44 & 45 RENEWAL VARIATION
(RO – Bridget Wetherall / Michael O'Connell)**

SUMMARY

1. This report outlines the variation costs in exceedance of the 10% threshold (of the original contract value) for the renewal works to the heritage listed Huts 44 and 45 buildings located in the community precinct of Ballarat Airport (Contract 2020/21-264 Ballarat Airport Hut #44 and #45 renewal).
2. Notification of this variation to the Contracts Committee is required as per Council's procurement policy.

A detailed breakdown of the variation costings is included as a confidential attachment

BACKGROUND

3. The tables below summarise the original contract value as well as the forecast contract value and contract variation (greater than 10%).

| | | |
|--|--------------------|------------------|
| Original Contract Value approved by Contract Committee (excl GST) | \$875,602 | Awarded 24-2-21 |
| Forecast Contract Value | \$1,006,102 | As at 03-05-2022 |
| Forecast Variation (rounded) | \$130,500 | 14.90% |

| Summary per Variation Type | \$ (rounded) |
|--|---------------------|
| Class A asbestos removal | \$68,300 |
| Known risks – extent of work unknown | \$31,850 |
| Additional works required due to the poor quality of previous work | \$27,300 |
| Other | \$8,450 |
| Credits | (\$5,400) |
| Total (exclusive of GST) | \$130,500 |

4. The variations incurred in the renewal project for Airport Hut #44 and #45 have provided valuable insights that will influence improved planning for the known future renewal projects to the community buildings in the Airport precinct.

RESOLUTION

5. **That the Contracts Approval Delegated Committee note the report.**

Moved Cr Mark Harris
Seconded Cr Tracey Hargreaves

CARRIED

**6.2 TENDER NO 2021/22-747
M.R. POWER PARK SKATEPARK AND 3x3 BASKETBALL COURT**
(RO – Bridget Wetherall / Robbie Burns)

SUMMARY

1. This report recommends that a contract be awarded for the provision of a skate park facility and 3x3 basketball court at the M.R. Power Park Reserve in Sebastopol.

BACKGROUND

2. M.R. Power Park is one of the primary open green spaces located in Sebastopol. It currently has a walking track and the City of Ballarat has recently delivered a new place space. However, the park is still underdeveloped and offers a significant opportunity for community recreation and participation in a location that is ideally placed between the growth areas and development of Bonshaw and the substantial existing residential area of Sebastopol.
3. The M.R. Power Park Master Plan completed in 2017 sets out a number of facility and amenity developments in the park. Subsequent to its development, the City of Ballarat has worked with the Sebastopol community and more recently the Spotlight on Sebastopol Community Reference Group to identify elements of the Master Plan that can be delivered to engage youth, seniors and all Sebastopol residents through the provision of tailored equipment and facilities that provide spaces for community members to meet, exercise, recreate and engage with each other.

KEY MATTERS

4. Two tender submissions were received with both being considered as conforming tenders.
5. The M.R. Power Park upgrade project is a part of the larger Spotlight on Sebastopol program and is co funded by the City of Ballarat and Regional Development Victoria.

RESOLUTION

6. That the Contracts Approval Delegated Committee:

- 6.1 Enter into Contract Number 2021/22-747 for the provision of MR Power Park – Skate Facility and 3 x 3 Basketball Court with CONVIC Pty Ltd for the total tendered price of \$550,000.00 (excluding GST).**
- 6.2 Delegate to the Chief Executive Officer the authority to execute the associated contract on behalf of Council.**

Moved Cr Tracey Hargreaves
Seconded Cr Ben Taylor

CARRIED

6.3 MAV TENDER – SUPPLY OF GAS TO LARGE COUNCIL SITES

(RO – John Hausler / Lorraine Sendall)

SUMMARY

1. This report seeks to have Council join the committed volume contract facilitated by the Municipal Association of Victoria (MAV) for Large Market Natural Gas.
2. This report seeks to have Council approve the Chief Executive Officer to appoint the MAV as its agent to conduct a public tender for the Large Market Natural Gas.

BACKGROUND

3. Council's current Large Market Natural Gas Contract with Origin Energy concludes on 31 December 2022 and this report seeks to have Council participate in the upcoming MAV tender No EC8310-2022 Large NG.

KEY MATTERS

4. Council has one large market natural gas site, being the Ballarat Aquatic and Lifestyle Centre.
5. Over the previous 12 months Council spent \$409,251.00 on natural gas for this site.
6. The evaluation process will be conducted by the MAV Tender Evaluation Panel made up on representatives from the MAV and the project's energy advisory Trans-Tasman Energy Group and Market Assessment (TTEG), as well as other nominated representatives.
7. The process will result in a summary report being forwarded to all participating Councils prior to announcing an outcome.
8. The MAV will oversee the probity of the tender process.
9. The MAV's tender evaluation panel will review and accept or reject the tender recommendation on behalf of all participating Councils.

RESOLUTION**10. That the Contracts Approval Delegated Committee:**

- 10.1 Resolves to authorize the Chief Executive Officer to appoint the MAV at its agent for the purpose of joining a committed Tender No EC8310-2022 – Large NG for Large Market Natural Gas for a period of 24 months on its behalf and that the MAV Tender Evaluation Panel will review and accept/reject the tender recommendation on behalf of Council.**

Moved Cr Mark Harris

Seconded Cr Tracey Hargreaves

CARRIED

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Contracts Special Committee Minutes

25 May, 2022

6.4 UPDATE ON TENDER STATUS
(RO – John Hausler / Trevor Harris)

SUMMARY

1. This report outlines the status of tenders – planning, advertising, evaluating or reports being prepared for final approval.
2. This report is provided once per month to increase transparency regarding the status and progress of tenders.

KEY MATTERS

3. The report gives a snapshot of the tender status at a set date.
4. The report lists the estimated budget at the time of the Request of Tender. This value will not necessarily be the final amount submitted for approval.
5. The level of approval indicated in the report is based on the budget estimate and may change dependent on the final prices submitted.

RESOLUTION

6. **That the Contracts Approval Delegated Committee receive and note the tender status report.**

Moved Cr Ben Taylor
Seconded Cr Mark Harris

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

General Business

No general business was discussed.

There being no further business, the Chairperson declared the meeting closed at 12:50pm

Confirmed this 6th day of July, 2022

(Cr Ben Taylor)

Cr Ben Taylor
Chairperson

8.9. S11A AND S11B INSTRUMENT OF APPOINTMENT AND AUTHORISATIONS

Division: Corporate Services
Director: John Hausler
Author/Position: Sarah Anstis - Statutory Compliance Officer

PURPOSE

1. This report is to seek Council's endorsement of the S11A. Instrument of Appointment and Authorisations under the *Planning and Environment Act 1987* to Peter Dreimanis and Jennifer Chan Wing Sum. The report is to also endorse the S11B Instrument of Appointment and Authorisation under the *Environment Protection Act 2017* for Roy Russell and Jordan Furlong.

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 *Planning and Environment Act 1987* and *Environment Protection Act 2017* cannot be delegated by the Chief Executive Officer and must be made through a resolution of Council.

KEY MATTERS

3. Peter Dreimanis and Jennifer Chan Wing Sum 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.
4. Roy Russell and Jordan Furlong hold the position of Environmental Health Officer, and the *Environment Protection Act 2017* requires Council to endorse the authorisation for the officer to undertake duties authorised by Council.

OFFICER RECOMMENDATION

5. That Council:
 - 5.1 Exercise the powers conferred by s147(4) of the *Planning and Environment Act 1987* and the other legislation referred to in the attached instruments of appointment and authorisation (the instruments), and
 - a. Peter Dreimanis and Jennifer Chan Wing Sum be appointed and authorised as set out in the instruments.
 - b. The instruments come into force immediately upon resolution and remains in force until Council determines to vary or revoke it.

5.2 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, and resolves that:

- a. **Roy Russell and Jordan Furlong be appointed and authorised as set out in the instruments.**
- b. **The instruments come into force immediately upon resolution and remains in force until Council determines to vary or revoke it.**

ATTACHMENTS

1. Governance Review [8.9.1 - 2 pages]
2. S11A Peter Dreimanis [8.9.2 - 2 pages]
3. S11A Jennifer Chan Wing Sum [8.9.3 - 2 pages]
4. S11B Jordan Furlong Authorisation [8.9.4 - 2 pages]
5. S11B Roy Russell Authorisation [8.9.5 - 2 pages]

OFFICIAL

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* and 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.

OFFICIAL

OFFICIAL

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 direct or indirect interests need to be declared in relation to the matter of this report.

OFFICIAL



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)

OFFICIAL

OFFICIAL



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

In this instrument "officer" means -

Peter Dreimanis

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]

OFFICIAL



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)

OFFICIAL

OFFICIAL



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

In this instrument "officer" means -

Jennifer Chan Wing Sum

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]

OFFICIAL



*S11B Instrument of Appointment and Authorisation
(Environment Protection Act 2017)*

Ballarat City Council

Instrument of Appointment and Authorisation

(*Environment Protection Act 2017* only)

OFFICIAL



**Instrument of Appointment and Authorisation
(*Environment Protection Act 2017*)**

In this instrument "officer" means -

Jordan Furlong

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 Ballarat City Council on [insert date and resolution]

OFFICIAL



*S11B Instrument of Appointment and Authorisation
(Environment Protection Act 2017)*

Ballarat City Council

Instrument of Appointment and Authorisation

(*Environment Protection Act 2017* only)

OFFICIAL



**Instrument of Appointment and Authorisation
(*Environment Protection Act 2017*)**

In this instrument "officer" means -

Roy Russell

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 Ballarat City Council on [insert date and resolution]

8.10. S6 INSTRUMENT OF DELEGATION (MEMBERS OF STAFF)

Division: Corporate Services
Director: John Hausler
Author/Position: Sarah Anstis – Statutory Compliance Officer

PURPOSE

1. To review and update the S6 Instrument of Delegation, Members of Staff for Council's consideration.

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. Changes to the Instrument of Delegation since the last approved iteration include:
 - Inclusion of the new position Coordinator Urban Forest and Open Spaces (CUFOS), delegations can be found at attachment 3.
 - Inclusion of the new position Coordinator Gardens and Natural Resources (CGNR), delegations can be found at attachment 4.
 - Inclusion of the new position Traffic and Transport Engineer (TTE), delegations can be found at attachment 5.

OFFICER RECOMMENDATION

That Council:

6. Exercise the powers conferred by the legislation referred to in the attached instrument of delegation at Attachment 2, and that:
 - 6.1. There 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 upon resolution.

- 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 it may from time to time adopt.**

ATTACHMENTS

1. Governance Review **[8.10.1 - 2 pages]**
2. S6 Instrument of Delegation - Members of Staff **[8.10.2 - 165 pages]**
3. Coordinator Urban Forest and Open Spaces **[8.10.3 - 17 pages]**
4. Coordinator Gardens and Natural Resources **[8.10.4 - 17 pages]**
5. Traffic and Transport Engineer **[8.10.5 - 1 page]**

OFFICIAL

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.

