

OFFICIAL

# Council Meeting

## Agenda

22 February 2023 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 Strait 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](http://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.

Information about broadcasting and publishing recordings of council meetings is available in council's Live Broadcasting and Recording of Council Meetings Procedure which is available on the council's website.

## 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.
- Presentations must be submitted in writing, not more than 500 words by 2:00pm on the day of the relevant meeting:
  - i. In the form approved; or
  - ii. by email to Council's prescribed email address;.or
  - iii. in person during normal office hours at the Council Offices at 25 Armstrong Street South, Ballarat.
- If a person submitting a presentation is not present in the gallery, their presentation will be read out subject to the time limits.

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**The next Meeting of the Ballarat City Council will be held on Wednesday 22 March 2023.**

## 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

- Questions must be in English and must be 75 words or less and not include a preamble, other additional material, or multiple parts.
- Questions must be submitted by email to [governance@ballarat.vic.gov.au](mailto:governance@ballarat.vic.gov.au), no later than 12:00pm on the day of the Council Meeting.
- **Please note:** no person may submit more than two questions at each meeting; questions may not be allowed if the time allotted for public question time has finished.
- If a person submitting a question is not present in the gallery during Public Question Time, their questions will be read out and a response provided at the 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. Events in Ballarat

It has been several busy months of events across the City, with visitors flocking to Ballarat for a variety of activities. **Spilt Milk** in December was hailed a success as more than 32,000 people attended Victoria Park for the one-day event, which attracted some of Australia's biggest musical acts and world-renowned performers. The full economic impact is still being calculated, although it is expected to eclipse the \$3.7 million generated for Ballarat when the event was last held in 2019 when 28,000 tickets were sold. In January the Federation University **Road National Championships** assembled one of the strongest fields in recent memory, with the five-day extravaganza providing an enormous boost of approximately \$4 million to Ballarat's economy. The popular **Summer Sundays** program also kick started the year in January, with strong crowd numbers across four weekends enjoying live music, local and regional food and beverages, and the fireworks spectacular.

##### 4. Road maintenance

The City of Ballarat has been reporting the progress of road maintenance across the municipality via weekly updates posted on the City of Ballarat website and Facebook page. Heavy rain throughout 2022 contributed to an increase in the number of damaged roads while ongoing wet weather limited road crews to using short-term maintenance materials, such as cold mix, leading to repeated repairs of the same road defects. The City of Ballarat added additional crews in December to deliver critical maintenance to roads damaged by heavy rainfall and flooding, particularly on link and collector roads. The annual reseal maintenance program was completed in late January, with 91 roads, covering 367,015 square metres resealed as part of the program. Our \$2.9 million blitz of major patching and asphalt overlays to target critical defects across the sealed road network continues, focusing on 82 roads covering 29,110 square metres.

**5. Christmas in Ballarat**

Ballarat's CBD once again came to life in December as the spirit of Christmas took hold and full festive season mode was activated. The City of Ballarat's events team successfully oversaw the 'Christmas in Ballarat' program with dazzling decorations (including the beloved floral reindeer and giant Christmas bauble), live music, interactive family activities and Christmas workshops making every trip to the CBD an experience to remember. The walking tour Art Trail by local children's book author and illustrator Liv Lorkin was a popular activity for many families, while over at the Ballarat Animal Shelter the generosity of the animal loving Ballarat community was on full display as part of its annual Christmas donation drive. The shelter received plenty of treats, bedding, wet food, toys and even a few small pools for the animals to play in over Summer.

**6. Pop-up Library at the Ballarat Town Hall**

The Ballarat Town Hall has been successfully transformed into a pop-up library while redevelopment works are conducted at the Central Ballarat Library on Doveton Street. The transition took place at the end of 2022, with foot traffic remaining steady and complemented by the close proximity to the Visitor Information Centre. The core services remain available at the Town Hall including a library collection to browse, with some catalogue limitations, collect holds, WiFi, public computers, printing and scanning, technology learning programs and assistance, and children's programs. After hours returns are unavailable at the Town Hall, although they remain available at Wendouree and Sebastopol libraries which are operating as normal. The pop-up library at Town Hall will be in place throughout 2023 while the Central Ballarat Library undergoes a \$7,484,031 redevelopment and upgrade.

**7. Girl Guides from throughout Australia descend on Ballarat**

Victoria Park was transformed into a giant campground in January as Girl Guides from all over Australia descended on Ballarat for the Australian Girl Guide Jamboree, known as Kani-Karrung. The camp saw girls aged 10-17 call Victoria Park home for a week of fun activities, developing lifelong friendships and empowering them to discover their potential as leaders. More than 1000 guides attended, as well as 450 adult volunteers. Jamborees are usually held every three years, but due to the COVID pandemic, the last such event was held in Sydney in 2018. The City of Ballarat attracted the event through the Tourism Event Grant Program, while also making Victoria Park available.

**OFFICER RECOMMENDATION****8. That Council:****8.1 Receive and note the CEO's Operational Report.****ATTACHMENTS**

Nil

## 8. OFFICER REPORTS

### 8.1. GOOD FOOD FOR ALL: FOOD STRATEGY 2019-2022

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Caroline Amirtharajah – Health and Wellbeing Planner  
Pete Appleton – Executive Manager, Engaged Communities

#### PURPOSE

1. The purpose of this report is to present Council with a report of work completed to address the aims and actions of the Good Food for All: Food Strategy 2019-2022.
2. Inform Council of the planned actions to progress work in the area of food systems.

#### BACKGROUND

3. Good Food for All: Food Strategy 2019-2022 had three priority areas:
  - Priority 1: Increase access to and promotion of safe and nutritious food
  - Priority 2: Support a sustainable local food system
  - Priority 3: Celebrate a vibrant, inclusive food culture
4. Within the three priorities, the Food Strategy outlined 16 short-medium term actions and 15 ongoing actions for Council to have a positive impact on the local food system.
5. The Food Strategy was endorsed in October 2019, hence additional projects and associated restrictions due to COVID-19, in combination with changes of staff and reduced resourcing in some teams, impacted delivery of several actions.
6. As the time period of the plan has now finished, both the work implemented, and the outcomes achieved through the Food Strategy have been evaluated to inform the progression for Council in this area.
7. There are actions within both the VicHealth Local Government Partnership (to improve health and wellbeing of children and young people) and the Youth Strategy 2022-2026 to develop a local food coalition and action plan with the involvement of young people.

#### KEY MATTERS

8. Progress was recorded against 28 of the 31 actions within the Food Strategy over the period of the plan – details of actions are included in the attachment.
9. Some key actions included:
  - Development of Eat Well Feel Good branding in conjunction with Ballarat Community Health and local students from Mt Clear Primary School – in use at Selkirk Stadium and Eureka Pool

- Provided composting products to 14 schools with food gardens
  - 1635 residents accessed tutorials on how to compost and use worm farms
  - Supported expansion of Food is Free Green Space and development of Lucas Community Garden
  - Increased promotion of local producers through events and tourism sites
  - Culturally diverse foods celebrated through Harmony Fest and potential development of an Intercultural Garden
10. There were seven (7) short and medium-term outcomes identified in the Food Strategy. In five (5) of these outcomes either the targets were met, or progress was recorded.
11. Positive outcomes included:
- Workplace healthy food and drink procedures developed
  - A significant increase in the number of food system projects supported through the Community Impact Grants program
  - A significant increase in the number of households purchasing composting products (and completing online tutorials on composting)
  - A significant increase in the number of local sites registered on the ShareWaste platform
  - An increase in the number of schools using vegetable gardening as part of the learning program
12. One outcome – production of a healthy options catering guide – did not progress as it may not comply with fair procurement procedures.
13. One outcome – a decrease in the proportion of people accessing emergency food relief – is unable to be measured in the same way due to a change in reporting mechanisms amongst service agencies, but it is also likely to have increased above the baseline percentage of 12% in 2019 due to increased expenses for financially vulnerable households.
14. Council staff will work with Deakin University researchers to assess the Food Strategy against the Local Food Environment Policy Index – a best practice framework for local governments – to highlight areas for improvement and future work.
15. Sustain: The Australian Food Network have been contracted to engage with community and develop a local food coalition and associated council and community-based action plan by November 2023.
16. Hence officers will not be developing a new food strategy and any further associated actions will be covered in the action plan of the local food coalition or through the food domain of the Health and Wellbeing Plan 2021-2031.

## OFFICER RECOMMENDATION

### 17. That Council:

**17.1 Note the report of work completed to address the aims and actions of the Good Food for All: Food Strategy 2019-2022.**

## ATTACHMENTS

1. Governance Review [8.1.1 - 2 pages]
2. Food Strategy progress against actions Dec 2022 [8.1.2 - 2 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. The Food Strategy aligns with the food liveability domain of the Health and Wellbeing Plan 2021-2031.
2. The Council Plan 2021-2025 includes priorities from the Food Strategy 2019-2022 as a strategic objective under Goal 2: A healthy, connected and inclusive community.

**COMMUNITY IMPACT**

3. The work of the Food Strategy and local food coalition will have positive impacts on food access, food security and give community more influence over decisions affecting the local food system.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

4. Key elements of the food system have a large impact on environmental sustainability including disposal of food waste, food packaging and transport and storage of food. The climate emergency has also highlighted the issues of local food production, food security and the importance of plant-based diets for future community and planet health.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

5. There are no economic sustainability implications identified.

**FINANCIAL IMPLICATIONS**

6. The contracting of a consultant to develop the local food coalition has been partially funded through a VicHealth grant and partially covered through operational budget.

**LEGAL AND RISK CONSIDERATIONS**

7. This report does not create legal or risk considerations.

**HUMAN RIGHTS CONSIDERATIONS**

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

**COMMUNITY CONSULTATION AND ENGAGEMENT**

9. The development of a local food coalition will include engagement with young people and stakeholders from various areas of the local food system.

**GENDER EQUALITY ACT 2020**

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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**

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## **Good Food for All - Food Strategy – 2019 – 2022**

### **Progress against actions – Dec 2022:**

#### **Priority 1: Increase access to and promotion of safe and nutritious food**

- Eat Well Feel Good (healthy foods and drinks branding project) launched at outdoor pools and Selkirk Stadium. To be promoted by basketball and netball clubs using a healthy rewards scheme.
- Project on increasing sustainability of school food gardens – included 14 schools and 4 community groups
- Working with BCH to arrange excess food from SecondBite program to be available from Sebastopol and city libraries, particularly during school holidays
- Assisted develop the *Central Highlands outcomes and measures for collective effort in healthy eating*
- Progressed discussions on an Intercultural Community Garden
- Created list of local community and school gardens for Community Gardens Australia website
- Mobile freezer purchased and used for alternative Meals Program site
- Involved in Food Systems research papers for University of Wollongong, Deakin University and University of Melbourne
- Healthy eating and catering procedure developed – although revision now due with overlap of the Hospitality Procedure
- The production of a Healthy Catering Guide featuring local businesses was deemed non-compliant with procurement policies, so this action was altered to support local businesses to understand the healthy eating guidelines and be able to comply with council catering requirements. However, during COVID-19 restrictions and in the following months where staff were working from home, it was not appropriate to work with food retail businesses, and there was minimal catering ordered by Council staff, hence no further work has been completed on this action.
- Investigative project to determine best options for a healthy kid's menu program in local cafes and restaurants – recommendation includes to develop a celebratory awards scheme which encompasses more than just healthy eating, ie accessibility, sustainability, food safety.
- Interviewed school food garden supervisors from 14 schools and 4 community groups to determine barriers to successful school garden programs
- Support for Food is Free, Lucas Community Garden, dietitian visits to youth programs and supported playgroups
- COVID-19 support for community with food drop-off points, home delivery for emergency relief, extended Meals Program and assistance with food pantry for Federation University students
- 12 new public water taps installed

#### **Priority 2: Support a sustainable local food system**

- Provided \$300 vouchers for composting products to the 14 schools involved in the school food garden project
- 1635 households have accessed tutorials on composting and worm farming on the Compost Revolution website and 292 residents have purchased products

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- ShareWaste sites have been promoted through OurBallarat articles. There are now 50 local ShareWaste sites in the LGA, an increase from 28 in 2019.
- Visit Ballarat have been actively promoting local producers and local food markets, promotion of other local food events such as Heritage Harvest Market at Sovereign Hill as part of the Heritage Festival.
- Suitable locations being identified for food trees in public places – plan is to choose 4-5 parks or reserves and plant a small grove of fruit trees in each. Also planning a range of nut trees (walnuts, almonds, hazelnuts) in some parks and reserves. Olive trees included in plantings across the city.
- Waste to Wellbeing project mapped local enterprises with a focus on waste and sustainability - funded through Circular Economy Victoria
- Since Oct 2019, the Community Impact Grants Program supported 19 projects specifically related to community food or gardening groups plus a further 3 projects supporting culturally diverse and inclusive food related celebrations and gatherings.
- Nature Strip policy and guidelines are under review due to operational / resourcing barriers for implementation.
- Action has not progressed on a review of the Ballarat Rural Land Use strategy as the Strategic Planning unit are currently responding to priorities outlined in the Council Plan 2021-2025.
- Action has not progressed on collaborating with local government authorities to support industry development of a coordinated local food supply chain.
- Engaged with Rural Councils Victoria via forums and meetings.
- Strategic Planners provided input and commentary to an ongoing state government (DEWLP) project to protect agricultural land.
- Planners will require the inclusion of food sensitive planning and urban design in local planning documentation and precinct structure plans when developed. This also includes options for provision of food in higher-density and vertical developments in infill areas of Ballarat.

**Priority 3: Celebrate a vibrant, inclusive food culture**

- Local producers and retailers supported and promoted through events including Begonia Festival, Winter Festival and Heritage Festival
- Opportunity to promote local producers and suppliers has been included as a strategic priority in the recently revised Ballarat Events Strategy 2018-2028
- Council run events included in internal procedure on healthy eating
- Harmony Fest included 11 events in 2021 and 9 events in 2022 featuring culturally diverse foods.
- Visit Ballarat promotions supporting local producers with website pages, blogs and media releases

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## 8.2. HEALTH AND WELLBEING PLAN IMPLEMENTATION REPORT

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Caroline Amirtharajah – Health and Wellbeing Planner  
Pete Appleton – Exec. Manager, Engaged Communities

### PURPOSE

1. To update Councillors on the progress made against actions in the first year of implementation of the Health and Wellbeing Plan 2021-2031.
2. To inform Councillors that future reviews of the Health and Wellbeing Plan 2021-2031 will be reported at strategy level.

### BACKGROUND

3. The development, implementation and annual review of the Health and Wellbeing Plan 2021-2031 is a legislative requirement of Victorian councils under the *Public Health and Wellbeing Act 2008* (the Act).
4. The plan is required to have regard to the State Public Health and Wellbeing Plan, which is reflected in the six (6) health priority areas:
  - Tackling climate change and its impact on health
  - Preventing all forms of violence
  - Increasing healthy eating
  - Increasing active living
  - Improving mental wellbeing
  - Reducing harm from smoking, gambling, alcohol and other drugs
5. The plan and annual review must specify measures to prevent family violence and respond to the needs of victims of family violence in the local community.
6. The plan outlines nine (9) priority groups which experience poorer health and wellbeing outcomes, and which become a focus for delivery of equity-based programs and services.
7. The plan is a high-level document which has informed development for many other age-based and priority group plans and strategies in the Community Wellbeing directorate including the Inclusion Framework and associated plans.
8. The plan includes 52 strategies divided amongst nine (9) liveability domains ensuring input from across multiple areas of Council.
9. Progress against outcomes is measured using a range of 34 medium-term and 28 long-term indicators and are reported every four (4) years through an evaluation report.