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

OFFICIAL



BALLARAT CITY COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF

OFFICIAL



Preamble

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 |
| AOLLT | Administration Officer Local Laws and Traffic |
| AORS | Administration Officer Regulatory Services |
| AOSC | Administration Officer Statutory Compliance |
| CAEO | Compliance and Events Officer |
| CO | Compliance Officer |
| CAM | Coordinator Asset Management |
| CBS | Coordinator Building Services |
| CCPSC | Coordinator Compliance Parking and School Crossings |
| CEH | Coordinator Environmental Health |
| CGNR | Coordinator Gardens and Natural Resources |

OFFICIAL



| Abbreviation | Position |
|--------------|--|
| CID | Coordinator Infrastructure Delivery |
| CIT | Coordinator Integrated Transport |
| CPG | Coordinator Parks and Gardens |
| CRC | Coordinator Risk and Compliance |
| CRM | Coordinator Road Maintenance |
| CSTP | Coordinator Statutory Planning |
| CUFOS | Coordinator Urban Forest and Open Spaces |
| CP | Counter Planner |
| 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 |

OFFICIAL



| Abbreviation | Position |
|----------------|---|
| EMI | Executive Manager Infrastructure |
| EMO | Executive Manager Operations |
| EMPSFM | Executive Manager Property Services and Facilities Management |
| EMRS | Executive Manager Regulatory Services |
| HSO | Health Services Officer |
| MSTP | Manager Statutory Planning |
| MSP | Manager Strategic Planning |
| MSG | Manager Sustainable Growth |
| MBS | Municipal Building Surveyor |
| Not Applicable | Not Applicable |
| Not Delegated | Not Delegated |
| PSO | Planning Support Officer |
| PP | Principal Planner |
| PSTP | Principal Statutory Planner |
| PSP | Principal Strategic Planner |
| POC | Project Officer Compliance |

OFFICIAL



| Abbreviation | Position |
|--------------|---|
| RMCS | Road Maintenance Contract Supervisor |
| RMS | Road Maintenance Scheduler |
| SASO | Senior Asset Surveillance Officer |
| SSTP | Senior Statutory Planner |
| SCO | Statutory Compliance Officer |
| STP | Statutory Planner |
| SP | Strategic Planner |
| SPAO | 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 |
| SGO | Sustainable Growth Officer |
| SGP | Sustainable Growth Planner |

OFFICIAL



| Abbreviation | Position |
|--------------|--|
| SGTSO | Sustainable Growth Technical Support Officer |
| TLCP | Team Leader Compliance and Parking |
| TLEG | Team Leader Economic Growth |
| TLEH | Team Leader Environmental Health |
| TLRSATS | Team Leader Regulatory Services Administration/Technical Support |
| TOBS | Technical Officer Building Services |
| TOEH | Technical Officer Environmental Health |
| TSODF | Technical Support Officer Development Facilitation |
| TTE | Traffic and Transport Engineer |

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;

OFFICIAL



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.

OFFICIAL



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
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015



S6 Instrument of Delegation - Members of Staff

| Cemeteries and Crematoria Act 2003 | | | |
|------------------------------------|---|--|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 8(1)(a)(ii) | Power to manage one or more public cemeteries | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |

OFFICIAL



| Cemeteries and Crematoria Act 2003 | | | |
|---|--|------------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 14 | Power to manage multiple public cemeteries as if they are one cemetery. | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 15(4) | Duty to keep records of delegations | DCS, EMGR, SCO, AOSC, CRC | |
| s 17(1) | Power to employ any persons necessary | EMPSFM, DIE | |
| s 17(2) | Power to engage any professional, technical or other assistance considered necessary | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 17(3) | Power to determine the terms and conditions of employment or engagement | EMPSFM, DIE | Subject to any guidelines or directions of the Secretary |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 18(3) | Duty to comply with a direction from the Secretary | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 19 | Power to carry out or permit the carrying out of works | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 20(1) | Duty to set aside areas for the interment of human remains | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 20(2) | Power to set aside areas for the purposes of managing a public cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|------------------------------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 20(3) | Power to set aside areas for those things in paragraphs (a) - (e) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 24(2) | Power to apply to the Secretary for approval to alter the existing distribution of land | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | Subject to the Minister approving the purpose |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|--|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 40 | Duty to notify Secretary of fees and charges fixed under s 39 | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 47 | Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery | DCS | Provided the street was constructed pursuant to the Local Government Act 1989 |
| s 57(1) | Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | Report must contain the particulars listed in s 57(2) |
| s 59 | Duty to keep records for each public cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 60(1) | Duty to make information in records available to the public for historical or research purposes | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|------------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 64B(d) | Power to permit interments at a reopened cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | 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 | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|------------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 70(2) | Duty to make plans of existing place of interment available to the public | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 71(1) | Power to remove any memorials or other structures in an area to which an approval to convert applies | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 71(2) | Power to dispose of any memorial or other structure removed | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|--|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 72(2) | Duty to comply with request received under s 72 | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 73(1) | Power to grant a right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 73(2) | Power to impose conditions on the right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 74 | Duty to offer a perpetual right of interment | EMPSFM, DIE | Provision commences on 1 March 2022 unless proclaimed earlier |
| s 75 | Power to grant the rights of interment set out in s 75(a) and (b) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|------------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 76(3) | Duty to allocate a piece of interment if an unallocated right is granted | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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 | EMPSFM, DIE | |
| s 80(1) | Function of receiving notification and payment of transfer of right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 80(2) | Function of recording transfer of right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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 | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 83(2) | Duty to pay refund on the surrender of an unexercised right of interment | DCS | Reference to 'sole holder' will no longer apply from 1 March 2022 |
| s 83(3) | Power to remove any memorial and grant another right of interment for a surrendered right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 84(1) | Function of receiving notice of surrendering an entitlement to a right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 84F(2)(d) | Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5) | EMPSFM, DIE | |
| s 84H(4) | Power to exercise the rights of a holder of a right of interment | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|------------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 84I(5) | Duty to pay refund to the previous holder or holders of the right of interment | EMPSFM, DIE | |
| s 84I(6)(a) | Power to remove any memorial on the place of interment | EMPSFM, DIE | |
| s 84I(6)(b) | Power to grant right of interment under s 73 | EMPSFM, DIE | |
| s.85(1) | Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | Does not apply where right of internment relates to remains of a deceased veteran. |



| Cemeteries and Crematoria Act 2003 | | | |
|---|---|-----------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 85(2)(c) | <p>Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment or;</p> <p>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.</p> | EMPSFM, DIE | 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 | EMPSFM, DIE | |
| s 86(2) | Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment | EMPSFM, DIE | |
| 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 | EMPSFM, DIE | |



| Cemeteries and Crematoria Act 2003 | | | |
|---|---|-----------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 86(3)(b) | Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b) | EMPSFM, DIE | |
| s.86(4) | power to take action under s.86(4) relating to removing and re-interring cremated human remains | EMPSFM, DIE | |
| s.86(5) | duty to provide notification before taking action under s.86(4) | EMPSFM, DIE | |
| s 86A | Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3) | EMPSFM, DIE | |
| 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 | EMPSFM, DIE | |
| s 88 | Function to receive applications to carry out a lift and re-position procedure at a place of interment | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 91(1) | Power to cancel a right of interment in accordance with s 91 | EMPSFM, DIE | |
| s 91(3) | Duty to publish notice of intention to cancel right of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DCS, DIE, CUFOS, CGNR | |
| s 98(1) | Function of receiving application to establish or alter a memorial or a place of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|------------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 99 | Power to approve or refuse an application made under s 98, or to cancel an approval | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 100(1) | Power to require a person to remove memorials or places of interment | EMPSFM, DIE | |
| 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) | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 100(3) | Power to recover costs of taking action under s 100(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 101 | Function of receiving applications to establish or alter a building for ceremonies in the cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 102(1) | Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 102(2) & (3) | Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 103(1) | Power to require a person to remove a building for ceremonies | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 103(2) | Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 103(3) | Power to recover costs of taking action under s 103(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|------------------------------------|-----------------------------------|
| Provision | Power 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 106(3) | Power to open and examine the place of interment if s 106(2) not complied with | EMPSFM, DIE | |
| 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 | EMPSFM, DIE | |
| s 107(1) | Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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 | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 108 | Power to recover costs and expenses | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 109(1)(a) | Power to open, examine and repair a place of interment | EMPSFM, DIE | Where the holder of right of interment or responsible person cannot be found |
| s 109(1)(b) | Power to repaid a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial | EMPSFM, DIE | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|--|-------------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 110(1A) | Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary | EMPSFM, DIE | Provision commences on 1 March 2022 |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 112 | Power to sell and supply memorials | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 116(4) | Duty to notify the Secretary of an interment authorisation granted | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 116(5) | Power to require an applicant to produce evidence of the right of interment holder's consent to application | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 118 | Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 119 | Power to set terms and conditions for interment authorisations | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|---|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 131 | Function of receiving an application for cremation authorisation | EMPSFM, DIE | |
| s 133(1) | Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | Subject to s 133(2) |
| s 145 | Duty to comply with an order made by the Magistrates' Court or a coroner | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| s 146 | Power to dispose of bodily remains by a method other than interment or cremation | EMPSFM, DIE | 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 | EMPSFM, DIE | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--|------------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 149 | Duty to cease using method of disposal if approval revoked by the Secretary | EMPSFM, DIE | |
| 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 | EMPSFM, DIE | |
| s 151 | Function of receiving applications to inter or cremate body parts | EMPSFM, DIE | |
| s 152(2) | Power to impose terms and conditions on authorisation granted under s 150 | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |

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| Cemeteries and Crematoria Act 2003 | | | |
|---|--------------------------------------|------------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 1 cl 8(8) | Power to regulate own proceedings | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | Subject to cl 8 |

| Domestic Animals Act 1994 | | | |
|----------------------------------|---|------------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 41A(1) | Power to declare a dog to be a menacing dog | CCPSC, DIE, EMRS | Council may delegate this power to a Council authorised officer |



| Food Act 1984 | | | |
|----------------------|---|---------------------|---|
| Provision | Power 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 | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH | If s 19(1) applies |

OFFICIAL



| Food Act 1984 | | | |
|----------------------|--|---------------------|--|
| Provision | Power 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 | TLEH, EHO, CEH | 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). | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH | 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 | TLEH, EHO, CEH | Where Council is the registration authority |
| s 19CB(4)(b) | Power to request copy of records | TLEH, EHO, CEH, DDG | Where Council is the registration authority |