## KEY MATTERS

10. The first annual review of the Health and Wellbeing Plan 2021-2031 was submitted to the Department of Health and Human Services prior to the required date of 31 October 2022.
11. Progress has been recorded against most of the 138 actions, with a noticeable increase in the number of actions to address the health priorities of 'Tackling climate change and its impact on health' and 'Improving mental wellbeing' compared to previous health and wellbeing plans.
12. As it is a high-level document, which informs age based or priority group plans. Multiple actions in the Health and Wellbeing Plan are repeated and reported through other plans and strategies.
13. Hence to reduce duplication of reporting across other associated plans, and to save resources required to develop and monitor annual action plans, in future years the annual review of the Health and Wellbeing Plan will be reported at strategy level, as required under the Act.

## OFFICER RECOMMENDATION

### 14. That Council:

**14.1 Receive the report on the work undertaken to progress towards the goals of the Health and Wellbeing Plan 2021-2031; and**

**14.2 Note that future reports on the implementation of the Health and Wellbeing Plan will be at strategy level, as required under the Act.**

## ATTACHMENTS

1. Governance Review [8.2.1 - 2 pages]
2. City of Ballarat Health and Wellbeing Plan 2021-2031 - First Year Review [8.2.2 - 8 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. The Health and Wellbeing Plan 2021-2031 was developed in conjunction with the Council Plan and Community Vision with strategies particularly aligned to Council Plan Goal 2: A healthy, connected and inclusive community.
2. The subject of this report is a legislated requirement of the *Public Health and Wellbeing Act 2008*.

**COMMUNITY IMPACT**

3. The work undertaken to address the goals and strategies of the Health and Wellbeing Plan will have positive population level impacts on the community in areas of the health priorities, with targeted support for priority groups.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

4. 'Tackling climate change and its impact on health' is a key health priority area of the plan. The report highlights the work undertaken to support this priority.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

5. There are no economic sustainability implications identified.

**FINANCIAL IMPLICATIONS**

6. Many actions within the Health and Wellbeing Plan are delivered through the allocated resources of Council supplemented with external funding, including significant resourcing through the VicHealth Local Government Partnership.

**LEGAL AND RISK CONSIDERATIONS**

7. This report does not create legal or risk considerations.

**HUMAN RIGHTS CONSIDERATIONS**

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

**COMMUNITY CONSULTATION AND ENGAGEMENT**

9. The *Public Health and Wellbeing Act 2008* stipulates that community engagement is not required for annual reviews of the Health and Wellbeing Plan.

**GENDER EQUALITY ACT 2020**

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

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**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

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## City of Ballarat Health and Wellbeing Plan 2021 - 2031

### First year review – October 2022

The [City of Ballarat Health and Wellbeing Plan 2021-2031](#) was prepared in conjunction with the Council Plan 2021-2025 and the Community Vision 2021-2031, with a large community consultation process informing all three plans.

The Health and Wellbeing Plan has six health priority areas:

- Tackling climate change and its impact on health
- Preventing all forms of violence
- Increasing healthy eating
- Increasing active living
- Improving mental wellbeing
- Reducing harm from smoking, gambling, alcohol, and other drugs

The plan also describes 9 priority groups:

- Aboriginal and Torres Strait Islanders
- Culturally diverse communities
- LGBTIQ+ communities
- People with disability
- Gender
- Early years and children
- Young people
- Older people
- Financially vulnerable

The outcomes and strategies are outlined within 9 liveability domains:

Liveability Domain	Outcome	Medium-term goals
Active transport	All residents feel safe using walking and cycling paths more often, and have good access to public transport	- Increased numbers of people using active transport for school, work or recreation - Increased connectivity of walking and cycling paths
Community participation	All residents feel connected and engaged and actively participate in the community	- Increased engagement with the community, particularly priority groups - Increased participation of community members in Council programs and events - Increased access to Council facilities
Community safety	All residents feel safe and secure in their community	- Increased awareness of and action towards gender inequity as a key driver of family violence - Increased awareness of and action towards inclusion and being culturally welcoming

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Employment	Increased participation in diverse and meaningful employment	<ul style="list-style-type: none"> <li>- Increased number of new businesses and jobs</li> <li>- Increased rate of people from priority groups in the workforce</li> <li>- Increased diversity of businesses and employment options</li> </ul>
Food	Increased access to and consumption of safe, healthy, affordable foods through a sustainable local food system	<ul style="list-style-type: none"> <li>- Increased proportion of healthy foods and drinks available at facilities and events</li> <li>- Improved sponsorship environment and influences for young people</li> <li>- Increased participation in community food programs</li> <li>- Improved access to healthy food for people who are food insecure</li> </ul>
Health and social services	Increased access to and participation in health and social services, and greater awareness of and action towards preventative health and wellbeing	<ul style="list-style-type: none"> <li>- Increased awareness by young people on alcohol harm prevention</li> <li>- Increased areas at City of Ballarat-owned facilities and spaces which are smoke free</li> <li>- Increased participation in health and social services by priority groups</li> </ul>
Housing	Increased access to diverse, affordable and sustainable housing	<ul style="list-style-type: none"> <li>- Increased diversity of housing</li> <li>- Increased population density in urban areas</li> </ul>
Lifelong learning	Increased access to educational and skill-building opportunities	<ul style="list-style-type: none"> <li>- Increased participation in early years services by children from priority groups</li> <li>- Increased number of people accessing skills development and digital literacy programs</li> <li>- Increased number of programs to support skill development in young people</li> </ul>
Open space and recreation	Increased access to and participation in active recreation and increased access to public open spaces	<ul style="list-style-type: none"> <li>- Increased participation in sport and active recreation</li> <li>- Increased tree canopy cover across the municipality</li> </ul>

The plan also demonstrates how these three key areas intersect and align with the Council Plan, as shown in the following table. The plan includes 52 strategies divided amongst the 9 liveability domains, ensuring input from across multiple areas of council. Progress will be measured using a range of indicators; 34 medium-term and 28 long-term indicators.

The annual action plan included 138 actions with progress recorded against most actions. There will be no changes made to the MPHWP as the objectives and strategies are still appropriate and relevant.

An Evaluation Framework tool has been developed to support the collection of data from across Council departments and health partner organisations. This review document summarises the information gathered within the data collection to showcase the work underway in support of the plan's strategies.

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## How Liveability Domains link to the Council Plan, health priorities and priority groups

LIVEABILITY DOMAINS >	Active transport	Community participation	Community safety	Employment	Food	Health and social services	Housing	Lifelong learning	Open space and recreation
<b>COUNCIL PLAN GOALS</b>									
An environmentally sustainable future	✓								✓
A healthy, connected and inclusive community		✓	✓		✓	✓	✓	✓	✓
A city that fosters sustainable growth			✓	✓			✓		✓
A strong and innovative economy and city		✓		✓					
A city that conserves and enhances our natural and built assets									✓
<b>HEALTH PRIORITIES</b>									
Tackling climate change and its impact on health	✓	✓	✓		✓		✓		✓
Preventing all forms of violence	✓		✓						
Increasing healthy eating			✓		✓				
Increasing active living	✓		✓						✓
Improving mental wellbeing	✓	✓	✓	✓	✓	✓	✓	✓	✓
Reducing harm from smoking, gambling, alcohol and other drugs						✓			
<b>PRIORITY GROUPS</b>									
Aboriginal and Torres Strait Islanders		✓	✓	✓		✓		✓	✓
Culturally diverse communities		✓	✓	✓		✓		✓	✓
LGBTIQA+ communities		✓	✓	✓		✓	✓	✓	✓
People with disability	✓	✓	✓			✓	✓	✓	✓
Gender	✓	✓	✓			✓		✓	✓
Early years and children	✓	✓	✓		✓	✓		✓	✓
Young people	✓	✓	✓	✓	✓	✓		✓	✓
Older people	✓	✓	✓	✓	✓	✓	✓	✓	✓
Financially vulnerable		✓	✓		✓	✓	✓	✓	✓

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## Priority 1: Tackling climate change and its impact on health

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- Developed a Ballarat Net Zero Emissions Plan with focus areas on business, homes, new developments, transport, and waste
- Implemented actions from Carbon Neutrality and 100% Renewables Action Plan 2019-2025 including maximising energy resource efficiency, moving City of Ballarat operations towards 100% renewable energy, reduced emissions from waste and supporting and encouraging community carbon emissions reduction
- Advocating through CASBE (Council Alliance for the Sustainable Built Environment) for a Sustainable Subdivision Framework trial and elevating Environmentally Sustainable Design (ESD) in the Planning Scheme
- Investing in walking and cycling infrastructure, \$800K for footpaths and cycleways each year over the next 4 years, \$1M for other active transport projects, plus \$500K per year for street tree planting program. Also delivering \$691K for state government funded cycling and footpath projects.
- Supporting 4 local primary schools with Active 2 School programs and developing a webpage which shows safe routes to local schools
- 1900 trees planted including street trees and at reserves - number of trees in the asset management system increased to 78335
- Held tree planting days with 10 schools, 3 kindergartens, Joey Scouts, Scope Disability Services, Nature Stewards and SEDA College. Also assisted other schools and community groups with mulch, trees or other plants, bags, stakes, and advice
- Advocacy to improve the Ballarat bus network – considered a Tier 2 advocacy project
- Bus stop upgrade, new shelter or accessibility access at Mount Pleasant, Black Hill, Redan, Wendouree, Miners Rest, Buninyong, Sebastopol, Ballarat East, Ballarat North, Delacombe, and Alfredton
- Support local group BREAZE – Ballarat Renewable Energy and Zero Emissions – to deliver free monthly talks and forums at the library
- Offered up to 40% discount on online platform promoting composting and worm farm products, over 1500 residents have undertaken online tutorials to learn about composting and worm farming
- Promoted ShareWaste online platform and Compost Revolution through Our Ballarat articles, the annual recycling calendar and website
- Developed a reusable nappy, sanitary, and period products rebate
- Provided 14 schools with a \$300 voucher to purchase composting and worm farm products
- Held Community Wealth Building workshops with a focus on renewable energy
- Contracted Circular Economy Victoria to undertake a Waste to Wellbeing project, mapping local sustainably focussed businesses and social enterprises
- Offered ASPIRE online platform providing a matching service for businesses to purchase or exchange resources that would otherwise be discarded and end up in landfill
- Offered Ready, Set, Grow! Circular economy business development program for local businesses to build capacity to identify and activate circular economy growth opportunities
- Gained funding to support local primary students with a youth-led sustainability solutions project, to be delivered in conjunction with Resource Smart schools and local community groups

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## Priority 2: Preventing all forms of violence

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- Gained \$700K funding to offer an Empowering Communities grant, engagement led to a focus on inclusion for priority groups to improve safety, with a grant round of \$450K
- Developed a Gender Equality Action Plan 2021-2025 and a Gender Equality, Diversity and Inclusion Policy
- Supported development of Gender Impact Assessments of plans and policies
- Promoted key events including International Women's Day and International Day of the Girl
- Promoted 16 Days of Activism in conjunction with Women's Health Grampians and Zonta, with footpath stencils around the CBD, information stickers in toilets and a walk
- Support for community requiring emergency animal housing and retrieval
- Screening of residents for older vulnerable persons in emergencies register
- Participated in Your Ground project to improve safety for women in open space, leisure, and sport environments
- Updated social policy position statements including Preventing Family Violence
- Promoted family violence support services to families with children through Parent Place and supported playgroup programs
- Provided family violence screening and counselling support through the MCH service

## Priority 3: Increasing healthy eating

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- Worked with 14 local schools to determine strategies to improve sustainability of school food gardens
- Introduced healthy drinks and foods to the outdoor pool kiosks, surveyed pool users and developed training for pool staff
- Worked with BCH and Selkirk Stadium to improve the healthy food and drink options at the canteen, branding co-designed with students
- Developed a Healthy Rewards scheme for netball and basketball clubs at Selkirk Stadium to encourage children to try the healthy options at the canteen
- Planning to develop a local food coalition, gaining VicHealth funding to assist
- Supported community food growing groups including Food is Free, Lucas Community Garden and Ballarat Community Garden
- Worked with eligible older residents to support a reablement approach to meal preparation
- Provided a subsidised meals program with support of volunteers for delivery
- Participated in Food Access Network meetings to remain responsive to issues of food insecurity
- Parks and Gardens unit have plans to include fruit and nut trees in various public areas
- Breastfeeding and healthy food and drinks promoted through early childhood services, staff upskilled through the INFANT program, will commence INFANT for first time parents in 2023 in conjunction with BCH
- Environmental health teams inspected 145 new businesses in 2021, supported businesses with COVID-19 impacts and temporary closures
- Updated social policy position statements including Access to safe nutritious and affordable food

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- Central Highlands Water continued a partnership with the Ballarat Begonia Festival in 2022 to promote their 'Choose Tap' campaign providing hydration stations and portable drinking taps at the festival.

## Priority 4: Increasing active living

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- Investing \$3.2M to light the walking track around Lake Wendouree (6km)
- Co-designed with young people to develop the MR Power Park Skate Park
- Promotion of free and flexible sport offerings including ParkRun, Disc Golf and seniors exercise park
- Promote local sports and come and try opportunities through the Active Ballarat newsletter
- Supported 14 local sporting clubs to offer 25 different activities as part of This Girl Can week
- Updated social policy position statements including Promoting Active Living
- Ballarat Aquatic and Lifestyle Centre offers a diverse range of classes and programs, plus additional elements such as sensory quiet time and incentives for over 60s.
- New synthetic bowling green surfaces at Alfredton Rec Reserve and Learmonth Rec Reserve
- New netball court and flood LED lighting at City Oval
- Oval improvements at Alfredton Rec Reserve
- Two new netball courts and LED flood lighting at Mars Stadium
- New LED flood lighting of 18 courts at Ballarat Regional Tennis Centre
- New and refurbished sporting and changeroom facilities at Alfredton Rec Reserve, Learmonth Rec Reserve, Marty Busch Reserve, Pleasant Street Reserve, Royal Park Buninyong, and Trekardo Park
- Two new soccer pitches and lighting at Royal Park Buninyong
- At playgrounds there were new BBQs, shelters and a 3x3 basketball facility
- Provide support for clubs to maximise use of facilities and grounds
- Provide a regular maintenance program to ensure sports grounds and playspaces are in good condition and are accessible
- Over 100 riders rode from Lake Wendouree to the Civic Hall as part of Ballarat Heritage Festival in 2022
- Over 18,000 tickets were sold to the ice-rink over the 3-week Ballarat Winter Festival
- Delivered the Ballarat Begonia Festival in the Ballarat Botanical Gardens with 50,000 visitors returning to the festival, encouraging visitation to our gardens
- Delivery of the Obstacle Course as part of the Ballarat Begonia Festival core content
- Constructed 180 meters of path and creek crossing with handrails at Canadian Springs Linear Reserve to provide connection of Pennyweight Linear Reserve from Richards St to City
- Further repair of the trail at the Miners Rest Park walking track
- Replaced and repaired sections of post and rails and single bollards through Mount Buninyong Reserve. Bridge replacement and associated path work west end of Desoza Park at Buninyong.
- A total of 8km of walking track was re-sheeted in various locations across the city
- Planning works continue for works on the Yarrowee River corridor, some of these projects will further improve the walking trails and access
- Upgrades to several walking bridges including non-slip decking and handrails at Doug Dean Recreation Reserve and Canadian Lakes.
- Overseeing the process, during construction to handover, of the new open space assets through the growth precinct developments

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**Priority 5: Improving mental wellbeing**