OFFICIAL



| Food Act 1984 | | | |
|----------------------|---|----------------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 19E(1)(d) | Power to request a copy of the food safety program | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 19EA(3) | Function of receiving copy of revised food safety program | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |
| s 19GB | Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s19IA(1) | Power to form opinion that the food safety requirements or program are non-compliant. | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |
| s 19IA(2) | Duty to give written notice to the proprietor of the premises | TLEH, EHO, CEH, EMRS | Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3)) |

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| Food Act 1984 | | | |
|----------------------|---|---|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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 19N(2) | Function of receiving notice from the auditor | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |
| s 19NA(1) | Power to request food safety audit reports | TLEH, EHO, AOBS, AOEH, AOLLT, CAEO, TOBS, CEH, TLRSATS, HSO, AORS | 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. |

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| Food Act 1984 | | | |
|----------------------|--|----------------------|--|
| Provision | Power 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 | TLEH, EHO, CEH, DDG | 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 | TLEH, CEH | 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 | TLEH, CEH | Where Council is the registration authority |
| | Power to register or renew the registration of a food premises | TLEH, EHO, CEH, DDG | Where Council is the registration authority Refusal to grant or renew the registration of a food premises 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 | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |

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| Food Act 1984 | | | |
|----------------------|--|---|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 36B | Duty to pay the charge for use of online portal | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |
| 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 | TLEH, EHO, AOBS, AOEH, AOLLT, CAEO, TOBS, CEH, TLRSATS, HSO, AORS | 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) | EHO, CEH | Where Council is the registration authority |
| s 38A(4) | Power to request a copy of a completed food safety program template | TLEH, EHO, AOBS, AOEH, AOLLT, CAEO, TOBS, CEH, TLRSATS, HSO, AORS | Where Council is the registration authority |

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| Food Act 1984 | | | |
|----------------------|---|-------------------------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 38B(1)(a) | Duty to assess the application and determine which class of food premises under s 19C the food premises belongs | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 38B(1)(b) | Duty to ensure proprietor has complied with requirements of s 38A | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 38B(2) | Duty to be satisfied of the matters in s 38B(2)(a)-(b) | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 38D(2) | Duty to be satisfied of the matters in s 38D(2)(a)-(d) | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 38D(3) | Power to request copies of any audit reports | TLEH, EHO, AOBS, AOEH, AOLLT, | Where Council is the registration authority |

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| Food Act 1984 | | | |
|----------------------|---|---|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | CAEO, TOBS, CEH, TLRSATS, HSO, AORS | |
| s 38E(2) | Power to register the food premises on a conditional basis | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 38F(3)(b) | Power to require proprietor to comply with requirements of this Act | TLEH, EHO, CEH, DDG | 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 | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |

OFFICIAL



| Food Act 1984 | | | |
|----------------------|---|----------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 38G(2) | Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |
| s 38G(4) | Power to require the proprietor of the food premises to comply with any requirement of the Act | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |
| s 39(2) | Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed | TLEH, EHO, CEH, EMRS | |
| s 39A | Power to register, or renew the registration of a food premises despite minor defects | TLEH, EHO, CEH, DDG | Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c) |
| s 39A (6) | Duty to comply with a direction of the Secretary | TLEH, EHO, CEH, EMRS | |
| s 40(1) | Duty to give the person in whose name the premises is to be registered a certificate of registration | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |

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| Food Act 1984 | | | |
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| Provision | Power 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 | TLEH, EHO, CEH, DDG | |
| s 40C(2) | Power to grant or renew the registration of food premises for a period of less than 1 year | TLEH, CEH, DDG | Where Council is the registration authority |
| s 40D(1) | Power to suspend or revoke the registration of food premises | TLEH, CEH, DDG | Where Council is the registration authority |
| s 40E | Duty to comply with direction of the Secretary | TLEH, EHO, CEH, EMRS | |
| s 40F | Power to cancel registration of food premises | TLEH, EHO, CEH, EMRS | Where Council is the registration authority |

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| Food Act 1984 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 43 | Duty to maintain records of registration | TLEH, EHO, CEH, EMRS | 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 or renewing registration of a component of a food business | TLEH, EHO, CEH | 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 | TLEH, EHO, CEH, DDG | Where Council is the registration authority |
| s 45AC | Power to bring proceedings | TLEH, EHO, CEH, EMRS | |
| 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 | TLEH, EHO, CEH, DDG | Where Council is the registration authority |

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| Heritage Act 2017 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 116 | Power to sub-delegate Executive Director's functions, duties or powers | DDG, DIE | Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation |

| Local Government Act 1989 | | | |
|----------------------------------|---|-----------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 185L(4) | Power to declare and levy a cladding rectification charge | Not Delegated | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 4B | Power to prepare an amendment to the Victorian Planning Provisions | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | If authorised by the Minister |
| s 4G | Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 4H | Duty to make amendment to Victoria Planning Provisions available in accordance with public availability requirements | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 4I | Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, MSP, CP, PP, SGP | |
| s 8A(2) | Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 8A(3) | Power to apply to Minister to prepare an amendment to the planning scheme | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 8A(5) | Function of receiving notice of the Minister's decision | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 8B(2) | Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 12B(1) | Duty to review planning scheme | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 12B(2) | Duty to review planning scheme at direction of Minister | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s.12B(5) | duty to report findings of review of planning scheme to Minister without delay | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 14 | duties of a Responsible Authority as set out in s 14(a) to (d) | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 17(1) | Duty of giving copy amendment to the planning scheme | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 17(2) | Duty of giving copy s 173 agreement | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 17(3) | Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 18 | Duty to make amendment etc. available in accordance with public availability requirements | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| 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 | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 19 | Function of receiving notice of preparation of an amendment to a planning scheme | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | 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 Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 20(1) | Power to apply to Minister for exemption from the requirements of s 19 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | Where Council is a planning authority |
| s 21(2) | Duty to make submissions available in accordance with public availability requirements | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 21A(4) | Duty to publish notice | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 22 | Duty to consider all submissions | SP, SPAO, EMO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | Except submissions which request a change to the items in s 22(5)(a) and (b) |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 23(1)(b) | Duty to refer submissions which request a change to the amendment to a panel | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 23(2) | Power to refer to a panel submissions which do not require a change to the amendment | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 24 | Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D) | SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 26(1) | Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 26(2) | Duty to keep report of panel available in accordance with public availability requirements | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 27(2) | Power to apply for exemption if panel's report not received | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 28(1) | Duty to notify the Minister if abandoning an amendment | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | 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 | SPAO, MSTP, CSTP, DDG, PSP, EMDF, SSTP, SGP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 28(4) | Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months | SPAO, MSTP, CSTP, DDG, PSP, EMDF, SSTP, SGP | |
| s 30(4)(a) | Duty to say if amendment has lapsed | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 30(4)(b) | Duty to provide information in writing upon request | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 32(2) | Duty to give more notice if required | SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 33(1) | Duty to give more notice of changes to an amendment | SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 36(2) | Duty to give notice of approval of amendment | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 38(5) | Duty to give notice of revocation of an amendment | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 39 | Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT | SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 40(1) | Function of lodging copy of approved amendment | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 41(1) | Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| 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 | SPAO, MSTP, CSTP, DDG, PSP, EMDF, SSTP, SGP | |
| s 42(2) | Duty to make copy of planning scheme available in accordance with the public availability requirements | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, MSP, CP, PP, SGP | |
| 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 | Where Council is a responsible public entity |
| s 46AX | Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy | DDG, EMDF | Where Council is a responsible public entity |
| s 46AZC(2) | Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for | SP, SPAO, MSTP, CSTP, DDG, PSP, | Where Council is a responsible public entity |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | the declared area that is expressed to be binding on the responsible public entity | EMDF, PSTP, MSP, PP | |
| 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 | SP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency |
| s 46GJ(1) | Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans | DDG, EMDF | |
| s 46GK | Duty to comply with a Minister's direction that applies to Council as the planning authority | DDG, EMDF | |

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| Planning and Environment Act 1987 | | | |
|--|--|---------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46GN(1) | Duty to arrange for estimates of values of inner public purpose land | MSG, SGO, DCA, DDG, EMDF, SGTSO | |
| 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 | MSG, SGO, DCA, DDG, EMDF, SGTSO | |
| s 46GR(1) | Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO | MSG, SGO, DCA, DDG, EMDF, SGTSO | |
| s 46GR(2) | Power to consider a late submission | DDG, EMDF | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | Duty to consider a late submission if directed to do so by the Minister | | |
| 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 | |
| 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 | MSG, SGO, DCA, DDG, EMDF, SGTSO | |

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

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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 | MSG, SGO, DCA, DDG, EMDF, SGTSO | Where Council is the collecting agency |
| s 46GX(2) | Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the | DDG, EMDF | Where Council is the collecting agency |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | development agency or agencies specified in the approved infrastructure contributions plan | | |
| s 46GY(1) | Duty to keep proper and separate accounts and records | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency |
| s 46GY(2) | Duty to keep the accounts and records in accordance with the Local Government Act 2020 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority |
| s 46GZ(2)(a) | Function of receiving the monetary component | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where the Council is the planning authority |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | | 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 | MSG, SGO, DCA, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power 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 | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46GZ(9) | Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land | MSG, SGO, DCA, DDG, EMDF, SGTSO | If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency |
| s 46GZ(9) | Function of receiving the fee simple in the land | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the development agency under an approved infrastructure contributions plan |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46GZA(2) | Duty to keep the accounts and records in accordance with the Local Government Act 2020 | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | Where Council is a development agency under an approved infrastructure contributions plan |
| s 46GZB(3) | Duty to follow the steps set out in s 46GZB(3)(a) – (c) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | 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) | MSG, SGO, DCA, DDG, EMDF, SGTSO | Where Council is the development agency under an approved infrastructure contributions plan |



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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46GZD(3) | Duty to follow the steps set out in s 46GZD(3)(a) and (b) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan |
| s 46GZD(5) | Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b) | MSG, SGO, DCA, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | | 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) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan |
| s 46GZF(2) | Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collection agency under an approved infrastructure contributions plan |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | | 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) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | Where Council is the collecting agency under an approved infrastructure contributions plan |
| s 46GZF(6) | Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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 | MSG, SGO, DCA, DDG, EMDF, SGTSO | Where Council is a collecting agency or development agency |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46GZK | Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | 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) | MSG, SGO, DCA, DCS, DDG, EMDF, SGTSO | |
| s 46N(1) | Duty to include condition in permit regarding payment of development infrastructure levy | STP, MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGTSO, SGP | |
| s 46N(2)(c) | Function of determining time and manner for receipt of development contributions levy | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46N(2)(d) | Power to enter into an agreement with the applicant regarding payment of development infrastructure levy | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| 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 | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| s 46O(1)(d) & (2)(d) | Power to enter into agreement with the applicant regarding payment of community infrastructure levy | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| s 46P(1) | Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 46P(2) | Power to accept provision of land, works, services or facilities in part or full payment of levy payable | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| s 46Q(1) | Duty to keep proper accounts of levies paid | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| 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 | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| 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 | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
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| s 46Q(3) | Power to refund any amount of levy paid if it is satisfied the development is not to proceed | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | 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) | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | Must be done in accordance with Part 3 |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s46Q(4)(e) | Duty to expend that amount on other works etc. | MSG, SGO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | With the consent of, and in the manner approved by, the Minister |
| s 46QC | Power to recover any amount of levy payable under Part 3B | MSG, SGO, DCA, MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO | |
| s 46QD | Duty to prepare report and give a report to the Minister | MSG, DCA, DDG, EMDF | Where Council is a collecting agency or development agency |
| s 46Y | Duty to carry out works in conformity with the approved strategy plan | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 47 | Power to decide that an application for a planning permit does not comply with that Act | CO, POC, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 49(1) | Duty to keep a register of all applications for permits and determinations relating to permits | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 49(2) | Duty to make register available for inspection in accordance with the public availability requirements | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 50(4) | Duty to amend application | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |