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- Engagement, development and endorsement of the Inclusion Framework 2022-2026 and the various associated plans:
    - Intercultural Plan 2022-2026
    - LGBTIQ+ Inclusion Plan 2022-2026
    - Reconciliation Action Plan 2022-2024
    - Disability Access and Inclusion Plan 2022-2026
    - Youth Strategy 2022-2026
    - Ageing Well Strategy 2022-2026
  - Engagement, development and endorsement of the Ballarat Libraries and Learning Strategy 2022-2027
  - Continue to manage development of the city library and advocate for a new library in Wendouree
  - Developed a Community Infrastructure Plan 2022-2037
  - Community facilities for hire promoted on community directory and through Arts Atlas
  - Ballarat Aquatic and Lifestyle Centre developed a community engagement plan to promote inclusion among priority groups
  - Advocacy for the Ballarat Station accessibility upgrade – now included in the Commonwealth games funding package
  - Art Gallery gained \$100K funding to provide children’s creative programs
  - Gained VicHealth funding to support a year long trial of Parent Place outreach
  - Gained VicHealth funding to support a youth-led creative program to develop skills in exhibition design and implementation
  - Established an online community directory
  - Improved processes for community engagement including an annual community engagement program, training, and capacity building for staff
  - Picnic in the Park was delivered in its inaugural year on January 26
  - Craft Lab was held attracting artisans and visitors to the Mining Exchange
  - \$300K available to community groups via the Community Impact Grants program
  - Volunteering opportunities with Council advertised on the Career’s webpage and within the Volunteer webpage, young person’s opportunities include SONIKA, T.E.A.M. and youth volunteers
  - Civics and citizenship training to school students through Eureka Centre staff
  - Intercultural Ambassadors and Intercultural Employment Pathway programs evaluated by Federation University
  - Social connections program for seniors: bus trips, lunches, events, and social exercise programs, also supports Seniors Festival
  - Literacy and digital inclusion programs offered at the libraries
  - Working with Carers Victoria to determine appropriate location for Mental Health Carers and Family space
  - Supported playgroup programs and Parent Place available for parental support
  - 8901 children supported through the MCH program, 300 hours provided through the First Parent group activity, immunisation services delivered, Best Start program offered to vulnerable families, Kindergarten programs offered at Girrabanya and Wendouree
  - Worked with PCP to deliver a social inclusion forum

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- Updated social policy position statements including Affordable housing
- Western Bulldogs Sons and Daughters of the West programs undertaken successfully and evaluated to show the impact on participants, including increased knowledge about local services
- Supported elderly residents to access appropriate services through My Aged Care, and delivered the Regional Assessment Service
- Home library services provided for older residents
- Continued development of the Housing Strategy
- Participate in discussions related to the state government Big Housing Build
- Homelessness protocol developed to ensure improved internal responsiveness to enquiries. Working closely with Uniting Street 2 home team to address issues as they arise.

## **Priority 6: Reducing harm from smoking, gambling, alcohol and other drugs**

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- Updated councils gambling harm minimisation policy
- Through the Libraries After Dark program offered a free, welcoming, and safe space each Thursday night with programmed activities as an alternative to local gambling venues
- Worked with partners on the All-in Gambling harm project
- Updated social policy position statements including Alcohol and other Drugs and Minimising Gambling Harm
- Provided community wellbeing perspectives on gambling application from Robin Hood hotel – application refused on grounds of not properly paying community benefits
- Provided community wellbeing perspectives on liquor licence applications
- Environmental health team supporting businesses to upgrade signage to include no vaping
- Attended values-based messaging training to improve messaging on smoking and vaping, and reducing harms from alcohol and gambling

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### 8.3. LAKE WENDOUREE UNDERGROUND PUBLIC TOILET

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Michael Hynes – Acting Executive Manager Property & Facilities Management

#### PURPOSE

1. To seek Council endorsement for the demolition of the Lake Wendouree underground toilet.

#### BACKGROUND

2. The underground toilet facility at Lake Wendouree was constructed circa 1960.
3. On June 18, 2021 due to ongoing maintenance, community safety, compliance, and accessibility issues, the underground toilet was boarded up and closed for public use. Closure of the toilet block was prompted by:
  - An Asset Condition & Defect Report prepared by FG Dixon Group dated April 30, 2021, suggesting the overall condition of the building to be poor. An asset with a poor rating is described as deteriorated such that safety and functionality may be compromised, and/or significant non-compliance with mandatory requirement.
  - A Gender Impact Assessment which noted that the toilet facilities do not automatically and universally meet the needs of everyone provided by City of Ballarat Community Inclusion Officer on 22<sup>nd</sup> February 2022.
  - A Risk Assessment was undertaken by the City of Ballarat's risk unit identifying that the current risk controls for slips and fall, public health and safety and access are ineffective.
4. Previously, and in summary:
  - The City of Ballarat's Public Toilet Framework, dated 2015, recommended that the Lake Wendouree underground toilet be decommissioned as the toilet block 'does not meet Disability Discrimination Act, Crime Prevention Through Environmental Design (CPTED) or Safer by Design principles and has been clearly identified through public consultation that people are afraid or do not like to use'.
  - At the Council meeting dated April 27, 2016, Council resolved to 'receive and adopt the Public Toilet Framework' (R108/16).
  - An Access/Condition Audit was undertaken by Vincent McDonald Architects in July 2017 which identified multiple accessibility issues and concluded that the facility does not meet current regulations requiring access for persons with a disability.
  - At the August 23, 2017, Council meeting an update on the Public Toilet Framework was presented to Council. Council resolved to 'defer any consideration of the demolition of the underground toilet at Lake Wendouree to allow further review of utilisation and safety issues' (R281/17).

- The Lake Wendouree Masterplan dated November 2017, identified the underground toilets for removal. Significant consultation with the community was undertaken to deliver this masterplan including 12 months of consultation with 1800 responses. There were no specific submissions received relevant to retaining the underground toilet.

## KEY MATTERS

5. Since the closure of the underground toilets in June 2021, there have been minimal direct enquiries/complaints to Customer Service or Property and Facilities Department from the general community. Three written enquiries have been made by Councillors on behalf of the community regarding the toilets during this time.
6. In February 2023, the Property and Facilities team commenced development of a new Public Toilet Strategy with an identified completion date in July 2023. Broad community consultation will be undertaken as part of the development of the Public Toilet Strategy and a briefing will be provided to Council on the draft strategy prior to its finalisation.
7. Through the development of an associated Public Toilet Action Plan, the new Public Toilet Strategy will identify the need for any new public toilets (as well as upgrade/renewal of existing facilities) and provide overarching design guidelines for new public toilets.
8. The need for a toilet facility at the Lake Wendouree location will be informed by the Public Toilet Strategy. Options may include:
  - a. No toilet facilities with current nearby facilities deemed to be appropriate based on existing public toilets located at Victoria Park (400m), the Yacht Club (650m) and South Gardens (1200m).
  - b. The provision of a toilet facility with further options to be identified subsequent to the Public Toilet Strategy including either:
    - I) Full refurbishment of the current facility\* (expected to be at a cost of around \$300,000 - \$350,000 with estimated annual cleaning and maintenance costs of around \$7,000).
    - II) Construction of a new toilet facility\* at an approximate cost of \$300,000 - \$350,000 and annual cleaning and maintenance costs of \$1000+ (maintenance costs on a new facility are expected to be lower than maintenance costs of a refurbished facility).
9. A budget to fund the construction of any new facility will need to be considered in the future.
10. Options for consideration for the immediate future of the toilet include:
  - a. Demolition of the toilet facility in 2023/24 at a cost of around \$80,000. All necessary permits will be required to be obtained including a permit from Heritage Victoria. Demolition of the underground toilet will be undertaken with appropriate internal

and external community consultation. Funding for the demolition works will be included in the draft 2023/24 budget.

- b. Leave the toilet block facility as is (permanently closed) and continue to attend to ongoing maintenance issues as incurred with ongoing risks to staff entering the facility (as identified in the risk assessment) (cost expected to be around \$5,000/year).

## OFFICER RECOMMENDATION

### 11.1. That Council:

**11.1 Based on Asset Condition and Defect Report; Gender Impact Assessment Compliance Audit; and Risk Assessment, endorse the commencement of the process to demolish the Lake Wendouree Underground Public Toilet.**

**11.2 Consider the requirement for the provision of public toilet facilities as informed by the (future) Public Toilet Strategy.**

## ATTACHMENTS

1. Governance Review [8.3.1 - 2 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. Report aligns with several key strategic documents
  - a. Council Plan 2021-2025 Goal 4: A City that conserves and enhances our natural and built assets specifically with 4.3 Deliver quality and targeted capital works projects.
  - b. Council Vision 2021 -2031
  - c. City of Ballarat's Public Toilet Framework 2015
  - d. Lake Wendouree Masterplan 2017
  - e. Community Infrastructure Planning Policy 2020

**COMMUNITY IMPACT**

2. Impacts whole of community through the provision of safe and accessible infrastructure (Public Toilets) for all the community. Currently Lake Wendouree underground toilet doesn't meet DDA compliance and access regulations for persons with a disability.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

3. The Lake Wendouree underground toilet has not been designed with ESD principles in mind. Any redevelopment will include ESD principles as required.
4. A future Public Toilet Strategy (under development) will set out the underlying philosophy to prioritise, plan, design and provide public toilet infrastructure.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

5. Not applicable with demolition of toilet.
6. Future Public Toilet Strategy will support the prioritised allocation of available capital funds to projects which have been identified as providing the best community outcomes.

**FINANCIAL IMPLICATIONS**

7. Estimated financial implications include:
  - a. Estimated demolition of the toilet facility at a cost of around \$80,000. (To be included in 23/24 draft budget).
  - b. Estimated refurbishment of the Lake Wendouree underground toilet is at a cost of around \$300,000-\$350,000 with estimated current annual cleaning and maintenance cost of around \$7,000. A budget to fund the construction of any new facility will need to be considered in the future.

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- c. Estimated construction of a new toilet facility at an approximate cost of \$300,000-\$350,000 and annual cleaning and maintenance costs of \$1,000+. A budget to fund the construction of any new facility will need to be considered in the future.

**LEGAL AND RISK CONSIDERATIONS**

8. Lake Wendouree Underground Toilet does not meet Disability Discrimination Act (DDA) compliance, Crime Prevention Through Environmental Design (CPTED) or Safer by Design principles.
9. A Risk Assessment was undertaken by the City of Ballarat's risk unit identifying that the current risk controls for slips and fall, public health and safety and access are ineffective.

**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. Demolition/decommissioning of Lake Wendouree underground toilet will be undertaken with appropriate internal and community consultation.

**GENDER EQUALITY ACT 2020**

12. A Gender Impact Assessment of the toilet has been undertaken and noted that the facilities do not automatically and universally meet the needs of everyone.

**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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#### 8.4. RESERVE FUNDING REQUEST FOR DRAINAGE INFRASTRUCTURE IN THE BALLARAT WEST PRECINCT STRUCTURE PLAN (BWSP) AREA

**Divisions:** Development and Growth / Infrastructure and Environment  
**Directors:** Natalie Robertson / Bridget Wetherall  
**Author/Position:** Chris Duckett, Manager Sustainable Development / Vaughn Notting, Executive Manager Infrastructure

#### PURPOSE

1. To seek approval for the allocation of \$1.940 million from Council's Developer Contributions reserve funds to construct drainage infrastructure in the Ballarat West Precinct Structure Plan (BWSP) area.

#### BACKGROUND

2. Infrastructure in the PSP is partially funded through the Ballarat West Development Contribution Plan (DCP) which was incorporated into the Ballarat planning scheme 30 October 2014.
3. The DCP is supported by a drainage strategy undertaken for Council by Engeny Water Management in February 2012. The drainage strategy comprises several sub-catchments including a series of basins and pipes which have been translated into DCP infrastructure projects.
4. Drainage projects are usually delivered as Works-In-Kind by developers with the value of the works then credited against a development contribution liability, which is currently \$271,556 per net developable hectare for residential development.
5. The DCP requires financial, engineering, and environmental reviews on a regular basis to ensure the costs of projects are neither over nor under recovered and up-to-date design requirements are met.
6. Relative to this report, engineering reviews of the drainage scheme are to be undertaken as part of regular reviews of the PSP and the DCP (approximately five-yearly).
7. Officers have engaged Engeny again to undertake a review of the drainage strategy as part of the full review of the PSP and DCP. The review will assist Council with determining the scope and timing of future infrastructure including drainage and determine the revised development contributions to be collected across the PSP area.
8. Whilst progress is being made on the review it is taking longer than expected due to several complex issues that have arisen, particularly in relation to drainage.

#### KEY MATTERS

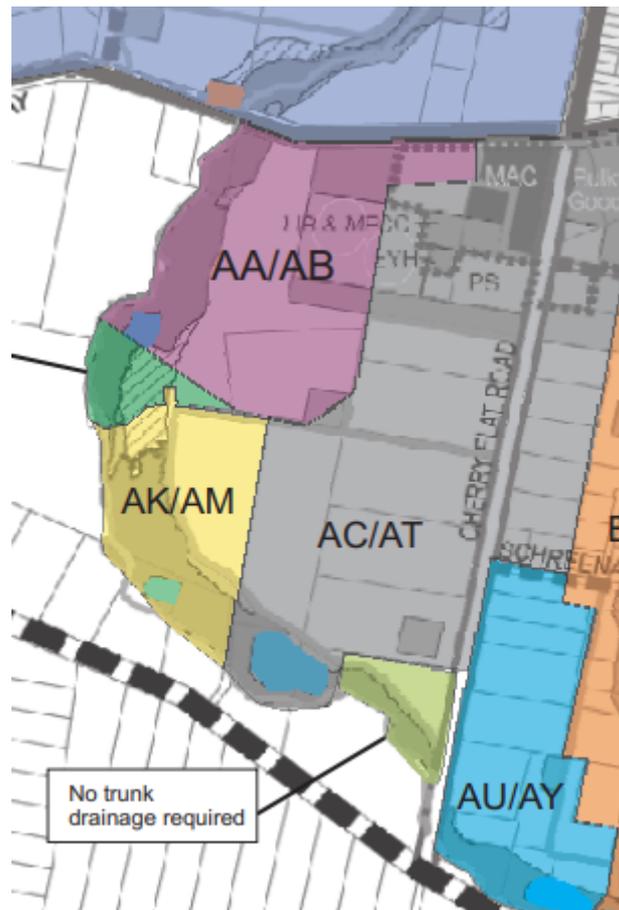
9. The work undertaken to date by Engeny has found that several of the original drainage infrastructure projects will need adjustment through the PSP and DCP review because they have been found to be insufficient to manage flows of water from approved developments.

10. This is not an unusual scenario in a growth areas context. Moreover, it is the sort of issue that is anticipated and required to be addressed through the PSP and DCP review process.
11. However, given the expected timing of the review it creates a current risk that development will cease in certain areas unless the drainage infrastructure can be delivered to the recommended DCP review standard rather than the current DCP standard.
12. Some of the drainage infrastructure that is required to be updated is sited on the Pinnacle Estate which is one of the largest subdivisions in the Ballarat West PSP and will ultimately deliver 746 lots. To date 443 lots have been titled.



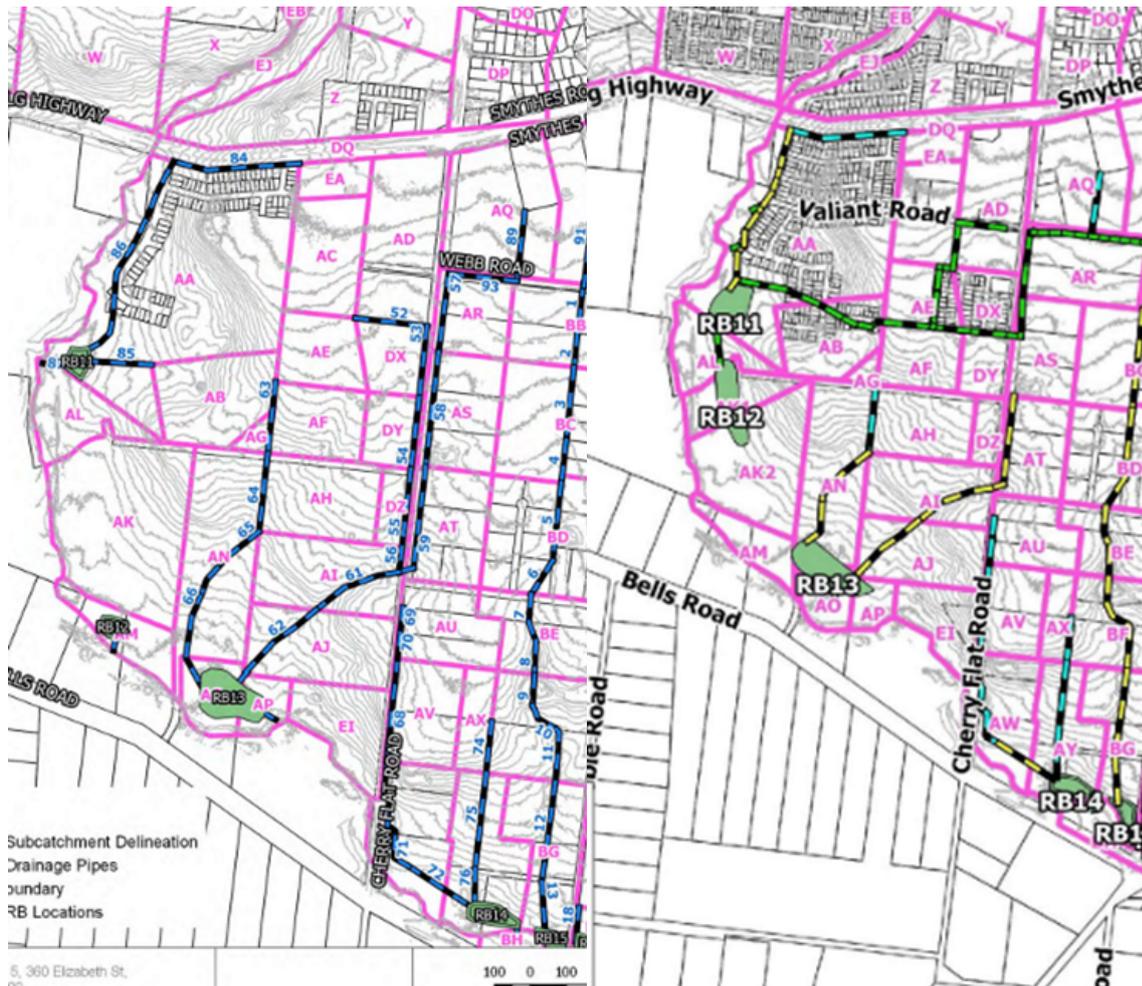
**Figure 1: Pinnacle Estate**

13. Three sub-catchments serve Pinnacle Estate, and the drainage strategy review has outlined new infrastructure requirements together with revised costing for these catchments.



**Figure 2: Drainage Sub-catchments affecting Pinnacle Estate**

14. As can be seen from figure 3 below there are two drainage basins, RB11 and RB12 that are wholly located on Pinnacle Estate and a third RB13 that is partly located on Pinnacle.
15. In comparing the original and proposed drainage strategy, a significant increase in the size of RB11 and RB12 is required. Both basins will need to be constructed in line with the revised strategy.



**Figure 3: Original Drainage Strategy (left) and Revised (right)**

16. To ensure that further development stages and lots can be delivered without disruption and prior to the completion of PSP/DCP review, (anticipated to be completed by mid-2024), it will be necessary to construct basin RB11 and the associated pipes in 2023. The timing of RB12 and RB13 is less critical as it is expected that the PSP/DCP review will be completed by the time they are required.
17. If RB11 was only servicing the Pinnacle Estate, it would be reasonable to advise the developer that they would need to either construct the basin to the required standard or wait until the review has been completed.
18. However, RB11 serves a sub-catchment that includes several other development sites which have planning permits and a reasonable expectation to be able to utilise appropriately sized drainage infrastructure.
19. It is therefore necessary for Council to consider alternative funding solutions to ensure that infrastructure can be delivered in the short term to a standard that will allow development to continue in an orderly and safe manner.
20. Officers are proposing that Council funds the additional cost of \$1.940 million for the construction of drainage for sub-catchment for AA/AB including RB11. This is required outside of the currently budgeted funds to enable procurement of the works in this financial year.

21. The additional \$1.940 million to construct drainage infrastructure in the Ballarat West Precinct Structure Plan (BWSP) is unbudgeted. It is possible that a proportion of these funds will be recouped following the current PSP and DCP reviews, once complete.
22. The amount will temporarily be funded from the existing Developer Reserve funds, noting that to date existing modelling of the shortfall of the cost to Council to complete all development works has not included the additional \$1.940 million for drainage infrastructure. This increase in the shortfall may be recouped, however at this time it is not possible to know by exactly how much.
23. Over the existing 4-year budget and 10-year financial plan, the additional \$1.940 million could result in Council having to incur additional borrowings to fund the final shortfall. In the short-term Council will have funds available for the project, however funding the drainage now will reduce the reserve and what could be allocated to future requirements under the PSP and DCP (final reduction amount subject to what can be recouped).
24. In addition to providing the funding for RB11, Council will also need to undertake responsibility for the construction of the basin as the value of the works would require a full market tender.
25. The developer of Pinnacle Estate is supportive of the approach that Council officers are proposing whilst noting that there will be a need to work in close collaboration with them in constructing the basin with respect to access and timing.
26. It is important to note that there are some risks associated with Council funding and constructing the drainage infrastructure:
  - a. Firstly, although Council officers are confident that the revised drainage strategy will have sufficient rigour to be supported through the planning scheme amendment process required as part of the DCP review, the review can be challenged and independently considered by Planning Panels Victoria so there is no guarantee that the additional funding will be supported and fully recouped through the DCP.
  - b. Secondly, by delivering the infrastructure this year, RB11 and associated pipes will become a completed project prior to the adoption of the PSP review. There have been some instances where Department of Transport and Planning (DTP) have refused to provide authorisation for existing projects in a DCP. However, officers see this as a small risk as it is more appropriately described as an adjusted project in a current DCP rather than an existing project.
  - c. The third risk is the potential blow out in costs and timing of the project due to the current material and labour constraints and uncertainties in the construction and infrastructure sectors.

## OFFICER RECOMMENDATION

### 27. That Council:

**27.1 Approve the use of \$1.940 million from the Developer Contributions Reserve to construct drainage basin RB11 and associated pipework to a standard as outlined in the revised drainage strategy and as documented in detailed drainage plans.**

**27.2 Note that Council Officers will undertake a full market tender process to procure the construction of the basin.**

## ATTACHMENTS

1. Governance Review [8.4.1 - 1 page]

## OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. This report aligns with the relevant Council strategies and policies. This report has been prepared with specific reference to the Ballarat Planning Scheme and Ballarat West Precinct Structure Plan (PSP) and Development Contributions Plan (DCP).

**COMMUNITY IMPACT**

2. This report relates to the Ballarat West PSP and DCP review which will require community and stakeholder engagement.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

3. There are no climate emergency or environmental sustainability implications identified within this report.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

4. The delivery of infrastructure in Ballarat West will facilitate further urban growth and bring forward economic activity associated with planning and construction activity.

**FINANCIAL IMPLICATIONS**

5. The recommendation does have financial implications for Council as outlined in the report.

**LEGAL AND RISK CONSIDERATIONS**

6. The recommendation does have legal and financial risks for Council as outlined in the 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 affected land owner, Abiwood, has been fully engaged on the proposal.

**GENDER EQUALITY ACT 2020**

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

**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

10. 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)**

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## 8.5. TENDER 2022-23-201 ALFREDTON COMMUNITY HUB

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Robbie Burns - Project Manager (Major Projects)

### PURPOSE

1. To award Contract Number 2022/23-201 for the provision of Alfredton Community Hub Construction with CIQ Construction Management Pty Ltd for the total tendered price of \$6,457,305.00 (ex GST).

### BACKGROUND

2. The community and early years hub in the Ballarat-Carngham Rd sub-precinct will provide an integrated local and accessible community facility to cater to the growing population of Ballarat West and further activate this area. The community facility will accommodate a diverse range of users, foster a sense of place, and ensure kindergarten infrastructure meets demand within this precinct whilst providing families with the opportunity to make a choice of which kindergarten service they would like to attend, sessional or integrated (with long daycare).
3. This tender includes the construction of a ninety-nine-place kindergarten as well as integrated community centre spaces.

### KEY MATTERS

4. The tender was advertised in The Ballarat Times News Group, Council's Website and eProcure from 18 November 2022. The invitation period closed on 21 December 2022 with two (2) tenderers submitting responses.
5. The Evaluation Panel met on 12 January 2023 to review the initial scoring of the tenders by evaluation panel members. The weighted score of each panel member for each submission was added in aggregate.
6. The Evaluation Panel assessed the two submissions and CIQ Construction Management Pty Ltd was determined as the panels recommended contractor, based on the combined requirements of the evaluation criteria and lowest VFM (Value for Money) score.

## OFFICER RECOMMENDATION

### 7. That Council:

**7.1 Resolves to enter into Contract Number 2022/23-201 for the provision of Alfredton Community Hub Construction with CIQ Construction Management Pty Ltd for the total tendered price of \$6,457,305.00 (ex GST).**

### 7.2 Authorises the Chief Executive Office to:

- a. finalise the terms of Contract Number 2022/23-201 with the Contractor, provided that those contract terms are consistent with this resolution; and,
- b. execute Contract Number 2022/23-201 on behalf of Council.

## ATTACHMENTS

1. Governance Review [8.5.1 - 2 pages]

## OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. The project supports Council Plan Objectives to be a healthy, connected and inclusive community, as well a city that fosters sustainable Growth.

**COMMUNITY IMPACT**

2. The City of Ballarat has a charter to serve its local community. This new community facility will accommodate a diverse range of users, foster a sense of place, and ensure kindergarten infrastructure meets demand within this precinct and provides families with the opportunity to make a choice of which kindergarten service they would like to attend, sessional or integrated with LDC.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

3. Award of this contract does not have any identifiable environmental implications.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

4. This tender contract will benefit both the City of Ballarat and the successful contractor awarded the tender. It will also benefit the community of Ballarat by providing more early learning and community infrastructure.

**FINANCIAL IMPLICATIONS**

5. The tendered price is in line with the planned budget for these works.

**LEGAL AND RISK CONSIDERATIONS**

6. It is considered there are no legal and risk implications identified for the subject of this report as the tender process and recommended outcome are in accordance with Council policy.

**HUMAN RIGHTS CONSIDERATIONS**

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

**COMMUNITY CONSULTATION AND ENGAGEMENT**

8. The Communications and Marketing Unit of Council will participate in the media and communications associated with the delivery of works under this contract.

**GENDER EQUALITY ACT 2020**

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

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OFFICIAL

OFFICIAL

**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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OFFICIAL

## 8.6. BALLARAT AND CLARENDON COLLEGE LAND ACQUISITION

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Nick Venville – Property Officer

### PURPOSE

1. The purpose of this report is to outline the land acquisition proposal by Ballarat Clarendon College and recommend the process to commence its sale begin.

### BACKGROUND

2. Council has been approached by Ballarat Clarendon College (the College) seeking to acquire a portion of Council-owned land comprising part of the Murray Street Road Reserve. This land is depicted in Attachment 1 (Item 1).
3. This portion of land has historically facilitated access for community members from Sturt Street to Murray Street via a walkway. This walkway was legally established by a pedestrian easement registered on title. The pedestrian easement is depicted in Attachment 1 (Item 2). The College has recently applied for and successfully had this pedestrian easement extinguished by the Minister for Planning, and pedestrian access is therefore no longer permitted.
4. Should the College acquire the land they intend to fence off the school property boundary from the intersecting end of Murray Street and Ajax Street.

### KEY MATTERS

5. Given the recent extinguishment of the pedestrian easement by the College the proposed land no longer serves any community utility and would likely be considered surplus to council requirements.
6. The proposed land parcel forms part of the Murray Street Road Reserve. Should Council elect to sell the land the sale would be subject to subdivision of the proposed parcel from the Murray Street Road Reserve, all costs of which would be paid by the College.
7. Section 114 of the *Local Government Act 2020* requires that prior to any sale a public notice is to be published to advise the community of any intention to sell. Any submissions received from the community in relation to a proposed sale would be required to be considered by Council.

### OFFICER RECOMMENDATION

**8. That Council:**

**8.1 Commence the process to dispose of the land in accordance with Section 114 of the *Local Government Act 2020*.**

## ATTACHMENTS

1. Governance Review [**8.6.1** - 2 pages]
2. Attachment 1 [**8.6.2** - 2 pages]

## OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. The Report supports the Council Plan 2021-2025 goal of providing a strong and innovative economy by providing a positive economic impact. The disposal of this land parcel would reduce ongoing maintenance costs and expectation to Council

**COMMUNITY IMPACT**

2. Given the recent extinguishment of the pedestrian easement that previously provided walkway access from Murray Street to Sturt Street, the Council-owned portion of land no longer serves any community utility or function.

**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. Council will obtain an independent valuation of the land parcel prior to sale.

**LEGAL AND RISK CONSIDERATIONS**

6. Council will follow the statutory process in accordance with legislation to mitigate any legal risks.

**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. Council will follow community consultation procedures in accordance with Section 114 of the *Local Government Act 2020*.

**GENDER EQUALITY ACT 2020**

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

**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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OFFICIAL

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

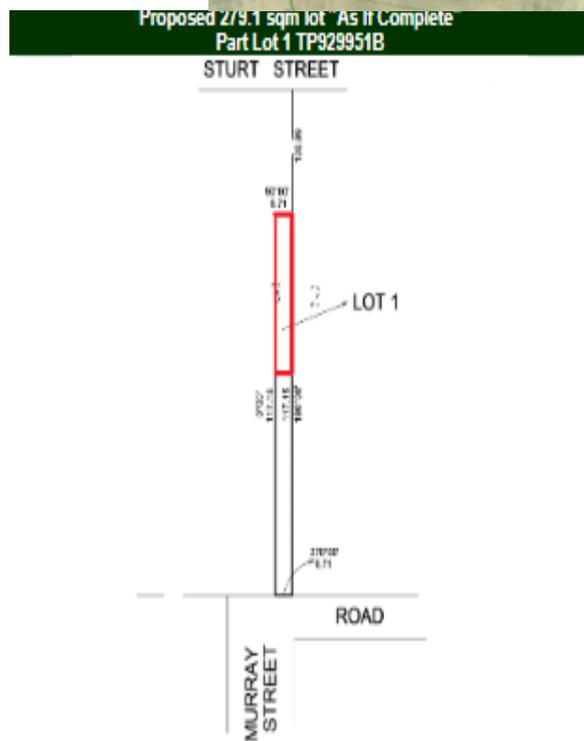
**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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OFFICIAL

# Item 1 – desired portion of land



## Item 2 – former pedestrian easement in blue



## 8.7. VISITOR ECONOMY PARTNERSHIP

**Division:** Development and Growth  
**Director:** Natalie Robertson  
**Author:** Sarah Pilgrim, Executive Manager Visitor Economy

### PURPOSE

1. The purpose of this report is for Council to consider and endorse the formation of a new Visitor Economy Partnership for Ballarat and the surrounding regions of Pyrenees, Moorabool, Golden Plains (south of Ballarat) and Hepburn (Creswick and Clunes).