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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, CP, PP, PSO, SGP | |
| s 50(5) | Power to refuse to amend application | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 50(6) | Duty to make note of amendment to application in register | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, SCO, EMDF, PSTP, AOSC, CP, PP | |
| s 50A(1) | Power to make amendment to application | SO, SP, STP, SPAQ, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 50A(3) | Power to require applicant to notify owner and make a declaration that notice has been given | SO, SP, STP, SPAO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 50A(4) | Duty to note amendment to application in register | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 51 | Duty to make copy of application available for inspection in accordance with the public availability requirements | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power 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 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 52(1)(b) | Duty to give notice of the application to other municipal council where appropriate | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 52(1)(c) | Duty to give notice of the application to all persons required by the planning scheme | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, CP, PP, PSO, SGP | |
| 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 52(1)(d) | Duty to give notice of the application to other persons who may be detrimentally effected | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s.52(1AA) | Duty to give notice of an application to remove or vary a registered restrictive covenant | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 52(3) | Power to give any further notice of an application where appropriate | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 53(1) | Power to require the applicant to give notice under s 52(1) to persons specified by it | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 53(1A) | Power to require the applicant to give the notice under s 52(1AA) | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 54(1) | Power to require the applicant to provide more information | SO, STP, TSODF, MSTP, CSTP, DDG, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 54(1A) | Duty to give notice in writing of information required under s 54(1) | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 54(1B) | Duty to specify the lapse date for an application | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 54A(3) | Power to decide to extend time or refuse to extend time to give required information | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 54A(4) | Duty to give written notice of decision to extend or refuse to extend time under s 54A(3) | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 55(1) | Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 57(2A) | Power to reject objections considered made primarily for commercial advantage for the objector | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 57(3) | Function of receiving name and address of persons to whom notice of decision is to go | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, CP, PP, PSO, SGP | |
| s 57(5) | Duty to make a copy of all objections available in accordance with the public availability requirements | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 57A(4) | Duty to amend application in accordance with applicant's request, subject to s 57A(5) | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 57A(5) | Power to refuse to amend application | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 57A(6) | Duty to note amendments to application in register | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 57B(1) | Duty to determine whether and to whom notice should be given | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 57B(2) | Duty to consider certain matters in determining whether notice should be given | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 57C(1) | Duty to give copy of amended application to referral authority | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, CP, PP, PSO, SGP | |
| s 58 | Duty to consider every application for a permit | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 58A | Power to request advice from the Planning Application Committee | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 60 | Duty to consider certain matters | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 60(1A) | Duty to consider certain matters | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 60(1B) | Duty to consider number of objectors in considering whether use or development may have significant social effect | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
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| s 61(2A) | Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 62(1) | Duty to include certain conditions in deciding to grant a permit | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 62(2) | Power to include other conditions | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 62(4) | Duty to ensure conditions are consistent with paragraphs (a),(b) and (c) | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 62(5)(a) | Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
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| 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 | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 62(5)(c) | Power to include a permit condition that specified works be provided or paid for by the applicant | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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) | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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) | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
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| s 63 | Duty to issue the permit where made a decision in favour of the application (if no one has objected) | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 64(1) | Duty to give notice of decision to grant a permit to applicant and objectors | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | 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 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | This provision applies also to a decision to grant an amendment to a permit - see s 75 |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 64(5) | Duty to give each objector a copy of an exempt decision | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | This provision applies also to a decision to grant an amendment to a permit - see s 75 |
| s 64A | Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 66(1) | Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 66(2) | Duty to give a recommending referral authority notice of its decision to grant a permit | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | 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 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 66(6) | Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 69(1A) | Function of receiving application for extension of time to complete development | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 69(2) | Power to extend time | SO, STP, TSODF, MSTP, CSTP, DDG, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 70 | Duty to make copy permit available for inspection in accordance with the public availability requirements | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 71(1) | Power to correct certain mistakes | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 71(2) | Duty to note corrections in register | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, CP, PP, PSO, SGP | |
| s 73 | Power to decide to grant amendment subject to conditions | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 74 | Duty to issue amended permit to applicant if no objectors | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 76 | Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 76A(1) | Duty to give relevant determining referral authorities copy of amended permit and copy of notice | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 76A(2) | Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | 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 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | 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 |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit |
| s 76D | Duty to comply with direction of Minister to issue amended permit | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP | |
| s 83 | Function of being respondent to an appeal | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 83B | Duty to give or publish notice of application for review | SO, STP, TSODF, MSTP, CSTP, DDG, | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 84(1) | Power to decide on an application at any time after an appeal is lodged against failure to grant a permit | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 84(6) | Duty to issue permit on receipt of advice within 3 working days | SO, STP, TSODF, MSTP, CSTP, DDG, | |



| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 84AB | Power to agree to confining a review by the Tribunal | SO, MSG, SGO, TSODF, DCA, DCS, DDG, EMDF, SGTSO | |
| s 86 | Duty to issue a permit at order of Tribunal within 3 working days | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 87(3) | Power to apply to VCAT for the cancellation or amendment of a permit | SO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 90(1) | Function of being heard at hearing of request for cancellation or amendment of a permit | SO, STP, TSODF, MSTP, CSTP, DDG, | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 91(2) | Duty to comply with the directions of VCAT | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 91(2A) | Duty to issue amended permit to owner if Tribunal so directs | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 92 | Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90 | SO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 93(2) | Duty to give notice of VCAT order to stop development | SO, STP, CCPSC, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, EMRS, CP, PP, SGP | |
| s 95(3) | Function of referring certain applications to the Minister | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 95(4) | Duty to comply with an order or direction | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 96(1) | Duty to obtain a permit from the Minister to use and develop its land | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 96(2) | Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 96A(2) | Power to agree to consider an application for permit concurrently with preparation of proposed amendment | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| s 96C | Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 96F | Duty to consider the panel's report under s 96E | Not Delegated | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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) | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 96H(3) | Power to give notice in compliance with Minister's direction | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 96J | Power to issue permit as directed by the Minister | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 96K | Duty to comply with direction of the Minister to give notice of refusal | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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, POC, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 97G(6) | Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 97L | Duty to include Ministerial decisions in a register kept under s 49 | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 97MH | Duty to provide information or assistance to the Planning Application Committee | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 97MI | Duty to contribute to the costs of the Planning Application Committee or subcommittee | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 97O | Duty to consider application and issue or refuse to issue certificate of compliance | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 97P(3) | Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate | STP, MSTP, CSTP, DDG, PSP, EMDF, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSTP, SSTP, PP, SGP | |
| s 97Q(2) | Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 97Q(4) | Duty to comply with directions of VCAT | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 97R | Duty to keep register of all applications for certificate of compliance and related decisions | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 98(1)&(2) | Function of receiving claim for compensation in certain circumstances | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 98(4) | Duty to inform any person of the name of the person from whom compensation can be claimed | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 101 | Function of receiving claim for expenses in conjunction with claim | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 103 | Power to reject a claim for compensation in certain circumstances | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s.107(1) | function of receiving claim for compensation | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 107(3) | Power to agree to extend time for making claim | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 113(2) | Power to request a declaration for land to be proposed to be reserved for public purposes | SO, STP, MSTP, PSP, EMDF | |
| s 114(1) | Power to apply to the VCAT for an enforcement order | CCPSC, MSTP, CSTP, DDG, PSP, EMDF, PSTP, EMRS, PP | |
| s 117(1)(a) | Function of making a submission to the VCAT where objections are received | CCPSC, MSTP, CSTP, DDG, PSP, EMDF, PSTP, EMRS, PP | |
| s 120(1) | Power to apply for an interim enforcement order where s 114 application has been made | CCPSC, MSTP, CSTP, DDG, PSP, | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | EMDF, PSTP, EMRS, PP | |
| s 123(1) | Power to carry out work required by enforcement order and recover costs | CCPSC, MSTP, CSTP, DDG, PSP, EMDF, PSTP, EMRS, PP | |
| s 123(2) | Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1) | MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP | Except Crown Land |
| s 129 | Function of recovering penalties | MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 130(5) | Power to allow person served with an infringement notice further time | CCPSC, MSTP, DCS, CSTP, DDG, | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSP, EMDF, PSTP, EMRS, PP | |
| s 149A(1) | Power to refer a matter to the VCAT for determination | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 149A(1A) | power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement | CCPSC, MSTP, CSTP, DDG, PSP, EMDF, PSTP, EMRS, PP | |
| 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) | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | Where Council is the relevant planning authority |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 171(2)(f) | Power to carry out studies and commission reports | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 171(2)(g) | Power to grant and reserve easements | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, CP, PP | |
| 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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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 173(1) | Power to enter into agreement covering matters set out in s 174 | MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| | 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 | MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

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| Provision | Power 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | MSTP, DCS, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 178A(1) | Function of receiving application to amend or end an agreement | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178A(3) | Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1) | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |

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| Planning and Environment Act 1987 | | | |
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| Provision | Power 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 | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178A(5) | Power to propose to amend or end an agreement | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178B(1) | Duty to consider certain matters when considering proposal to amend an agreement | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |

| Planning and Environment Act 1987 | | | |
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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 178B(2) | Duty to consider certain matters when considering proposal to end an agreement | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| 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 | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178C(4) | Function of determining how to give notice under s 178C(2) | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 178E(1) | Duty not to make decision until after 14 days after notice has been given | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, MSP, CP, PP, SGP | |
| s.178E(2)(a) | Power to amend or end the agreement in accordance with the proposal | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | If no objections are made under s 178D Must consider matters in s 178B |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 178E(3)(a) | Power to amend or end the agreement in accordance with the proposal | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | After considering objections, submissions and matters in s.178B |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 178E(3)(d) | Power to refuse to amend or end the agreement | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | 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) | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178F(2) | Duty to give notice of its decision under s 178E(2)(c) or (3)(d) | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| 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 | SP, STP, SPAO, MSTP, CSTP, DDG, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | application for review to the Tribunal has been determined or withdrawn | PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178G | Duty to sign amended agreement and give copy to each other party to the agreement | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |
| 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 | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 178I(3) | Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land | SP, STP, SPAO, MSTP, EMPSFM, CSTP, DDG, PSP, EMDF, PSTP, | |