### BACKGROUND

2. In September 2020, the Victorian Government released the Visitor Economy Recovery and Reform Plan (VERRP). This plan was informed by the findings of the Regional Tourism Review, which was commissioned by the Victorian Government in March 2019 to ensure regions get the support and opportunities they need to grow tourism.
3. In order to align with the objectives of the plan, an opportunity has been identified to establish a collaborative, cross-regional Visitor Economy Partnership for the region.
4. Currently, Ballarat and surrounds are not represented within a network of Regional Tourism Boards. This is a result of a decision by Tourism, Events and Visitor Economy (TEVE), which is responsible for strengthening the profile of tourism for the Department of Jobs, Skills, Industry and Regions (DJPSIR), to cease funding the Victorian Goldfields Tourism, of which Ballarat and Bendigo were represented, by June 2022.
5. As a result, Ballarat Regional Tourism (BRT) was approved as the auspicing interim tourism entity and entered into a new funding agreement, as if it were a Regional Tourism Board, for the period ending 30 June 2023.
6. Additionally, a Memorandum of Understanding (MOU) between the City of Ballarat, Moorabool Shire Council and Pyrenees Shire Council was established to ensure all Local Government Areas (LGAs) work collaboratively towards visitor economy outcomes for the region.
7. To respond to these changes, in May 2022, the Visitor Economy Unit began to investigate the potential of a new Visitor Economy Partnership for the wider region.
8. The purpose of a Visitor Economy Partnership for the region is to:
  - provide strong leadership and links between community, councils, government and industry
  - advocate for and enable investment from state and local government
  - support recovery, innovation and growth
  - position the region as a destination to visit and live
  - ensure all parties are represented through an elected board with clear remit
  - ensure services are delivered efficiently, without duplication and with clear roles and responsibilities

- position the region as a best practice example.
9. Over the past eight months, an extensive process has taken place in the form of a working group run by an independent facilitator and involving the local government areas of Ballarat, Moorabool, Pyrenees, Hepburn and Golden Plains, and Ballarat Regional Tourism, Regional Development Victoria and the Department of Jobs, Skills, Industry and Regions.
  10. This group agreed to work towards the formation of a partnership based on the successful model of Tourism Greater Geelong and the Bellarine, which has resulted in a suggested structure for a Visitor Economy Partnership for the region.
  11. This Visitor Economy Partnership requires the formation of an independent entity that is responsible for the supply and demand side of visitor economy, including advocacy, business support, development of visitor economy experiences and products and delivery of marketing activities.
  12. Individual LGAs will retain responsibility for visitor servicing, including the management of Visitor Information Centres, for their regions.

## KEY MATTERS

13. The new entity will be fiscally supported by annual investment from DJPSIR, and membership buy-in from all five LGAs, with the opportunity for industry to contribute via a partnership model.
14. The only financial implication for the City of Ballarat will be a \$30,000 membership contribution.
15. The activity of the new entity will be set following the development of a Destination Management Plan (DMP) and annual action plans, and guided by a skills-based board, which will include representation from the five LGA members, five elected industry board members and an observer from the Victorian Government.
16. The board will be run by an independent remunerated Chair.
17. The new entity will be resourced by the City of Ballarat's Visitor Economy Unit, with additional resources added to the team to support any further work that looking after a broader remit will bring. These additional resources will be funded by the financial contributions from members of the new entity.
18. Governance for the entity is outlined in the Statement of Purposes and Rules and will be agreed to by all members. A draft copy of which is attached.
19. The establishment of this entity is estimated to commence over the month following ratification by the five participating LGAs and the endorsement by DRPSIR, with a view to be fully-functioning by 1 July 2023.

## OFFICER RECOMMENDATION

### 20. That Council:

**20.1 Endorse the formation of a new Visitor Economy Partnership for the region, as outlined above.**

**20.2 Note that financial and resource requirements of the Visitor Economy Partnership will be incorporated into the 2023/24 Budget.**

**20.3 Note the attached Statement of Purpose and Rules.**

## ATTACHMENTS

1. Governance Review [8.7.1 - 2 pages]
2. Rules Central Highlands Tourism Agreement [8.7.2 - 25 pages]

## OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. This report supports Goal 5 of the Council Plan 'A strong and innovative economy and city'. Specifically, within the Annual Plan, it contributes to the achievement of action 5.2 and 5.6.
  - 5.2 Support local businesses to explore, innovate and adapt emerging economic opportunities.
  - 5.5 Actively promote Ballarat as a year-round destination of choice.

**COMMUNITY IMPACT**

2. This activity should not alter the Visitor Economy (VE) services offered to the community by The Visitor Economy Team.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

3. No climate emergency or environmental sustainability implications are relevant to the subject of this report.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

4. There are no economic sustainability implications.

**FINANCIAL IMPLICATIONS**

5. The costs and actions of delivering the Visitor Economy Partnership (VEP) will remain in line with the cost of delivering the current activities of the VE department. Any additional activities deliverable by the change of scope will be funded by additional contributions received by the entity in the form of State government annual funding, Other member LGA base buy in, Other member LGA activity buy in, State and Federal grant funding for project delivery and industry buy in.
6. The 2023/24 Budget will incorporate all resource and financial implications, of the Partnership that is expected to begin post 1 July 2023.

**LEGAL AND RISK CONSIDERATIONS**

7. Legal advice on the best entity set up is currently being sought by Howard Anderson.

**HUMAN RIGHTS CONSIDERATIONS**

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

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OFFICIAL

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**COMMUNITY CONSULTATION AND ENGAGEMENT**

9. None required for the development of this report.

**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)**

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OFFICIAL

**STATEMENT OF PURPOSES AND  
RULES**

**[CENTRAL HIGHLANDS TOURISM  
INCORPORATED]**

**[DISCUSSION DRAFT]**

DRAFT

22205351

Harwood Andrews  
ABN 98 076 868 034  
70 Gheringhap Street, Geelong 3220, Victoria, Australia  
DX 22019 Geelong  
PO Box 101 Geelong Vic 3220  
Telephone: 03 5225 5225 Facsimile: 03 5225 5222

#14754897v11

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**DRAFT**

## STATEMENT OF PURPOSES AND RULES CENTRAL HIGHLANDS TOURISM INCORPORATED

### 1. PRELIMINARY

#### 1.1. Name

The name of the incorporated association is "Central Highlands Tourism Incorporated".

**[Note: Availability of 'Central Highlands Tourism Inc' name TBC.]**

#### 1.2. Purposes

- 1.2.1. The purpose of the Association is to promote and develop tourism with a particular focus on the Region.
- 1.2.2. To fulfill the purpose set out in rule 1.2.1, the Association in conjunction with local tourist businesses in the Region may:
- 1.2.2.1. foster goodwill and co-operation between the operators of tourist related businesses in the Region;
  - 1.2.2.2. generally engage in activities which will grow the visitor economy;
  - 1.2.2.3. provide a forum for members to discuss regional visitor economy issues and to develop solutions;
  - 1.2.2.4. foster and create a community awareness of the benefits of tourism in the Region;
  - 1.2.2.5. encourage municipal councils, businesses and community to support and influence the development of tourism in the Region;
  - 1.2.2.6. foster the provision of appropriate facilities and infrastructure to encourage appropriate tourism development in the Region;
  - 1.2.2.7. encourage the growth of events relating to business and leisure within the Region; and
  - 1.2.2.8. encourage the establishment of tourist facilities within the Region to adequately cater for both visitors and residents.

#### 1.3. Financial year

The financial year of the Association is each period of 12 months ending on 30 June.

#### 1.4. Definitions

In these rules:

- 1.4.1. **Absolute Majority** means a majority of the Board currently holding office and entitled to vote at the time (as distinct from a majority of the Board present at a Board Meeting );
- 1.4.2. **Act** means the *Associations Incorporation Reform Act 2012* (Vic) (as amended from time to time) and includes any regulations made under that Act;
- 1.4.3. **Advisory Committee** means the committee established under rule 5.12;

## 3

- 1.4.4. **Alternate Board Member** means a Board Member appointed in accordance with rule 5.4;
- 1.4.5. **Association** means [Central Highlands Tourism Incorporated];
- 1.4.6. **Board** means the board having management of the business of the Association;
- 1.4.7. **Board Meeting** means a meeting of the Board held in accordance with these rules;
- 1.4.8. **Board Member** means a member of the Board specified under rule 5.2;
- 1.4.9. **Chair** means the independent person appointed under rule 5.4 to act as the chair of Board Meetings and General Meetings;
- 1.4.10. **Financial Year** means the 12 month period specified in rule 1.3;
- 1.4.11. **General Meeting** means a general meeting of the Members convened in accordance with rule 4 and includes an annual General Meeting, a special General Meeting and a disciplinary appeal meeting;
- 1.4.12. **Industry Partners** means:
- 1.4.12.1. tourism related associations;
  - 1.4.12.2. tourism related businesses and businesses providing services to tourists; and
  - 1.4.12.3. any other associations, businesses or stakeholders whose objectives or purposes are considered by the Board to align with the purpose of the Association specified under rule 1.2, that are eligible to apply for membership of the Association;
- 1.4.13. **Industry Partner Board Members** are Board Members nominated by the Industry Partners in accordance with rule 5.7;
- 1.4.14. **LGA Delegate** means a person appointed by a LGA Member in accordance with rule 5.3 to represent it:
- 1.4.14.1. as a Council appointed Board Member; and
  - 1.4.14.2. at General Meetings and in the conduct of the affairs of the Association, and for that purpose a reference to a LGA Member will be a reference to its LGA Delegate as appropriate and vice versa;
- 1.4.15. **LGA Members** means each of:
- 1.4.15.1. City of Ballarat;
  - 1.4.15.2. Pyrenees Shire Council;
  - 1.4.15.3. Moorabool Shire Council;
  - 1.4.15.4. Golden Plains Shire Council; and
  - 1.4.15.5. Hepburn Shire Council;
- 1.4.16. **Member** means a member of the Association admitted to membership in accordance with these rules, and includes LGA Members and Industry Partners;
- 1.4.17. **Region** means the Central Highlands region of the State of Victoria, comprising the local government areas of the LGA Member, from time to time;

## 4

- 1.4.18. **Representative** means a representative of an Industry Partner (that is not a natural person) appointed to act on behalf of the Industry Partner (including represent the Industry Partner at General Meetings);
- 1.4.19. **Secretary** means the secretary of the Association elected in accordance with rule 5.13;
- 1.4.20. **Skills and Nominations Committee** means the committee established under rule 5.11;
- 1.4.21. **Special Resolution** means a resolution of Board Members or Members as the case may be, passed by at least 75% or more of the votes cast by those present and entitled to vote (and in the case of a Special Resolution of Members, means those Members voting at a General Meeting); and
- 1.4.22. **State Nominee** means a representative or nominee appointed by the Victorian State Government:
- 1.4.22.1. to attend and participate in Board Meetings from time to time but who:
- 1.4.22.1.1. is not a Board Member; and
- 1.4.22.1.2. does not have a vote for the purposes of rule 5.14.7; and
- 1.4.22.2. to participate as a member of the Skills and Nominations Committee in accordance with rule 5.11.

## 2. MEMBERSHIP

### 2.1. Who is eligible to be a Member

The following organisations are eligible to apply for membership of the Association:

- 2.1.1. LGA Members; and
- 2.1.2. Industry Partners.

### 2.2. Membership policy and application for membership

- 2.2.1. The Board must develop a membership policy which provides for the form in which an application for membership must be made and an efficient process for the consideration and approval of an application for membership and the notification of the approval or rejection of an application for membership.
- 2.2.2. Notwithstanding rule 2.2.1 the membership policy must provide:
- 2.2.2.1. that an organisation wishing to apply to become a Member must make such application in writing in a form approved by the Board from time to time;
- 2.2.2.2. in the case of Industry Partners, provide the name, postal address, email address and telephone number of the person (if any) that will act as its Representative if the application for membership is approved;
- 2.2.2.3. in the case of LGA Members provide the name, postal address, email address and telephone number of the person that will act as its LGA Delegate if the application for membership is approved; and
- 2.2.2.4. no reason needs to be given for the rejection of an application for membership.

### 2.3. New membership

## 5

- 2.3.1. If an application for membership is approved, the Secretary must, as soon as practicable, ensure the name and address of the new Member, and the date of becoming a Member, is entered in the register of Members.
- 2.3.2. An organisation becomes a Member and is entitled to exercise its rights of membership from the date, whichever is the later, on which:
  - 2.3.2.1. notice is provided to the organisation that its application for membership is approved; or
  - 2.3.2.2. the organisation pays the joining fee.

**2.4. Representatives of Industry Partners**

- 2.4.1. An Industry Partner that is not a natural person must appoint a Representative and may change its Representative by notice in writing to the Association.
- 2.4.2. A Representative has all the rights of an Industry Partner relevant to the purposes of the appointment as a Representative.
- 2.4.3. To avoid doubt:
  - 2.4.3.1. a notice or communication given to or received by an Industry Partner is deemed to have been given to or received by its Representative; and
  - 2.4.3.2. a notice or communication given to or received by a Representative of an Industry Partner is deemed to have been given to or received by the Industry Partner.

**2.5. Joining fee and annual subscription fee**

- 2.5.1. The joining fee and annual subscription fee for membership will be such amounts that are determined by the Board from time to time.
- 2.5.2. The Board will determine the amount and payment terms for subscription fees payable by Members for each Financial Year. The subscription fees may have regard to the industry, size and location of the Members and whether the Member is a LGA Member or Industry Partner.
- 2.5.3. The Member must pay the subscription fee(s) in accordance with any payment terms determined by the Board in accordance with rule 2.5.1.
- 2.5.4. The rights of a Member (including the right to vote) that has not paid the subscription fee by the due date will be suspended until the fee is paid.

**2.6. General rights of members**

- 2.6.1. A Member that is entitled to vote at General Meetings has the right:
  - 2.6.1.1. to receive notice of General Meetings and of proposed Special Resolutions of the Members in the manner and time prescribed by these rules;
  - 2.6.1.2. to submit items of business for consideration at a General Meeting;
  - 2.6.1.3. to attend and be heard at General Meetings;
  - 2.6.1.4. to vote at a General Meeting;
  - 2.6.1.5. to have access to the minutes of General Meetings and other documents of the Association as provided under rule 7.3; and
  - 2.6.1.6. to inspect the register of Members.
- 2.6.2. A Member is entitled to vote if:

## 6

- 2.6.2.1. more than 30 business days have passed since it became a Member; and
- 2.6.2.2. the member's membership rights are not suspended for any reason.

**2.7. Rights not transferable**

The rights of a Member are not transferable and end when membership ceases.

**2.8. Ceasing membership**

- 2.8.1. A Member will cease to be a Member:
  - 2.8.1.1. in accordance with rule 2.9.3;
  - 2.8.1.2. on resignation in accordance with rule 2.9; or
  - 2.8.1.3. on expulsion.
- 2.8.2. A person or organisation will not be entitled to a refund of its joining fee or any subscription fees on resignation or expulsion.
- 2.8.3. If a person or organisation ceases to be a Member, the Secretary must, as soon as practicable, ensure the date the person ceased to be a Member is entered in the register of Members.

**2.9. Resigning as a Member**

- 2.9.1. An Industry Partner may resign by notice in writing given to the Association.
- 2.9.2. An LGA Member may resign by giving the Association at least 12 months notice in writing prior to the next annual General Meeting.
- 2.9.3. A Member is taken to have resigned if the Member's annual subscription fee is more than 12 months in arrears.
- 2.9.4. A Member's resignation takes effect at the end of the Member's then current period of subscription.

**2.10. Register of members**

The Secretary must ensure a register of Members is kept and maintained that includes:

- 2.10.1. for each current Member:
  - 2.10.1.1. the Member's name;
  - 2.10.1.2. the address for notice last given by the Member;
  - 2.10.1.3. the date of becoming a Member;
  - 2.10.1.4. the Member's LGA Delegate (if applicable);
  - 2.10.1.5. any other information determined by the Board;
- 2.10.2. for each former Member, the date of ceasing to be a Member.

**2.11. Disciplinary action****2.11.1. Grounds for taking disciplinary action**

The Association may take disciplinary action against a Member in accordance with this rule 2.11 if it is determined that the Member:

- 2.11.1.1. has failed to comply with these rules; or
- 2.11.1.2. refuses to support the purposes of the Association; or
- 2.11.1.3. has engaged in conduct prejudicial to the Association; or
- 2.11.1.4. brings the Association into disrepute.

**2.11.2. Disciplinary subcommittee**

- 2.11.2.1. If the Board is satisfied that there are sufficient grounds for taking disciplinary action against a Member, the Board must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the Member.
- 2.11.2.2. The members of the disciplinary subcommittee:
  - 2.11.2.2.1. may be Board Members, Members or anyone else; but
  - 2.11.2.2.2. must not be biased against, or in favour of, the Member concerned.

**2.11.3. Notice to Member**

- 2.11.3.1. Before disciplinary action is taken against a Member, the Secretary must give written notice to the Member:
  - 2.11.3.1.1. stating that the Association proposes to take disciplinary action against the Member; and
  - 2.11.3.1.2. stating the grounds for the proposed disciplinary action; and
  - 2.11.3.1.3. specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
  - 2.11.3.1.4. advising the Member that they may do one or both of the following:
    - 2.11.3.1.4.1. attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
    - 2.11.3.1.4.2. give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
  - 2.11.3.1.5. setting out the Member's appeal rights under rule 2.11.5.
- 2.11.3.2. The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

**2.11.4. Decision of subcommittee**

- 2.11.4.1. At the disciplinary meeting, the disciplinary subcommittee must:
  - 2.11.4.1.1. give the Member an opportunity to be heard; and
  - 2.11.4.1.2. consider any written statement submitted by the Member.
- 2.11.4.2. After complying with rule 2.11.4.1, the disciplinary subcommittee may:
  - 2.11.4.2.1. take no further action against the Member; or
  - 2.11.4.2.2. subject to rule 2.11.4.3:
    - 2.11.4.2.2.1. reprimand the Member; or
    - 2.11.4.2.2.2. suspend the membership rights of the Member for a specified period; or
    - 2.11.4.2.2.3. expel the Member from the Association.
- 2.11.4.3. The disciplinary subcommittee may not fine the Member.

## 8

2.11.4.4. The suspension of membership rights or the expulsion of a Member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

**2.11.5. Appeal rights**

2.11.5.1. An organisation whose membership rights have been suspended or who has been expelled from the Association under rule 2.9.4 may give notice to the effect that they wish to appeal against the suspension or expulsion.

2.11.5.2. The notice must be in writing and given:

2.11.5.2.1. to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or

2.11.5.2.2. to the Secretary not later than 48 hours after the vote.

2.11.5.3. If an organisation has given notice under rule 2.11.5.1, a disciplinary appeal meeting must be convened by the Board as soon as practicable, but in any event not later than 21 days, after the notice is received.

2.11.5.4. Notice of the disciplinary appeal meeting must be given to each Member who is entitled to vote as soon as practicable and must:

2.11.5.4.1. specify the date, time and place of the meeting; and

2.11.5.4.2. state:

2.11.5.4.2.1. the name of the Member against whom the disciplinary action has been taken; and

2.11.5.4.2.2. the grounds for taking that action; and

2.11.5.4.2.3. that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

**2.11.6. Conduct of disciplinary appeal meeting**

2.11.6.1. At a disciplinary appeal meeting:

2.11.6.1.1. no business other than the question of the appeal may be conducted; and

2.11.6.1.2. the Board must state the grounds for suspending or expelling the Member and the reasons for taking that action; and

2.11.6.1.3. the organisations whose membership has been suspended or who has been expelled must be given an opportunity to be heard.

2.11.6.2. After complying with rule 2.11.6.1, the Members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.

2.11.6.3. A Member may not vote by proxy at the meeting.

2.11.6.4. The decision is upheld if not less than three quarters of the Members voting at the meeting vote in favour of the decision.

**3. GRIEVANCE PROCEDURE**

#14754897v5

**3.1. Application**

- 3.1.1. The grievance procedure set out in this rule 3 applies to disputes under these rules between:
- 3.1.1.1. a Member and another Member;
  - 3.1.1.2. a Member and the Board;
  - 3.1.1.3. a Member and the Association.
- 3.1.2. A Member must not initiate a grievance procedure in relation to a matter that is the subject of a disciplinary action until the disciplinary action has been completed.

**3.2. Parties must attempt to resolve the dispute**

The parties to a dispute must attempt to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party.

**3.3. Appointment of mediator**

- 3.3.1. If the parties to a dispute are unable to resolve the dispute between themselves within the time required by rule , the parties must within 14 days:
- 3.3.1.1. notify the Board of the dispute; and
  - 3.3.1.2. agree to or request the appointment of a mediator; and
  - 3.3.1.3. attempt in good faith to settle the dispute by mediation.
- 3.3.2. The mediator must be:
- 3.3.2.1. a person chosen by agreement between the parties; or
  - 3.3.2.2. in the absence of agreement:
    - 3.3.2.2.1. if the dispute is between a Member and another member, a person appointed by the Board; or
    - 3.3.2.2.2. if the dispute is between a Member and the Board or the Association, a person appointed or employed by the Dispute Settlement Centre of Victoria.
- 3.3.3. A mediator appointed by the Board may be a Member or former Member but in any case must not be a person who:
- 3.3.3.1. has a personal interest in the dispute; or
  - 3.3.3.2. is biased in favour of or against any party.

**3.4. Mediation process**

- 3.4.1. The mediator to the dispute, in conducting the mediation, must:
- 3.4.1.1. give each party every opportunity to be heard; and
  - 3.4.1.2. allow due consideration by all parties of any written statement submitted by any party; and
  - 3.4.1.3. ensure that natural justice is accorded to the parties throughout the mediation process.
- 3.4.2. The mediator must not determine the dispute.

**3.5. Failure to resolve dispute by mediation**

If the mediation process does not resolve the dispute, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

**4. GENERAL MEETINGS OF THE ASSOCIATION**

#14754897v5

**4.1. Annual General Meetings**

- 4.1.1. The Board must convene an annual General Meeting of the Association:
  - 4.1.1.1. to be held within 60 days after the end of the 2022-2023 Financial Year; and
  - 4.1.1.2. for all other years, to be held in the month of [September, October or November.
- 4.1.2. The Board may determine the date, time and place of the annual General Meeting.
- 4.1.3. The ordinary business of the annual General Meeting will be:
  - 4.1.3.1. to confirm the minutes of the previous annual General Meeting and of any special General Meeting held since then;
  - 4.1.3.2. to receive and consider:
    - 4.1.3.2.1. the annual report of the Board on the activities of the Association during the preceding Financial Year; and
    - 4.1.3.2.2. the financial statements of the Association for the preceding Financial Year submitted by the Board in accordance with Part 7 of the Act;
  - 4.1.3.3. to elect the Industry Partner Board Members appointed Board Members.
- 4.1.4. The annual General Meeting may also conduct any other business of which notice has been given in accordance with these rules.

**4.2. Special General Meetings**

- 4.2.1. Any General Meeting of the Association, other than an annual General Meeting or a disciplinary appeal meeting, is a special General Meeting.
- 4.2.2. The Board may convene a special General Meeting whenever it thinks fit.
- 4.2.3. No business other than that set out in the notice under rule 4.4 may be conducted at the meeting.

**4.3. Special General Meeting held at request of members**

- 4.3.1. The Board must convene a special General Meeting if a request to do so is made in accordance with rule 4.3.2 by at least five percent of the total number of Members, including at least 50 percent of the LGA Members.
- 4.3.2. A request for a special General Meeting must:
  - 4.3.2.1. be in writing;
  - 4.3.2.2. state the business to be considered at the meeting and any resolutions to be proposed;
  - 4.3.2.3. include the names and signatures of the Members requesting the meeting; and
  - 4.3.2.4. be given to the Secretary.
- 4.3.3. If the Board does not convene a special General Meeting within one month after the date on which the request is made, the members making the request (or any of them) may convene the special General Meeting.
- 4.3.4. A special General Meeting convened by members under rule 4.3.3:

- 4.3.4.1. must be held within three months after the date on which the original request was made; and
- 4.3.4.2. may only consider the business stated in that request.
- 4.3.5. The Association must reimburse all reasonable expenses incurred by the members convening a special General Meeting under rule 4.3.3.

#### **4.4. Notice of General Meetings**

- 4.4.1. The Secretary (or, in the case of a special General Meeting convened under rule 4.3.3, the Members convening the meeting) must give to each Member:
  - 4.4.1.1. At least 21 days' notice of a General Meeting if a Special Resolution of Members is to be proposed at the meeting; or
  - 4.4.1.2. at least 14 days' notice of a General Meeting in any other case.
- 4.4.2. The notice must:
  - 4.4.2.1. specify the date, time and place of the meeting; and
  - 4.4.2.2. indicate the general nature of each item of business to be considered at the meeting; and
  - 4.4.2.3. if a Special Resolution of Members is to be proposed:
    - 4.4.2.3.1. state in full the proposed resolution; and
    - 4.4.2.3.2. state the intention to propose the resolution as a Special Resolution of Members.
- 4.4.3. For the avoidance of doubt, this rule does not apply to a disciplinary appeal meeting.

#### **4.5. Proxies**

Voting by proxy is not permitted at a General Meeting.

#### **4.6. Use of technology**

- 4.6.1. A Member who is not physically present at a General Meeting may participate in the meeting by the use of technology that allows that Member and the Members present at the meeting to participate in the business of the meeting.
- 4.6.2. A Member participating in a meeting using such technology is taken to be present at the meeting and, if the Member votes at the meeting, is taken to have voted in person.

#### **4.7. Quorum at General Meetings**

- 4.7.1. No business may be conducted at a General Meeting unless a quorum of Members is present.
- 4.7.2. The quorum for a General Meeting is the presence of :
  - 4.7.2.1. at least 50% of the LGA Members entitled to vote; and
  - 4.7.2.2. at least five Industry Partners (or their Representatives) entitled to vote.
- 4.7.3. If a quorum is not present within 30 minutes after the notified commencement time of a General Meeting:
  - 4.7.3.1. in the case of a meeting convened by, or at the request of, Members under rule 4.3, the meeting must be dissolved;
  - 4.7.3.2. in any other case:

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- 4.7.3.2.1. the meeting must be adjourned to a date not more than 21 days after the adjournment; and
- 4.7.3.2.2. notice of the date, time and place to which the meeting is adjourned must be given at the meeting and confirmed by written notice given to all members as soon as practicable after the meeting.

- 4.7.4. If a quorum is not present within 30 minutes after the time to which a General Meeting has been adjourned under rule 4.7.3.2, the meeting may proceed, with the quorum being those Members present at the reconvened meeting.

#### **4.8. Adjournment of General Meeting**

- 4.8.1. The Chair of a General Meeting at which a quorum is present may, with the consent of a majority of Members present at the meeting, adjourn the meeting to another time at the same place or at another place.
- 4.8.2. Without limiting rule 4.8.1, a meeting may be adjourned:
  - 4.8.2.1. if there is insufficient time to deal with the business at hand; or
  - 4.8.2.2. to give the Members more time to consider an item of business.
- 4.8.3. No business may be conducted on the resumption of an adjourned meeting other than the business that remained unfinished when the meeting was adjourned.
- 4.8.4. Notice of the adjournment of a meeting under this rule 4.8 is not required unless the meeting is adjourned for 14 days or more, in which case notice of the meeting must be given in accordance with rule 4.4.

#### **4.9. Voting at General Meeting**

- 4.9.1. On any question arising at a General Meeting:
  - 4.9.1.1. subject to rule 4.9.3, each Member who is entitled to vote has one vote;
  - 4.9.1.2. Members may only vote personally; and
  - 4.9.1.3. except in the case of matters requiring a Special Resolution of Members under the Act, the question must be decided on a majority of votes.
- 4.9.2. If votes are divided equally on a question, the Chair of the General Meeting has a second or casting vote.
- 4.9.3. If the question is whether or not to confirm the minutes of a previous General Meeting, only Members who were present at that General Meeting may vote.
- 4.9.4. For the avoidance of doubt, this rule does not apply to a vote at a disciplinary appeal meeting.

#### **4.10. Determining whether resolution carried**

- 4.10.1. Subject to rule 4.10.2, the Chair of a General Meeting may, on the basis of a show of hands, declare that a resolution has been:
  - 4.10.1.1. carried; or
  - 4.10.1.2. carried unanimously; or
  - 4.10.1.3. carried by a majority of the Members present at the General Meeting; or
  - 4.10.1.4. lost,

and an entry to that effect in the minutes of the meeting is conclusive proof of that fact.

- 4.10.2. If a poll (where votes are cast in writing) is demanded by three or more Members on any question:
- 4.10.2.1. the poll must be taken at the meeting in the manner determined by the Chair of the General Meeting; and
  - 4.10.2.2. the Chair of the General Meeting must declare the result of the resolution on the basis of the poll.
- 4.10.3. A poll demanded on the election of the Chair of the General Meeting or on a question of an adjournment must be taken immediately.
- 4.10.4. A poll demanded on any other question must be taken before the close of the meeting at a time determined by the Chair of the General Meeting.

#### **4.11. Minutes of General Meeting**

- 4.11.1. The Board must ensure that minutes are taken and kept of each General Meeting.
- 4.11.2. The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
- 4.11.3. In addition, the minutes of each annual General Meeting must include:
- 4.11.3.1. the names of the Members attending the meeting; and
  - 4.11.3.2. the financial statements submitted to the Members; and
  - 4.11.3.3. the certificate signed by two Board Members certifying that the financial statements give a true and fair view of the financial position and performance of the Association; and
  - 4.11.3.4. any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.

## **5. BOARD**

### **5.1. Powers of the Board**

#### **5.1.1. Role and powers**

- 5.1.1.1. The business of the Association must be managed by or under the direction of the Board.
- 5.1.1.2. The Board may exercise all the powers of the Association except those powers that these rules or the Act require to be exercised by General Meetings of the members of the Association.
- 5.1.1.3. The Board may establish subcommittees consisting of members with terms of reference it considers appropriate.

#### **5.1.2. Delegation**

- 5.1.2.1. The Board may delegate to a Board Member, a subcommittee or staff, any of its powers and functions other than:
  - 5.1.2.1.1. this power of delegation; or
  - 5.1.2.1.2. a duty imposed on the Board by the Act or any other law.
- 5.1.2.2. The delegation must be in writing and may be subject to the conditions and limitations the Board considers appropriate.
- 5.1.2.3. The Board may, in writing, revoke a delegation wholly or in part.

**5.2. Composition of Board and duties of members****5.2.1. Initial Board**

The initial Board of the Association are those Board Members named in the application for incorporation of the Association.