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| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, MSP, CP, PP, SGP | |
| s 179(2) | Duty to make copy of each agreement available in accordance with the public availability requirements | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 181 | Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 181(1A)(a) | Power to apply to the Registrar of Titles to record the agreement | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| s 181(1A)(b) | Duty to apply to the Registrar of Titles, without delay, to record the agreement | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
|--|---|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 182 | Power to enforce an agreement | MSTP, CSTP, DDG, PSP, EMDF, PSTP, EMRS, PP | |
| s 183 | Duty to tell Registrar of Titles of ending/amendment of agreement | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| 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 | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
|--|---|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SSTP, MSP, CP, PP, SGP | |
| 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 | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 184G(2) | Duty to comply with a direction of the Tribunal | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
|--|--|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 184G(3) | Duty to give notice as directed by the Tribunal | SP, STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| s 198(1) | Function to receive application for planning certificate | STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 199(1) | Duty to give planning certificate to applicant | STP, SPAO, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP | |
| s 201(1) | Function of receiving application for declaration of underlying zoning | STP, MSTP, CSTP, DDG, PSP, EMDF, | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
|--|--|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | PSTP, SSCP, CP, PP, SGP | |
| s 201(3) | Duty to make declaration | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| | 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSCP, MSP, CP, PP, SGP | |
| | 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP | |

OFFICIAL



| Planning and Environment Act 1987 | | | |
|--|---|--------------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | 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 | MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP | |
| | Power to give written authorisation in accordance with a provision of a planning scheme | MSTP, CSTP, DDG, PSP, PSTP, PP | |
| s 201UAB(1) | Function of providing the Victoria Planning Authority with information relating to any land within municipal district | DDG, MSP | |
| s 201UAB(2) | Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible | DDG, MSP | |

OFFICIAL



| Residential Tenancies Act 1997 | | | |
|---------------------------------------|---|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 518F | Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements | TLEH, TOEH, EHO, CEH, EMPSFM, EMRS | |
| s 522(1) | Power to give a compliance notice to a person | TLEH, TOEH, EHO, MBS, CEH, CBS, EMRS | |
| s 525(2) | Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case) | DIE | |
| s 525(4) | Duty to issue identity card to authorised officers | EMGR, SCO, AOSC, CRC | |
| s 526(5) | Duty to keep record of entry by authorised officer under s 526 | TLEH, TOEH, EHO, MBS, CEH, EMPSFM, CBS, EMRS | |
| s 526A(3) | Function of receiving report of inspection | TLEH, TOEH, EHO, AOEH, CEH, TLRSATS, HSO, AORS | |

OFFICIAL



| Residential Tenancies Act 1997 | | | |
|---------------------------------------|---|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 527 | Power to authorise a person to institute proceedings (either generally or in a particular case) | TLEH, TOEH, EHO, MBS, CEH, EMPSFM, DDG, CBS, EMRS | |

| Road Management Act 2004 | | | |
|---------------------------------|--|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 11(1) | Power to declare a road by publishing a notice in the Government Gazette | EMO, DDG, DIE, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI | |
| s 11(9)(b) | Duty to advise Registrar | EMO, DDG, DIE, EMDF, EMI | |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|---|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 11(10) | Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc. | EMO, DDG, DIE, EMDF, EMI | Subject to s 11(10A) |
| s 11(10A) | Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person | EMO, DDG, DIE, EMDF, EMI | Where Council is the coordinating road authority |
| s 12(2) | Power to discontinue road or part of a road | EMO, DDG, DIE, EMDF, EMI | Where Council is the coordinating road authority |
| s 12(4) | Duty to publish, and provide copy, notice of proposed discontinuance | EMO, DDG, DIE, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI | Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies |

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| Road Management Act 2004 | | | |
|---------------------------------|--|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 12(6) | Function of hearing a person in support of their written submission | EMO, DDG, DIE, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI | Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies |
| s 12(10) | Duty to notify of decision made | EMO, DDG, DIE, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI | Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate |

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| Road Management Act 2004 | | | |
|---------------------------------|--|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 14(4) | Function of receiving notice from the Head, Transport for Victoria | EMO, DDG, DIE, EMDF, EMI, CIT, TTE | |
| s 14(7) | Power to appeal against decision of the Head, Transport for Victoria | EMO, DDG, DIE, CAM, EMDF, EMI, CIT, TTE | |
| 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 | EMO, DDG, DIE, CAM, EMDF, EMI | |
| s 15(1A) | Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority | DDG, DIE, CAM, EMDF, EMI | |
| s 15(2) | Duty to include details of arrangement in public roads register | DDG, DIE, CAM, EMDF, EMI | |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|---|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 16(7) | Power to enter into an arrangement under s 15 | DDG, DIE, CAM, EMDF, EMI | |
| s 16(8) | Duty to enter details of determination in public roads register | DDG, DIE, CAM, EMDF, EMI | |
| s 17(2) | Duty to register public road in public roads register | DDG, DIE, CAM, 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 | DDG, DIE, CAM, 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 | DDG, DIE, CAM, 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 | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|---|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 17(4) | Duty to remove road no longer reasonably required for general public use from public roads register | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| s 18(1) | Power to designate ancillary area | DDG, DIE, CAM, 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 | DDG, DIE, CAM, 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 | DDG, DIE, CAM, EMDF, EMI | |
| s 19(4) | Duty to specify details of discontinuance in public roads register | DDG, DIE, CAM, EMDF, EMI | |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|--|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 19(5) | Duty to ensure public roads register is available for public inspection | DDG, DIE, CAM, EMDF, EMI | |
| s 21 | Function of replying to request for information or advice | DDG, DIE, CAM, EMDF, EMI | Obtain consent in circumstances specified in s 11(2) |
| s 22(2) | Function of commenting on proposed direction | DDG, DIE, CAM, 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. | EMO, DIE | |
| s 22(5) | Duty to give effect to a direction under s 22 | EMO, DIE | |

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| Road Management Act 2004 | | | |
|---------------------------------|---|--|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 40(1) | Duty to inspect, maintain and repair a public road. | SPD, SRS, RMS, EMO, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM | |
| s 40(5) | Power to inspect, maintain and repair a road which is not a public road | SPD, SRS, RMS, EMO, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM | |
| s 41(1) | Power to determine the standard of construction, inspection, maintenance and repair | SPD, SRS, RMS, EMO, DDG, DIE, CAM, RMCS, SUR, SUSR, EMDF, EMI, SASU, CRM | |
| s 42(1) | Power to declare a public road as a controlled access road | DDG, DIE, CAM, EMDF, EMI | Power of coordinating road authority and sch 2 also applies |

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| Road Management Act 2004 | | | |
|---------------------------------|--|------------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 42(2) | Power to amend or revoke declaration by notice published in Government Gazette | DDG, DIE, CAM, 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 | EMO, DDG, DIE, CAM, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI, CIT, TTE | 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) | EMO, DDG, DIE, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI | |

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| Road Management Act 2004 | | | |
|---------------------------------|--|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 49 | Power to develop and publish a road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 51 | Power to determine standards by incorporating the standards in a road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 53(2) | Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 54(2) | Duty to give notice of proposal to make a road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |

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| Road Management Act 2004 | | | |
|---------------------------------|--|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 54(5) | Duty to conduct a review of road management plan at prescribed intervals | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 54(6) | Power to amend road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 54(7) | Duty to incorporate the amendments into the road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 55(1) | Duty to cause notice of road management plan to be published in Government Gazette and newspaper | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| s 63(1) | Power to consent to conduct of works on road | SPD, SRS, RMS, EMO, CAM, RMCS, SUR, | Where Council is the coordinating road authority |

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| Road Management Act 2004 | | | |
|---------------------------------|--|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| | | SUSR, EMI, SASU, CRM | |
| s 63(2)(e) | Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency | SPD, SRS, RMS, CEH, CAM, RMCS, SUR, SUSR, EMI, SASU, CRM | Where Council is the infrastructure manager |
| s 64(1) | Duty to comply with cl 13 of sch 7 | DDG, DIE, CAM, EMDF, EMI | Where Council is the infrastructure manager or works manager |
| s 66(1) | Power to consent to structure etc | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| s 67(2) | Function of receiving the name & address of the person responsible for distributing the sign or bill | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |

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| Road Management Act 2004 | | | |
|---------------------------------|---|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 67(3) | Power to request information | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| s 68(2) | Power to request information | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| s 71(3) | Power to appoint an authorised officer | SPD, SRS, RMS, EMO, DDG, DIE, CAM, RMCS, SUR, SUSR, TLCP, EMDF, EMI, SASU, CID, CRM, CIT | |
| s 72 | Duty to issue an identity card to each authorised officer | DCS, EMGR, SCO, AOSC, CRC | |
| s 85 | Function of receiving report from authorised officer | DDG, DIE, EMDF, EMI | |

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| Road Management Act 2004 | | | |
|---------------------------------|--|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 86 | Duty to keep register re s 85 matters | DDG, DIE, EMDF, EMI | |
| s 87(1) | Function of receiving complaints | SPD, SRS, RMS, EMO, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM | |
| s 87(2) | Duty to investigate complaint and provide report | SPD, SRS, RMS, EMO, DCS, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM | |
| s 96 | Power to authorise a person for the purpose of instituting legal proceedings | DIE, EMI | |
| s 112(2) | Power to recover damages in court | EMO, DDG, DIE, EMDF, EMI | |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|--|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 116 | Power to cause or carry out inspection | SPD, SRS, RMS, EMO, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM | |
| s 119(2) | Function of consulting with the Head, Transport for Victoria | EMO, DDG, DIE, EMDF, EMI | |
| s 120(1) | Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria) | EMO, DDG, DIE, CAM, EMDF, EMI, 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) | SPD, SRS, RMS, EMO, DDG, DIE, CAM, RMCS, SUR, SUSR, EMDF, EMI, SASU, CRM | |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|--|--|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| s 121(1) | Power to enter into an agreement in respect of works | EMO, DDG, DIE, CAM, EMDF, EMI | |
| s 122(1) | Power to charge and recover fees | EMO, DDG, DIE, CAM, EMDF, EMI | |
| s 123(1) | Power to charge for any service | SPD, SRS, RMS, EMO, DCS, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM | |
| sch 2 cl 2(1) | Power to make a decision in respect of controlled access roads | DDG, DIE, CAM, EMDF, EMI | |
| sch 2 cl 3(1) | Duty to make policy about controlled access roads | Not Delegated | |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|--|--------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 2 cl 3(2) | Power to amend, revoke or substitute policy about controlled access roads | Not Delegated | |
| sch 2 cl 4 | Function of receiving details of proposal from the Head, Transport for Victoria | DDG, DIE, CAM, EMDF, EMI | |
| sch 2 cl 5 | Duty to publish notice of declaration | DDG, DIE, CAM, 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 | DDG, DIE, CAM, 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 | DDG, DIE, CAM, EMDF, EMI | Where Council is the infrastructure manager or works manager |