**5.2.2. Composition of Board**

The Board will consist of:

- 5.2.2.1. one LGA Delegate for each LGA Member;
- 5.2.2.2. up to five Industry Partner Board Members; and
- 5.2.2.3. the Chair appointed in accordance with rule 5.4.

**5.3. Appointment of LGA Delegates**

- 5.3.1. Each LGA Member must appoint one LGA Delegate.
- 5.3.2. The LGA Delegate of a LGA Member must be the chief executive officer of the LGA Member or their delegate with appropriate delegated authority.
- 5.3.3. A LGA Member may change its LGA Delegate from time to time.
- 5.3.4. The Board shall do all such things necessary to appoint the new LGA Delegate as a Board Member.

**5.4. Alternate Board Member**

- 5.4.1. Each Board Member (other than an Alternate Board Member) may appoint a person to act as an Alternate Board Member by giving written notice of any such appointment to the Association and the other Board Members.
- 5.4.2. The appointment of an Alternate Board Member may be for a specified period, until such time as the appointment is revoked, or until the appointing Board Member is removed or resigns, whichever occurs first.
- 5.4.3. Each Alternate Board Member has all the powers and duties of a Board Member (to the extent the Board Member who appointed the Alternate Board Member has not exercised or performed them) when acting as an alternate to their appointing Board Member, including the right to attend and vote at Board Meetings but excluding the power to appoint an Alternate Board Member. These powers and duties are in addition to any other powers and duties the Alternate Board Member may have and owe.

**5.5. Election and tenure of independent Chair**

- 5.5.1. Where there is no Chair or the term of office of a Chair has expired and not been extended, the Skills and Nominations Committee:
  - 5.5.1.1. must call for the expression of interest from members of the community with an appropriate skills base;
  - 5.5.1.2. will follow such processes it considers appropriate for the identification and nomination of the Chair;
  - 5.5.1.3. must recommend to the Board the responsibilities and remuneration of the Chair (which must be within any guidelines or remuneration ranges approved by the Board); and
  - 5.5.1.4. subject to rule 5.5.2, must propose to the Board a person to be approved for election as Chair.
- 5.5.2. The Chair must not be an employee of an LGA Member.

- 5.5.3. In the absence of manifest error or breach of these rules, the person nominated as Chair and associated arrangements relating to responsibilities and remuneration proposed by the Skills and Nominations Committee must be approved by the Board in a Board Meeting.
- 5.5.4. Unless the Chair resigns by written notice to the Secretary, the Chair shall hold office for a term of three years, and be eligible for re-election (as determined by the Skills and Nominations Committee).

## **5.6. Appointment of Vice-Chair and Secretary**

### **5.6.1. Appointment**

At the first Board Meeting following each annual General Meeting (including the first annual General Meeting), the Board as constituted following the annual General Meeting must:

- 5.6.1.1. declare the positions of Vice-Chair and Secretary vacant;
- 5.6.1.2. hold elections for the positions of Vice-Chair and Secretary in accordance with this rule 5.6; and
- 5.6.1.3. following the elections:
- 5.6.1.3.1. appoint one of the Board Members to be Vice-Chair;
- 5.6.1.3.2. appoint one of the Board Members to be the Secretary.

### **5.6.2. Term of office**

- 5.6.2.1. Subject to rule 5.9.1, each officer of the Association shall hold office until election of their successor.
- 5.6.2.2. A Board Member is eligible for re-election as a Vice Chair or Secretary.

### **5.6.3. Nominations**

- 5.6.3.1. Prior to the election of each position, the Chair of the Board Meeting must call for nominations to fill that position
- 5.6.3.2. A Board Member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held and that Board Member is eligible.

### **5.6.4. Election**

- 5.6.4.1. If there is only one person nominated for a specific position, the Chair of the Board Meeting must declare that Board Member to be elected to the position.
- 5.6.4.2. If the number of people nominated for a specific position is more than one, a secret ballot must be held for that position in such form as the Chair of the Board Meeting directs.

## **5.7. Election and tenure of Industry Partner Board Members**

### **5.7.1. Nominations**

- 5.7.1.1. Industry Partners may nominate a person to fill the position of a Industry Partner Board Member.
- 5.7.1.2. A nomination must be submitted to the Skills and Nominations Committee in accordance with the timeframe specified by the Skills and Nominations Committee.

### **5.7.2. Election**

- 5.7.2.1. The Industry Partner Board Members will be elected by the Members in the General Meeting.
- 5.7.2.2. If the number of nominees is the same or less than the number of vacant positions, the Chair must declare those nominees to be elected.
- 5.7.2.3. If the number of nominees nominated for a specific position is greater than the number of vacancies, a secret ballot must be held for that position in such form as the Chair directs.

#### **5.8. Term of office**

- 5.8.1. Other than the Chair, the term of office of a Board Member is four years. The expiration of that term is deemed to occur at:
  - 5.5.1.1. in the case of elected Board Members, the conclusion of the third annual General Meeting following the election of that Board Member;
  - 5.5.1.2. in the case of LGA Delegates not elected at a General Meeting, the third anniversary of their appointment as a Board Member.
- 5.8.2. At the annual General Meeting, all elected Board Members subject for re-election shall retire but shall be eligible for re-election, subject to rule 5.8.3 and compliance with nomination requirements.
- 5.8.3. Other than the Chair, the maximum term of all Board Members is three terms of four years (**Maximum Term**).
- 5.8.4. Notwithstanding rule 5.8.3, a Board Member may, by Special Resolution of the Members be re-appointed as a Board Member following the expiration of the Maximum Term.
- 5.8.5. For the avoidance of doubt, this rule 5.8 does not apply to the Chair.

#### **5.9. Vacancies**

##### **5.9.1. Vacation of office**

A person ceases to be a Board Member if they:

- 5.9.1.1. resign from the Board by written notice to the Secretary;
- 5.9.1.2. cease to be a LGA Delegate; or
- 5.9.1.3. otherwise cease to be a Board Member by operation of section 78 of the Act.

##### **5.9.2. Filling casual vacancies**

- 5.9.2.1. The Board may appoint a person to fill a position on the Board that is an Industry Partner Board Member appointed position and the position:
  - 5.9.2.1.1. has become vacant under rule 5.9.1; or
  - 5.9.2.1.2. was not filled by election at the last annual General Meeting, and
  - 5.9.2.1.3. such person will hold office until the next annual General Meeting or Board Meeting following the next annual General Meeting as the case may be.
- 5.9.2.2. A LGA Member must promptly appoint a new LGA Delegate to fill a position on the Board if that LGA Delegate ceases to be a Board Member under rule 5.9.1.

- 5.9.2.3. If the position of Secretary becomes vacant, the Board must appoint a person to the position within 14 days after the vacancy arises and that person will be deemed to hold office until the next annual General Meeting.
- 5.9.2.4. The Board may continue to act despite any vacancy in its membership.

#### **5.10. Transitional provision**

The LGA Delegates elected as Board Members at the first annual General Meeting following registration of the Association will be elected for two or four year terms, with one half of the Board Members being elected for each period.

#### **5.11. Skills and Nominations Committee**

- 5.11.1. The Board must establish a Skills and Nominations Committee comprising of:
  - 5.11.1.1. one LGA Delegate;
  - 5.11.1.2. the State Nominee; and
  - 5.11.1.3. one Industry Partner Board Member.
- 5.11.2. The chair of the Skills and Nominations Committee will be elected by the members of the Skills and Nominations Committee at the first meeting of the Skills and Nominations Committee.
- 5.11.3. If the chair of Skills and Nominations Committee is absent, or is unable to preside at a meeting of the Skills and Nominations Committee, the chair of a Skills and Nominations Committee must be another member of the Skills and Nominations Committee elected by the members present at the meeting.
- 5.11.4. The Skills and Nominations Committee shall meet as may be determined by the chair of the Skills and Nominations Committee elected in accordance with rule 5.11.2.
- 5.11.5. The responsibilities of the Skills and Nominations Committee shall be to:
  - 5.11.5.1. establish and keep updated the job description and requirements for the position of Chair; and
  - 5.11.5.2. maintain a register of persons who may be suitable for the role of Chair and Industry Partner Board Members;
  - 5.11.5.3. establish and manage the selection process for nominating a Chair for approval by the Board;
  - 5.11.5.4. establish and manage the selection process for Industry Partner Board Member candidates to be Industry Partner Board Members;
  - 5.11.5.5. establish a skills matrix for the Board; and
  - 5.11.5.6. to vet and consider the persons nominated by Industry Partner(s) to stand for election to be Industry Partner Board Members.

#### **5.12. Advisory Committee**

- 5.12.1. The Board will establish an Advisory Committee comprising of:
  - 5.12.1.1. one LGA Delegate;
  - 5.12.1.2. the Chair; and
  - 5.12.1.3. such number of Industry Partners as the Board determines from time to time.
- 5.12.2. The Chair will be the chairperson of the Advisory Committee.

- 5.12.3. The Advisory Committee shall meet as may be determined by the Chair of the Advisory Committee.
- 5.12.4. The Advisory Committee shall be a forum to assist the Board's development and implementation of the Association vision and strategy, including by:
  - 5.12.4.1. keeping Members on the Advisory Committee informed of the work of the Board; and
  - 5.12.4.2. enable Members to provide feedback and propose ideas for the Association to pursue.
- 5.12.5. The Advisory Committee is advisory in nature and cannot bind the Association.

### **5.13. The roles of Chair, Vice-Chair and Secretary**

- 5.13.1. **Chair and Vice-Chair**
  - 5.13.1.1. For the avoidance of doubt, the person appointed as the Chair in accordance with rule 5.5, will become a Board Member upon their appointment.
  - 5.13.1.2. The Vice-Chair appointed in accordance with rule 5.6 must already be a Board Member.
  - 5.13.1.3. Subject to rule 5.13.1.4, the Chair or, in the Chair's absence, the Vice-Chair will be the Chair of any General Meeting and of any Board Meeting.
  - 5.13.1.4. If the Chair and the Vice-Chair are both absent, or are unable to preside, the Chair of the meeting must be:
    - 5.13.1.4.1. in the case of a General Meeting, a LGA Delegate elected by the other Board Members present; or
    - 5.13.1.4.2. in the case of a Board Meeting, a Board Member elected by the Board Members present.
- 5.13.2. **Secretary**
  - 5.13.2.1. The Secretary must be a Board Member.
  - 5.13.2.2. The Secretary must perform any duty or function required under the Act to be performed by the secretary of an incorporated association.
  - 5.13.2.3. The Secretary must:
    - 5.13.2.3.1. maintain the register of Members in accordance with rule 2.10; and
    - 5.13.2.3.2. keep custody of the common seal (if any) of the Association and all books, documents and securities of the Association in accordance with rule 7.1 and rule 7.3; and
    - 5.13.2.3.3. subject to the Act and these rules, provide members with access to the register of members, the minutes of General Meetings and other books and documents; and
    - 5.13.2.3.4. perform any other duty or function imposed on the Secretary by these Rules.
  - 5.13.2.4. To the extent permitted by the Act, the Secretary may delegate the responsibilities set out in rule 5.13.2.3 to the Association's accountant or advisers.

- 5.13.2.5. The Secretary must give to the Registrar of Incorporated Associations notice of their appointment within 14 days after the appointment.

#### **5.14. Meetings of the Board**

##### **5.14.1. Meetings of the Board**

- 5.14.1.1. The Board must meet at least quarterly in each year at the dates, times and places determined by the Board.
- 5.14.1.2. Special Board Meetings may be convened by the Chair or by any five Board Members.

##### **5.14.2. Notice of meetings**

- 5.14.2.1. Notice of each Board Meeting must be given to each Board Member no later than 7 days before the date of the meeting.
- 5.14.2.2. The notice must state the date, time and place of the meeting.
- 5.14.2.3. If a special Board Meeting is convened, the notice must include the general nature of the business to be conducted.
- 5.14.2.4. The only business that may be conducted at the meeting is the business for which the meeting is convened.

##### **5.14.3. Urgent meetings**

- 5.14.3.1. In cases of urgency, a meeting can be held without notice being given in accordance with rule 5.14.2.1 provided that as much notice as practicable is given to each Board Member by the quickest means practicable.
- 5.14.3.2. Any resolution made at the meeting must be passed by an Absolute Majority.
- 5.14.3.3. The only business that may be conducted at an urgent meeting is the business for which the meeting is convened.

##### **5.14.4. Procedure and order of business**

- 5.14.4.1. The procedure to be followed at a meeting of a Board must be determined from time to time by the Board.
- 5.14.4.2. The order of business may be determined by the members present at the meeting.

##### **5.14.5. Use of technology**

- 5.14.5.1. A Board Member who is not physically present at a committee meeting may participate in the meeting by the use of technology that allows that Board Member and the Board Members present at the meeting to clearly and simultaneously communicate with each other.
- 5.14.5.2. A Board Member participating in a meeting as permitted under rule 5.14.5.1 is taken to be present at the meeting and, if the member votes at the meeting, is taken to have voted in person.

##### **5.14.6. Quorum**

- 5.14.6.1. No business may be conducted at a Board Meeting unless a quorum is present.
- 5.14.6.2. The quorum for a Board Meeting is the presence (in person or as allowed under rule 5.14.5) of:
  - 5.14.6.2.1. a majority of the LGA Board Members holding office; and
  - 5.14.6.2.2. a majority of the Industry Partner Board Members .

- 5.14.6.3. If a quorum is not present within 30 minutes after the notified commencement time of a Board Meeting:
- 5.14.6.3.1. in the case of a special meeting, the meeting lapses;
  - 5.14.6.3.2. in any other case, the meeting must be adjourned to a date no later than 14 days after the adjournment and notice of the time, date and place to which the meeting is adjourned must be given in accordance with rule 5.14.2, and if a quorum is not present within 30 minutes after the time specified for the meeting, the meeting may proceed, with the quorum being those Board Members present at the reconvened meeting..

5.14.7. **Voting**

- 5.14.7.1. On any question arising at a Board Meeting, each Board Member present at the meeting has one vote.
- 5.14.7.2. A motion is carried if a majority of Board Members present at the meeting vote in favour of the motion.
- 5.14.7.3. Rule 5.13.7.1 does not apply to any motion or question which is required by these Rules to be passed by an Absolute Majority.
- 5.14.7.4. If votes are divided equally on a question, the Chair of the Board Meeting has a second or casting vote.
- 5.14.7.5. Voting by proxy is not permitted.

5.14.8. **Board observer**

The State Nominee may attend and participate in Board Meetings as a Board observer and receive all information provided to Board Members in accordance with these rules. To avoid doubt, the State Nominee is not a Board Member and does not have a vote for the purposes of rule 5.14.7.

5.14.9. **Conflict of interest**

- 5.14.9.1. A Board Member who has a material personal interest in a matter being considered at a Board Meeting must disclose the nature and extent of that interest to the Board.
- 5.14.9.2. The member:
  - 5.14.9.2.1. must not be present while the matter is being considered at the meeting; and
  - 5.14.9.2.2. must not vote on the matter.
- 5.14.9.3. This rule does not apply to a material personal interest:
  - 5.14.9.3.1. that exists only because the member belongs to a class of persons for whose benefit the Association is established; or
  - 5.14.9.3.2. that the member has in common with all, or a substantial proportion of, the members of the Association.

5.14.10. **Minutes of meeting**

- 5.14.10.1. The Board must ensure that minutes are taken and kept of each committee meeting and provided within seven days of the meeting.
- 5.14.10.2. The minutes must record the following:
  - 5.14.10.2.1. the names of the members in attendance at the meeting;

- 5.14.10.2.2. the business considered at the meeting;
- 5.14.10.2.3. any resolution on which a vote is taken and the
- 5.14.10.2.4. result of the vote;
- 5.14.10.2.5. any material personal interest disclosed under rule 5.13.9.