| Road Management Act 2004 | | | |
|---------------------------------|--|--|--|
| Provision | Power 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 | SPD, SRS, RMS, EMO, DDG, DIE, CAM, RMCS, SUR, SUSR, EMDF, EMI, CRM | 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 | DDG, DIE, CAM, 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 | DDG, DIE, CAM, 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 | DDG, DIE, CAM, EMDF, EMI, SASU | Where Council is the coordinating road authority |
| sch 7 cl 12(3) | Power to take measures to ensure reinstatement works are completed | DDG, DIE, CAM, EMDF, EMI, SASU | Where Council is the coordinating road authority |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|---|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 7 cl 12(4) | Duty to ensure that works are conducted by an appropriately qualified person | SPD, SRS, RMS, EMO, DDG, DIE, CAM, RMCS, SUR, SUSR, EMDF, EMI, SASU, CRM | Where Council is the coordinating road authority |
| sch 7 cl 12(5) | Power to recover costs | DDG, DIE, CAM, 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) | DDG, DIE, CAM, EMDF, EMI | Where Council is the works manager |
| sch 7 cl 13(2) | Power to vary notice period | DDG, DIE, CAM, 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) | DDG, DIE, CAM, EMDF, EMI | Where Council is the infrastructure manager |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|---|-------------------------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 7 cl 16(1) | Power to consent to proposed works | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| sch 7 cl 16(4) | Duty to consult | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority, responsible authority or infrastructure manager |
| sch 7 cl 16(5) | Power to consent to proposed works | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| sch 7 cl 16(6) | Power to set reasonable conditions on consent | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| sch 7 cl 16(8) | Power to include consents and conditions | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |

| Road Management Act 2004 | | | |
|---------------------------------|--|--------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 7 cl 17(2) | Power to refuse to give consent and duty to give reasons for refusal | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| sch 7 cl18(1) | Power to enter into an agreement | DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| sch7 cl 19(1) | Power to give notice requiring rectification of works | DDG, DIE, CAM, EMDF, EMI, SASU | Where Council is the coordinating road authority |
| sch 7 cl 19(2) & (3) | Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred | DDG, DIE, CAM, 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 | DDG, DIE, CAM, 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 |

OFFICIAL



| Road Management Act 2004 | | | |
|---------------------------------|---|---------------------|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 7 cl 3(1)(d) | Duty to pay installation and operation costs of street lighting - where road is not an arterial road | DDG, DIE, EMDF, EMI | Where Council is the responsible road authority |
| sch 7A cl 3(1)(e) | Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas | DDG, DIE, EMDF, EMI | Where Council is the responsible road authority |
| sch 7A cl (3)(1)(f) | Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4 | DDG, DIE, EMDF, EMI | Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs) |

| Cemeteries and Crematoria Regulations 2015 | | | |
|---|---|-----------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 24 | Duty to ensure that cemetery complies with depth of burial requirements | EMPSFM, DIE | |

| Cemeteries and Crematoria Regulations 2015 | | | |
|---|---|-----------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 25 | Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves | EMPSFM, DIE | |
| r 27 | Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b) | EMPSFM, DIE | |
| 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 | EMPSFM, DIE | |
| r 28(2) | Duty to ensure any fittings removed are disposed in an appropriate manner | EMPSFM, DIE | |
| r 29 | Power to dispose of any metal substance or non-human substance recovered from a cremator | EMPSFM, DIE | |
| r 30(2) | Power to release cremated human remains to certain persons | EMPSFM, DIE | 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 | EMPSFM, DIE | |



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

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

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| Cemeteries and Crematoria Regulations 2015 | | | |
|---|--|------------------------------------|--------------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 47(3) | Power to approve the use of fire in a public cemetery | EMPSFM, DIE | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| | Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | |
| 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, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |
| sch 2 cl 5(2) | Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |

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| Cemeteries and Crematoria Regulations 2015 | | | |
|---|--|------------------------------------|--------------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 2 cl 6(1) | Power to give directions regarding the manner in which a funeral is to be conducted | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |
| sch 2 cl 8 | Power to approve certain mementos on a memorial | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |
| sch 2 cl 11(1) | Power to remove objects from a memorial or place of interment | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |
| sch 2 cl 11(2) | Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |

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| Cemeteries and Crematoria Regulations 2015 | | | |
|---|---|------------------------------------|--------------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| sch 2 cl 14 | Power to approve an animal to enter into or remain in a cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |
| sch 2 cl 16(1) | Power to approve construction and building within a cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | 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, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |
| sch 2 cl 18(1) | Power to approve digging or planting within a cemetery | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR | See note above regarding model rules |

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| Planning and Environment Regulations 2015 | | | |
|--|---|---|---|
| Provision | Power 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 | MSTP, DDG, PSP, EMDF, MSP | 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | |
| r.25(a) | duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | where Council is the responsible authority |

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| Planning and Environment Regulations 2015 | | | |
|--|---|---|---|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| 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 | SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP | 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 | MSTP, DDG, PSP, EMDF, MSP | 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 | Power 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, MSP | |
| r 20 | Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme | MSTP, DDG, PSP, EMDF | |
| 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 | MSTP, DDG, PSP, EMDF, MSP | |

| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | | | |
|--|---|------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 7 | Function of entering into a written agreement with a caravan park owner | TLEH, TOEH, EHO, CEH, EMPSFM | |

| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | | | |
|--|--|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 10 | Function of receiving application for registration | TLEH, TOEH, EHO, AOBS, AOEH, AOLLT, TOBS, CEH, TLRSATS, EMRS, HSO, AORS | |
| r 11 | Function of receiving application for renewal of registration | EMPSFM, DIE | |
| r 12(1) | Duty to grant the registration if satisfied that the caravan park complies with these regulations | TLEH, TOEH, EHO, CEH | |
| r 12(1) | Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations | TLEH, EHO, CEH | |
| r 12(2) | Duty to renew the registration if satisfied that the caravan park complies with these regulations | TLEH, TOEH, EHO, CEH | |
| r 12(2) | Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations | EMPSFM, DIE | |



| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | | | |
|--|---|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 12(3) | Duty to have regard to matters in determining an application for registration or an application for renewal of registration | EMPSFM, DIE | |
| r 12(4) & (5) | Duty to issue certificate of registration | TLEH, TOEH, EHO, CEH | |
| r 14(1) | Function of receiving notice of transfer of ownership | TLEH, TOEH, EHO, AOBS, AOEH, AOLLT, TOBS, CEH, TLRSATS, EMRS, HSO, AORS | |
| r 14(3) | Power to determine where notice of transfer is displayed | TLEH, TOEH, EHO, CEH | |
| r 15(1) | Duty to transfer registration to new caravan park owner | TLEH, TOEH, EHO, CEH | |
| r 15(2) | Duty to issue a certificate of transfer of registration | TLEH, TOEH, EHO, CEH | |
| r 16(1) | Power to determine the fee to accompany applications for registration or applications for renewal of registration | TLEH, EHO, CEH, EMPSFM | |

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| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | | | |
|--|--|----------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 17 | Duty to keep register of caravan parks | TLEH, CEH | |
| r 18(4) | Power to determine where the emergency contact person's details are displayed | TLEH, TOEH, EHO, CEH | |
| r 18(6) | Power to determine where certain information is displayed | TLEH, TOEH, EHO, CEH | |
| 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 | TLEH, TOEH, EHO, CEH | |
| r 22(2) | Duty to consult with relevant emergency services agencies | TLEH, TOEH, EHO, CEH | |
| r 23 | Power to determine places in which caravan park owner must display a copy of emergency procedures | TLEH, TOEH, EHO, CEH | |
| r 24 | Power to determine places in which caravan park owner must display copy of public emergency warnings | TLEH, TOEH, EHO, CEH | |

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| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | | | |
|--|--|---|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 25(3) | Duty to consult with relevant floodplain management authority | TLEH, TOEH, EHO, CEH | |
| r 26 | Duty to have regard to any report of the relevant fire authority | TLEH, TOEH, EHO, CEH | |
| r 28(c) | Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling | TLEH, TOEH, EHO, CEH | |
| r 40 | Function of receiving notice of proposed installation of unregisterable movable dwelling or rigid annexe | TLEH, TOEH, EHO, AOBS, AOEH, AOLLT, TOBS, MBS, CEH, EMPSFM, CBS, TLRSATS, EMRS, HSO, AORS | |
| r 40(b) | Power to require notice of proposal to install unregisterable movable dwelling or rigid annexe | MBS, EMPSFM, DDG, DIE, CBS, EMRS | |

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| Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020 | | | |
|--|---|----------------------------------|-----------------------------------|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 41(4) | Function of receiving installation certificate | MBS, EMPSFM, DDG, DIE, CBS, EMRS | |
| r 43 | Power to approve use of a non-habitable structure as a dwelling or part of a dwelling | MBS, EMPSFM, DDG, DIE, CBS, EMRS | |
| sch 3 cl 4(3) | Power to approve the removal of wheels and axles from unregisterable movable dwelling | DDG, DIE, EMRS | |

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

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| Road Management (General) Regulations 2016 | | | |
|---|--|--|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 9(2) | Duty to produce written report of review of road management plan and make report available | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| 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) | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | 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 | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| r 13(1) | Duty to publish notice of amendments to road management plan | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | 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 | EMO, DDG, DIE, CAM, EMGR, EMDF, EMI, CRC | |
| r 16(3) | Power to issue permit | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |

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| Road Management (General) Regulations 2016 | | | |
|---|--|-------------------------------------|--|
| Provision | Power and Functions Delegated | Delegate | Conditions and Limitations |
| r 18(1) | Power to give written consent re damage to road | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| r 23(2) | Power to make submission to Tribunal | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| r 23(4) | Power to charge a fee for application under s 66(1) Road Management Act | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the coordinating road authority |
| r 25(1) | Power to remove objects, refuse, rubbish or other material deposited or left on road | EMO, DDG, DIE, CAM, EMDF, EMI, 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)) | EMO, DDG, DIE, CAM, EMDF, EMI | Where Council is the responsible road authority |
| r 25(5) | Power to recover in the Magistrates' Court, expenses from person responsible | EMO, DDG, DIE, CAM, EMDF, EMI | |

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| Road Management (Works and Infrastructure) Regulations 2015 | | | |
|--|---|--------------------------|---|
| Provision | Power 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 | EMO, DDG, DIE, EMDF, EMI | 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 | EMO, DDG, DIE, EMDF, EMI | Where Council is the coordinating road authority |

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Provisions for Coordinator Urban Forest and Open Spaces (CUFOS)

| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|---|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 8(1)(a)(ii) | Power to manage one or more public cemeteries | Where Council is a Class B cemetery trust | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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 | Where Council is a Class B cemetery trust | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 12(2) | Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions | Where Council is a Class B cemetery trust | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 13 | Duty to do anything necessary or convenient to enable it to carry out its functions | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 14 | Power to manage multiple public cemeteries as if they are one cemetery. | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 17(2) | Power to engage any professional, technical or other assistance considered necessary | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 18(3) | Duty to comply with a direction from the Secretary | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 19 | Power to carry out or permit the carrying out of works | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 20(1) | Duty to set aside areas for the interment of human remains | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|---|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 20(2) | Power to set aside areas for the purposes of managing a public cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 20(3) | Power to set aside areas for those things in paragraphs (a) - (e) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 24(2) | Power to apply to the Secretary for approval to alter the existing distribution of land | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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 | Subject to the approval of the Minister | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 37 | Power to grant leases over land in a public cemetery in accordance with s 37 | Subject to the Minister approving the purpose | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|---|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 40 | Duty to notify Secretary of fees and charges fixed under s 39 | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 57(1) | Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act | Report must contain the particulars listed in s 57(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 59 | Duty to keep records for each public cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 64(4) | Duty to comply with a direction from the Secretary under s 64(3) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 64B(d) | Power to permit interments at a reopened cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|--|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 66(1) | Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park | The application must include the requirements listed in s 66(2)(a)-(d) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 70(2) | Duty to make plans of existing place of interment available to the public | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 71(1) | Power to remove any memorials or other structures in an area to which an approval to convert applies | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 71(2) | Power to dispose of any memorial or other structure removed | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 72(2) | Duty to comply with request received under s 72 | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 73(1) | Power to grant a right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 73(2) | Power to impose conditions on the right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 75 | Power to grant the rights of interment set out in s 75(a) and (b) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 76(3) | Duty to allocate a piece of interment if an unallocated right is granted | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|--|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 80(1) | Function of receiving notification and payment of transfer of right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 80(2) | Function of recording transfer of right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 83(3) | Power to remove any memorial and grant another right of interment for a surrendered right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 84(1) | Function of receiving notice of surrendering an entitlement to a right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s.85(1) | Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry | The notice must be in writing and contain the requirements listed in s 85(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|---|---|
| Cemeteries and Crematoria Act 2003 | s 85(2)(b) | Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry | Does not apply where right of interment relates to remains of a deceased veteran. | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 91(3) | Duty to publish notice of intention to cancel right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DCS, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 98(1) | Function of receiving application to establish or alter a memorial or a place of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 99 | Power to approve or refuse an application made under s 98, or to cancel an approval | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 100(3) | Power to recover costs of taking action under s 100(2) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 101 | Function of receiving applications to establish or alter a building for ceremonies in the cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 102(1) | Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 102(2) & (3) | Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 103(1) | Power to require a person to remove a building for ceremonies | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 103(2) | Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 103(3) | Power to recover costs of taking action under s 103(2) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 106(2) | Power to require the holder of the right of interment to provide for an examination | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Cemeteries and Crematoria Act 2003 | s 107(1) | Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 108 | Power to recover costs and expenses | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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 | Where the holder of right of interment or responsible person cannot be found | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |

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|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 111 | Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 112 | Power to sell and supply memorials | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 116(4) | Duty to notify the Secretary of an interment authorisation granted | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Cemeteries and Crematoria Act 2003 | s 116(5) | Power to require an applicant to produce evidence of the right of interment holder's consent to application | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 118 | Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 133(1) | Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with | Subject to s 133(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 145 | Duty to comply with an order made by the Magistrates' Court or a coroner | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|--|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 152(2) | Power to impose terms and conditions on authorisation granted under s 150 | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | sch 1 cl 8(8) | Power to regulate own proceedings | Subject to cl 8 | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | r 45(1) | Power to approve the removal of plants within a public cemetery | | CPG, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | r 46 | Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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|--|----------------|--|--------------------------------------|------------------------------------|
| Cemeteries and Crematoria Regulations 2015 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | | Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | 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 | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 5(1) | Duty to display the hours during which pedestrian access is available to the cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | 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 | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|--|----------------|--|--------------------------------------|------------------------------------|
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 6(1) | Power to give directions regarding the manner in which a funeral is to be conducted | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 7(1) | Power to give directions regarding the dressing of places of interment and memorials | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 8 | Power to approve certain mementos on a memorial | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 11(1) | Power to remove objects from a memorial or place of interment | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 11(2) | Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|--|----------------|--|--------------------------------------|------------------------------------|
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 12 | Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 14 | Power to approve an animal to enter into or remain in a cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 16(1) | Power to approve construction and building within a cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 17(1) | Power to approve action to disturb or demolish property of the cemetery trust | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 18(1) | Power to approve digging or planting within a cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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Provisions for Coordinator Gardens and Natural Resources (CGNR)

| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|---|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 8(1)(a)(ii) | Power to manage one or more public cemeteries | Where Council is a Class B cemetery trust | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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 | Where Council is a Class B cemetery trust | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 12(2) | Duty to have regard to the matters set out in paragraphs (a) - (c) in exercising its functions | Where Council is a Class B cemetery trust | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 13 | Duty to do anything necessary or convenient to enable it to carry out its functions | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 14 | Power to manage multiple public cemeteries as if they are one cemetery. | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 17(2) | Power to engage any professional, technical or other assistance considered necessary | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 18(3) | Duty to comply with a direction from the Secretary | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 19 | Power to carry out or permit the carrying out of works | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 20(1) | Duty to set aside areas for the interment of human remains | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|---|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 20(2) | Power to set aside areas for the purposes of managing a public cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 20(3) | Power to set aside areas for those things in paragraphs (a) - (e) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 24(2) | Power to apply to the Secretary for approval to alter the existing distribution of land | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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 | Subject to the approval of the Minister | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 37 | Power to grant leases over land in a public cemetery in accordance with s 37 | Subject to the Minister approving the purpose | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|---|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 40 | Duty to notify Secretary of fees and charges fixed under s 39 | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 57(1) | Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act | Report must contain the particulars listed in s 57(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 59 | Duty to keep records for each public cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 64(4) | Duty to comply with a direction from the Secretary under s 64(3) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 64B(d) | Power to permit interments at a reopened cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|--|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 66(1) | Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park | The application must include the requirements listed in s 66(2)(a)-(d) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 70(2) | Duty to make plans of existing place of interment available to the public | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 71(1) | Power to remove any memorials or other structures in an area to which an approval to convert applies | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 71(2) | Power to dispose of any memorial or other structure removed | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 72(2) | Duty to comply with request received under s 72 | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 73(1) | Power to grant a right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 73(2) | Power to impose conditions on the right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 75 | Power to grant the rights of interment set out in s 75(a) and (b) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 76(3) | Duty to allocate a piece of interment if an unallocated right is granted | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|--|--|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 80(1) | Function of receiving notification and payment of transfer of right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 80(2) | Function of recording transfer of right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 83(3) | Power to remove any memorial and grant another right of interment for a surrendered right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 84(1) | Function of receiving notice of surrendering an entitlement to a right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s.85(1) | Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry | The notice must be in writing and contain the requirements listed in s 85(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|------------------------------------|----------------|---|---|---|
| Cemeteries and Crematoria Act 2003 | s 85(2)(b) | Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry | Does not apply where right of interment relates to remains of a deceased veteran. | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 91(3) | Duty to publish notice of intention to cancel right of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DCS, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 98(1) | Function of receiving application to establish or alter a memorial or a place of interment | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 99 | Power to approve or refuse an application made under s 98, or to cancel an approval | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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|------------------------------------|----------------|---|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 100(3) | Power to recover costs of taking action under s 100(2) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 101 | Function of receiving applications to establish or alter a building for ceremonies in the cemetery | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 102(1) | Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 102(2) & (3) | Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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|------------------------------------|----------------|--|-----------------------------------|------------------------------------|
| Cemeteries and Crematoria Act 2003 | s 103(1) | Power to require a person to remove a building for ceremonies | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
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| Cemeteries and Crematoria Act 2003 | s 103(3) | Power to recover costs of taking action under s 103(2) | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | 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, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 106(2) | Power to require the holder of the right of interment to provide for an examination | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Cemeteries and Crematoria Act 2003 | s 112 | Power to sell and supply memorials | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
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| Cemeteries and Crematoria Act 2003 | s 118 | Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 133(1) | Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with | Subject to s 133(2) | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Act 2003 | s 145 | Duty to comply with an order made by the Magistrates' Court or a coroner | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Cemeteries and Crematoria Act 2003 | s 152(2) | Power to impose terms and conditions on authorisation granted under s 150 | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
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|--|----------------|--|--------------------------------------|------------------------------------|
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| Cemeteries and Crematoria Regulations 2015 | | Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules | | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | 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 | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 5(1) | Duty to display the hours during which pedestrian access is available to the cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | 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 | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|--|----------------|--|--------------------------------------|------------------------------------|
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 6(1) | Power to give directions regarding the manner in which a funeral is to be conducted | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 7(1) | Power to give directions regarding the dressing of places of interment and memorials | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 8 | Power to approve certain mementos on a memorial | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 11(1) | Power to remove objects from a memorial or place of interment | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 11(2) | Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|--|----------------|--|--------------------------------------|------------------------------------|
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 12 | Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 14 | Power to approve an animal to enter into or remain in a cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 16(1) | Power to approve construction and building within a cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 17(1) | Power to approve action to disturb or demolish property of the cemetery trust | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |
| Cemeteries and Crematoria Regulations 2015 | sch 2 cl 18(1) | Power to approve digging or planting within a cemetery | See note above regarding model rules | CPG, EMO, EMPSFM, DIE, CUFOS, CGNR |

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Provisions for Traffic and Transport Engineer (TTE)

| Delegation Source | Section | Powers and Functions Delegated | Conditions and Limitations | Delegate or Sub-Delegate |
|--------------------------|----------------|--|--|---|
| Road Management Act 2004 | s 14(4) | Function of receiving notice from the Head, Transport for Victoria | | EMO, DDG, DIE, EMDF, EMI, CIT, TTE |
| Road Management Act 2004 | s 14(7) | Power to appeal against decision of the Head, Transport for Victoria | | EMO, DDG, DIE, CAM, EMDF, EMI, CIT, TTE |
| Road Management Act 2004 | s 42A(4) | Power to approve Minister's decision to specify a road as a specified freight road | 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 | EMO, DDG, DIE, EMDF, EMI, CIT, TTE |

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8.11. AMENDMENT 2022/2023 BUDGET RESOLUTION

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

PURPOSE

1. To recognise and update an administrative error in the 22 June 2022 resolution (R84/22) to adopt the 2022/23 Annual Budget.

BACKGROUND

2. The 22 June 2022 Council meeting contained the following two reports with relevant recommendations.
 - 8.1 - Adoption of 2022/23 Budget
 - 8.2 - Declaration of Rates and Charges
3. It has subsequently been identified that the reference to 'Farm' and 'Rural Residential' were transposed in the two tables within agenda item 8.1 Adoption of 2022/23 Budget. One table was within the body of the report and the other in the resolutions.
4. The reference to these rating categories contained in the Adopted Budget that was attached to the agenda and agenda item 8.2 Declaration of Rates and Charges, were correct.

KEY MATTERS

5. Per below mark up, it is proposed to replace the term 'Rural Residential' with 'Farm' and vice versa in the following table included in Council resolution R84/22 dated 22 June 2022.

| Type of rate | Rate in the \$ Proposed |
|-------------------------------|-------------------------|
| Residential | 0.00299571 |
| Commercial | 0.00784876 |
| Industrial | 0.00796859 |
| <u>Rural Residential-Farm</u> | 0.00215691 |
| <u>Farm-Rural Residential</u> | 0.00278601 |
| Recreation 1* | 0.00000000 |
| Recreation 2 | 0.00784876 |

6. Whilst it is noted that there is also an error in the report itself, the report itself does not provide direction to officers, the resolution does. As such this report seeks to replace the incorrect figures as presented in resolution R84/22 to ensure it is accurate and in line with the resolution in R85/22 - 8.2 Declaration of rates and Charges which is correct.

OFFICER RECOMMENDATION

7. That Council replace the term ‘Rural Residential’ with ‘Farm’ and ‘Farm’ with ‘Rural Residential’ in the “Type of rate” table within resolution number R84/22 contained in item 8.1 - Adoption of 2022/23 Budget, as resolved at the 22 June 2022 Council Meeting such that it reads as detailed in the table below:

| Type of rate | Rate in the \$ Proposed |
|-------------------|-------------------------|
| Residential | 0.00299571 |
| Commercial | 0.00784876 |
| Industrial | 0.00796859 |
| Farm | 0.00215691 |
| Rural Residential | 0.00278601 |
| Recreation 1* | 0.00000000 |
| Recreation 2 | 0.00784876 |

ATTACHMENTS

1. Governance Review [8.11.1 - 2 pages]

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ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES

1. The Draft Budget was prepared based on the Strategic Objectives outlined in the Council Plan and in accordance with the requirements of the Local Government Act 2020.

COMMUNITY IMPACT

2. The annual and four-year budget is an important component of the Integrated Strategic Planning Framework, outlining the resources required to deliver the Council Vision Strategy and Policy for the community.

CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS

3. Council's commitment and investment towards Goal 1 (An Environmentally Sustainable Future) is detailed within the proposed 2022/23 budget.

ECONOMIC SUSTAINABILITY IMPLICATIONS

4. The proposed budget contains details of our expenditure in the local community for the 2022/23 year.

FINANCIAL IMPLICATIONS

5. The proposed Budget provides details of Council's planned income raising and expenditure for the 2022/23 year and subsequent 3 years.
6. A financially responsible budget has been prepared for the community, taking into consideration Council's long term financial planning and strategy.

LEGAL AND RISK CONSIDERATIONS

7. Section 94 of the Local Government Act 2020 requires Council to prepare and adopt a budget for each financial year and the subsequent 3 financial years by 30 June each year.
8. Section 96 of the Local Government Act 2020 also requires Council to develop the budget in accordance with the financial management principles and its community engagement policy.

HUMAN RIGHTS CONSIDERATIONS

9. 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

10. In November 2021, we asked Ballarat residents to prioritise the Council Plan's goals and objectives to help inform the Draft Budget 2022/23. Residents were asked to rank the Council Plan's six goals in order of priority and then provide their top five priorities from its 40 Strategic Objectives. 131 community members participated in this engagement.
11. Council placed the draft 2022/23 Budget on Council's Website and advertised that it had done so. Copies of the draft Budget were also available from Council's customer service at both the Town Hall and The Phoenix building.
12. 42 submissions were received and considered by Council prior to considering adoption of the proposed budget.

GENDER EQUALITY ACT 2020

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

CONFLICTS OF INTEREST THAT HAVE ARisen IN PREPARATION OF THE REPORT

14. 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. OUTSTANDING QUESTION TIME ITEMS

Division: Corporate Services
Director: John Hausler
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 [8.12.1 - 1 page]
2. QT39/22 - Tim Stevens [8.12.2 - 1 page]
3. QT41/22 - Scott Gallop [8.12.3 - 2 pages]

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Outstanding Question Time Items

| Meeting | Status | Requested | Question | Officer Responsible | Response |
|-----------------------|--------|--------------|--|---|---|
| 25/05/2022 QT39/22 | Closed | Tim Stevens | <p>I have two questions regarding the following site within a 4km radius of the CBD:</p> <p>Re-Zoning approximately 40 hectares of the former Commonwealth Land, now a privately owned former Rifle Range at 211-213 Elsworth Street East, Canadian from Rural Conservation to a Residential Zone - (potentially, Rural Living, Low Density Residential or Neighbourhood Residential)</p> <p>1. Can Council provide a contact at Parks Victoria, who can engage with me directly regarding this site and a copy of the Council Agenda and Minutes for Planning Scheme Amendment C105 from 2006?</p> <p>2. After examining the Explanatory Report and Zone Map 29 as at 23 November 2006 in Planning Scheme Amendment C105, the explanatory report to the Minister's Amendment at the request of City of Ballarat refers to the application of the Rural Conservation Zone to the site as an "...interim zoning...". 16 years is a long time for an 'interim zone' to be applied. Can the City of Ballarat appoint a Strategic Planner and provide a pathway with 'in-principle support' in writing to provide for a proponent led amendment to re-zone the site?</p> | Natalie Robertson, Director Development and Growth | Natalie Robertson, Director Development provided a written response (see attached) |
| 22/06/2022 QT41/22 | Closed | Scott Gallop | <p>I am asking this question regarding the proposed lake lighting at Lake Wendouree.</p> <p>Could council please answer the question if the Geo Tech Report written by Andrew P Redmond dated 31/1/2020 was provided to Heritage Victoria with the paperwork for the one or both of the lighting heritage permits, one being granted on 2/9/2021 Number P33955 and the other granted on 27/5/2022 Number P36523?</p> | Brigid Wetherall, Director Infrastructure and Environment | Brigid Wetherall, Director Infrastructure and Environment provided a written response (see attached). |

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Sarah Anstis

Subject: RE: Questions for Meeting of Council

From: Natalie Robertson
Sent: Thursday, 16 June 2022 4:13 PM
To: Tim Stevens [REDACTED]; Terry Natt <TerryNatt@ballarat.vic.gov.au>
Cc: [REDACTED]
Subject: RE: Questions for Meeting of Council

Hello Tim

In response to our phone discussion yesterday and your questions on the subject site I provide the following.

1. **Can Council provide a contact at Parks Victoria, who can engage with me directly regarding this site and a copy of the Council Agenda and Minutes for Planning Scheme Amendment C105 from 2006?**

I am not sure if this person is the current contact but over the years I have met with [REDACTED] from Parks Victoria in relation to this site. Her email is [REDACTED]

A copy of the relevant agenda and minutes is attached.

2. **After examining the Explanatory Report and Zone Map 29 as at 23 November 2006 in Planning Scheme Amendment C105, the explanatory report for the Ministerial Amendment at the request of City of Ballarat refers to the application of the Rural Conservations Zone to the site as an "...interim zoning..."**

16 years is a long time for an 'interim zone' to be applied.

Can the City of Ballarat appoint a Strategic Planner and provide a pathway with 'in-principle support' in writing to provide for a proponent led amendment to re-zone the site?

As advised, Officers are not in a position to provide in principle support given there is no specific context to an intended rezone.

Kind regards

Natalie Robertson | Director Development & Growth

City of Ballarat | PO Box 655, Ballarat VIC 3353
P: (03) 5320 [REDACTED] | M: [REDACTED] | www.ballarat.vic.gov.au

PO Box 655
Ballarat Vic 3353
AUSTRALIA

Telephone: 03 5320 5500
Facsimile: 03 5333 4061



Mr Scott Gallop
Email: [REDACTED]

Date: 23 June 2022

Our Ref: BW:pb:bk

Your Ref: QT41/22

Enquiries: (61) 03 5320 5500

Email: info@ballarat.vic.gov.au

Dear Mr Gallop

RE: PUBLIC QUESTION ASKED AT COUNCIL MEETING

I refer to your question asked at the Council Meeting held on Wednesday 22 June 2022 as follows:

"I am asking this question regarding the proposed lake lighting at Lake Wendouree. Could council please answer the question if the Geo Tech Report written by Andrew P Redmond dated 31/1/2020 was provided to Heritage Victoria with the paperwork for the one or both of the lighting heritage permits, one being granted on 2/9/2021 Number P33955 and the other granted on 27/5/2022 Number P36523?"

The Geotechnical Site Investigation Report issued on 31 January 2020 by Provincial Geotechnical was commissioned by Council to inform the technical specification and foundation details for the project. The report was not included in the documentation submitted for either of the permit applications to Heritage Victoria and was not subsequently requested by Heritage Victoria. The permit applications for the project included a Heritage Impact Statement Assessment, an Arboricultural report, a Biodiversity Impact Assessment including Native Vegetation assessment, a Cultural Heritage Management Plan, Public Authority Landowner Consent, and other documentation, which is all in line with the recommendations on Heritage Victoria's website regarding the preparation and submission of permit applications.

The findings of the Geotechnical Site Investigation Report, which included 12 different investigation sites, found varying levels of ground conditions including site fill to differing depths in the sub soil profile. The variable soil conditions found were not unexpected given the large distances and spread of sites. The footing depths for each pole is dependent on the conditions encountered onsite with these depths typically varying from 1000mm to 1400mm. This is in line with the recommendations of the Geotechnical Site Investigation Report. It should also be noted that the locations of these footings have been specifically designed to be located outside of Tree Protection Zones and Structural Root Zones.

2.

The Geotechnical Site Investigation Report for the project was also included in the publicly available tender documentation issued in November 2022 during the procurement process.

Please contact Phillip Barnett, Council's Project Manager, directly on [REDACTED] if you wish to discuss the Lake Lighting project further.

Yours sincerely



Bridget Wetherall
Director Infrastructure and Environment

CC: Mayor and Councillors
Governance
Phillip Barnett, Project Manager

9. NOTICE OF MOTION**10. REPORTS FROM COMMITTEES/OUNCILLORS****11. URGENT BUSINESS****12. SECTION 66 (IN CAMERA)****8.8 CONTRACTS APPROVAL DELEGATED COMMITTEE**

Division: Corporate Services
Director: John Hausler, Director Corporate Services
Author/Position Lorraine Sendall - Executive Assistant, Director Corporate Services
(Confidential information)

13. CLOSE