#### 5.14.11. **Resolution signed by Board Members**

- 5.14.11.1. A resolution in writing signed by all Board Members will be as valid and effective as if it had been passed at a duly called and constituted Board Meeting. The terms of the resolution must be set out in the document and separate documents in identical terms are treated as the one document. The resolution is passed when the last Board Member signs the terms of the resolution.
- 5.14.11.2. For the purposes of rule 5.14.11.1, a resolution will be deemed to be approved and signed by a Board Member, if that Board Member provides consent to the resolution by email.

#### 5.15. **Payments to Board Members**

- 5.15.1. The Association may in good faith pay reasonable fees to a Board Member for acting as a Board Member.
- 5.15.2. Any payment made under rule 5.15.1 must be approved by the Board.
- 5.15.3. The Association may establish policies for payments to Board Members which reflect how the Association will make payments or reimbursements for:
  - 5.15.3.1. work they do for the Association, other than as a Board Member; and
  - 5.15.3.2. expenses properly incurred by the Board Member in connection with the affairs of the Association.
- 5.15.4. The Association may pay premiums for insurance indemnifying Board Members, as allowed for by law and these rules.

#### 5.16. **Electronic Execution**

Documents may be signed using an electronic signature, an electronic communication (as that term is defined in the *Electronic Transactions Act 1999* (Cth)) or a proprietary program (for example DocuSign or AdobeSign) which is applied following verification of an individual's identity (collectively, an **Electronic Signature**) and the use of an Electronic Signature constitutes legally effective execution of the document by the Association and will be considered conclusive as to the persons' intention to sign the agreement on behalf of the Association as if signed by that person's (or any of its duly authorised signatory's) manuscript signature

### 6. **FINANCIAL MATTERS**

#### 6.1. **Not for profit organisation**

- 6.1.1. The Association must not distribute any surplus, income or assets directly or indirectly to its Members.
- 6.1.2. Rule 6.1.1 does not prevent the Association from paying a Member:
  - 6.1.2.1. reimbursement for expenses properly incurred by the Member; or
  - 6.1.2.2. for goods or services provided by the Member;

if this is done in good faith on terms no more favourable than if the Member was not a Member.

**6.2. Source of funds**

The funds of the Association may be derived from joining fees, annual subscriptions, donations, fund-raising activities, grants, interest, sponsorship, industry buy-in for projects and any other sources approved by the Board.

**6.3. Management of funds**

6.3.1. The Association must have an account with a financial institution from which all expenditure of the Association is made and into which all of the Association's revenue is deposited.

6.3.2. The Board may authorise the expense of funds on behalf of the Association (including by electronic funds transfer) up to a specified limit without requiring approval from the Board for each item on which the funds are expended.

6.3.3. All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by two Board Members or any other person authorised by the Board from time to time to be signatories for such instruments.

6.3.4. All funds of the Association must be deposited into the financial account of the Association no later than five business days after receipt.

**6.4. Financial records**

6.4.1. The Association must keep financial records that:

6.4.1.1. correctly record and explain its transactions, financial position and performance; and

6.4.1.2. enable financial statements to be prepared as required by the Act.

6.4.2. The Association must retain the financial records for seven years after the transactions covered by the records are completed.

6.4.3. The Board Members must take reasonable steps to ensure that the Association's records are kept safe.

**7. GENERAL MATTERS****7.1. Common seal**

7.1.1. The Association may have a common seal.

7.1.2. If the Association has a common seal:

7.1.2.1. the name of the Association must appear in legible characters on the common seal;

7.1.2.2. a document may only be sealed with the common seal by the authority of the Board and the sealing must be witnessed by the signatures of two committee members;

7.1.2.3. the common seal must be kept in the custody of the Secretary.

**7.2. Notice requirements**

7.2.1. Any notice required to be given to a member or a Board Member under these rules may be given:

7.2.1.1. by handing the notice to the member personally; or

7.2.1.2. by sending it by post to the member at the address recorded for the member on the register of members; or

7.2.1.3. by email.

- 7.2.2. Any notice required to be given to the Association or the Board may be given:
- 7.2.2.1. by handing the notice to a Board Member; or
  - 7.2.2.2. by sending the notice by post to the registered address of the Association; or
  - 7.2.2.3. by leaving the notice at the registered address of the Association; or
  - 7.2.2.4. if the Board determines that it is appropriate in the circumstances by email to the email address of the Association or the Secretary.

### 7.3. Custody and inspection of books and records

- 7.3.1. Members may on request inspect free of charge:
- 7.3.1.1. the register of Members;
  - 7.3.1.2. the minutes of General Meetings;
  - 7.3.1.3. subject to rule 7.3.2, the financial records, books, securities and any other relevant document of the Association, including minutes of Board Meetings.
- 7.3.2. The Board may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 7.3.3. The Board must on request make copies of these rules available to members and applicants for membership free of charge.
- 7.3.4. Subject to rule 7.3.2, a member may make a copy of any of the other records of the Association referred to in this rule and the Association may charge a reasonable fee for provision of a copy of such a record.
- 7.3.5. For purposes of this rule:
- 7.3.5.1. **relevant documents** means the records and other documents, however compiled, recorded or stored, that relate to the incorporation and management of the Association and includes the following:
    - 7.3.5.1.1. its membership records;
    - 7.3.5.1.2. its financial statements;
    - 7.3.5.1.3. its financial records;
    - 7.3.5.1.4. records and documents relating to transactions, dealings, business or property of the Association.

### 7.4. Winding up and cancellation

- 7.4.1. The Association may be wound up voluntarily by Special Resolution of the Members.
- 7.4.2. In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of the Association must not be distributed to any Members or former members of the Association.
- 7.4.3. Subject to the Act and any court order made under section 133 of the Act, the surplus assets must be given to a body that has similar purposes to the Association and which is not carried on for the profit or gain of its individual members.

7.4.4. The body to which the surplus assets are to be given must be decided by Special Resolution of the Members.

**7.5. Alteration of rules**

These rules may only be altered by a Special Resolution of the Members.

DRAFT

## 8.8. INTERNATIONAL TRAVEL

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Frances Salenga – Coordinator Intercultural Services

### PURPOSE

1. The purpose of this report is to seek consideration of potential international travel in 2023 to:
  - Timor Leste – Ainaro to mark the celebration of the 20<sup>th</sup> Anniversary of Council's Friendship City Agreement with Timor Leste – Ainaro.
  - Inagawa – Japan to mark the celebration of the 35<sup>th</sup> Anniversary of Council's Sister City Agreement with Inagawa – Japan.
2. Please note that the makeup of each listed representation in the next section is entirely based on previous trips.

### BACKGROUND

#### 3. TIMOR LESTE: Twentieth Anniversary Delegation

- City of Ballarat has had a friendship and cooperation agreement in place with Timor Leste – Ainaro Municipality since 2003.
- There have been several exchange visits to Timor Leste – Ainaro, including in 2013 for the tenth anniversary of the Friendship Agreement, and in 2016 where City of Ballarat signed an updated Agreement to further support the development of the relationship between Australian civil societies and Timorese local communities for the improvement of the populations' quality of life.

#### 4. JAPAN: Thirty-Fifth Anniversary Delegation SE

- City of Ballarat has had a Sister-City relationship with Japan – Inagawa since August 1988.
- The purpose of the relationship is to:
  - recognise, organise and facilitate educational and cultural exchanges; and,
  - investigate economic development opportunities between the two municipalities.
- Since 1988 a civic delegation has occurred every five years, alternating between Ballarat and Inagawa. In October 2013, the City of Ballarat Mayor led a delegation with the CEO, one Councillor, the Citizen of the Year, and the Intercultural Partnerships Officer, with community members, to Inagawa to celebrate the 25<sup>th</sup> Anniversary of our friendship.

- In 2018 a delegation led by Japan – Inagawa Mayor accompanied by their staff and community members came to Ballarat to renew the Ballarat – Japan – Inagawa Sister-City Relationship Agreement.
- Based on the 5 year cycle of visitation between Ballarat and Inagawa, it is Ballarat's time to send a delegation to Inagawa in 2023.

## KEY MATTERS

5. The anticipated costs for the exchange visit to Timor Leste – Ainaro is \$12,440. This makes provision for a Councillor and a Council Officer to travel and includes flights and accommodation.
6. Ballarat Friends of Ainaro Community Advisory Committee and community members who have indicated interest to join the delegation will pay their own way including accommodation and other associated costs.
7. The anticipated costs for the reciprocal visit to Japan – Inagawa is \$38,000. This makes provision for the Mayor, Councillor, Chief Executive Officer (or delegate), and two Council Officers to travel and includes flights and accommodation.
8. Twenty community members have indicated interest to join the delegation and will pay their own way including accommodation and other associated costs.
9. The basis for the request for Councillors' travel is in accordance with the Councillor Expenses Policy, and the Officers' travel in accordance with the Travel and Related Expenses Procedure.
10. A Travel Report is required to be provided following international travel (as per Councillor Expenses Policy).

## OFFICER RECOMMENDATION

### 11. That Council:

**11.1 Approve up to a maximum of the Mayor, Ainaro Committee Councillor Representative, and a Council Officer to travel to Timor Leste – Ainaro to attend the 20th Anniversary of Council's Friendship Agreement with Timor Leste – Ainaro. A Council Travel Report to be provided following the international travel.**

**11.2 Approve up to a maximum of the Mayor, a Councillor, Chief Executive Officer (or delegate) and two Council Officers to travel to Japan – Inagawa to attend the 35th Anniversary of Council's Sister-City Agreement with Japan. A Council Travel Report to be provided following the international travel.**

**ATTACHMENTS**

1. Governance Review [**8.8.1** - 2 pages]
2. 25 th Agreement. Final [**8.8.2** - 1 page]
3. English. Agreement Ainaro and Co B 150816 [**8.8.3** - 1 page]
4. Ainaro Agreement 150816 (1) [**8.8.4** - 1 page]
5. 30th Anniversary Agreement [**8.8.5** - 1 page]

## OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. Aligns to Strategic Objective (2.8) Enhance Ballarat as a diverse, inclusive and compassionate community and relates to Strategic Action: Develop and implement priorities from a new Intercultural City Strategic Plan.
2. Aligns to Strategic Objective (6. 3) Advocate on behalf of our community and relates to Strategic Action: Develop and implement strong advocacy campaigns for community and Council priorities.

**COMMUNITY IMPACT**

3. The robust intercultural exchange between the various Timor Leste – Ainaro and Japan – Inagawa interest groups, organisations, businesses, schools and individuals of Ballarat with the Ainaro municipality and Inagawa Council has promoted mutual cultural understanding, exchange of resources in the areas of education, arts, tourism, economics and Local Government knowledge.
4. Through the sustained long-standing relationship of 20 years with Timor Leste – Ainaro and 35 years with Japan – Inagawa including a strong community support for the continuation of these links, Council has been viewed to be actively contributing to the ongoing cultural development of the city.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

5. It is considered that there are no climate emergency implications within this report.
6. It is considered that there are no environmental sustainability implications within this report.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

7. There may be possibilities of economic exchange between Ballarat schools and businesses with Timor Leste and Japan communities.
8. Ballarat businesses have supported the ongoing sale of coffee beans from Timor Leste.
9. Export of Ballarat wines to Japan were undertaken prior to the Covid pandemic.

**FINANCIAL IMPLICATIONS**

10. There will be costs associated with flights to Darwin-Dili-Ainaro/return and accommodation whilst in Timor Leste – Ainaro.
11. The cost of the Timor Leste – Ainaro trip will be approximately \$12,440.
12. There will be costs associated with flights to Osaka/return and accommodation whilst in Japan – Inagawa.
13. The cost of the Japan – Inagawa trip will be approximately \$38,000.

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## OFFICIAL

**LEGAL AND RISK CONSIDERATIONS**

14. Community expectations have been raised through the Ballarat Friends of Ainaro Community Committee (BFACC), Intercultural Advisory Committee (IAC) and the Ballarat Japan Committee. Council needs to demonstrate and maintain its commitment to the Friendship City Agreement with Timor Leste – Ainaro and the Sister-City Agreement with Japan – Inagawa. It would be highly complex for Council to extricate from this commitment.
15. A negative response to the invitations of Timor Leste – Ainaro and Japan – Inagawa could have an impact on the perceived value Council places on its Friendship City and Sister-City relationships.

**HUMAN RIGHTS CONSIDERATIONS**

16. 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**

17. The following City of Ballarat Councillors and Officers including the Ballarat Friends of Ainaro Community Committee (BFACC), Intercultural Advisory Committee (IAC), and Ballarat Japan Committee have been consulted for advice and feedback:
  - Major and Councillors
  - CEO, City of Ballarat – Evan King
  - Executive Leadership Team
  - Director Community Wellbeing – Matthew Wilson
  - Executive Manager Engaged Communities – Pete Appleton

**GENDER EQUALITY ACT 2020**

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

**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

19. 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)**

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OFFICIAL

**THE AGREEMENT IN COMMEMORATION OF  
THE 25TH ANNIVERSARY OF THE SISTER CITY AFFILIATION BETWEEN  
The City of Ballarat and The Town of Inagawa**

The City of Ballarat, the State of Victoria, Australia and the Town of Inagawa Hyogo Prefecture, Japan have engaged in many cultural and educational activities in the spirit of friendship, freedom and peace for twenty five years after entering into a Sister City Agreement on the 1<sup>st</sup> day of August, 1988.

The City of Ballarat and the Town of Inagawa have committed to strengthening the relationship between our respective cities and communities and will continue to promote cultural opportunities as they arise.

As a critical element of the 25<sup>th</sup> Anniversary Celebrations, the Town of Inagawa will receive a delegation from the City of Ballarat. This opportunity will be used to acknowledge the mutual friendship and respect which has been demonstrated through a range of projects and activities undertaken over the last twenty five years and will further commit to working together to enhance that relationship into the future.

We commit to strengthening Sister City relationships even further with respect to items listed as follows:

1. promote International Education by continuing to pursue opportunities through the Assistant Language Teacher (ALT) program, an exchange student programs from each City. These people will be encouraged to become goodwill ambassadors and promote the understanding of each other's culture and history.
2. promote arts and cultural development through the mutual exchange of artwork.
3. promote opportunities for economic exchange and development of mutually beneficial economic activities.
4. promote tourism between our cities through further information exchange and development of ideas including a focus on mining history.
5. Staff Exchanges will be conducted from each City each other year. The exchange officer will take up the mission of goodwill ambassador to introduce and to make good understanding of each other's culture and history.
6. We have committed to share ideas and experiences of volunteer organizations.

In this 25<sup>th</sup> year of our Sister City Alliance, the multifaceted goodwill relationship of our Cities confirms the potential for future growth and attempts to further promotion of our Sister City relationship.

This will be achieved through deepening our knowledge and mutual respect for each other's cultures and traditions whilst continuing to broaden our spirit of mutual co-operation.

In confirmation of the above, this agreement is signed on November 1, 2013.



Cr John Burt OAM  
Mayor  
City of Ballarat



Anthony Schinck  
Chief Executive Officer  
City of Ballarat



Choji Fukuda  
Mayor  
Town of Inagawa



Hachiroji Nishitani  
Chairperson  
Council of Inagawa

(English Translation of Agreement)  
**The First Municipality Conference Declaration**  
**De-centralization and Local Authorities with the theme "De-concentration Work to Develop Local Development" along with a delegation of Ballarat, Australia in Ainaro Municipal**

**Today, on August 15, 2016, together we agree:**

- 1. Ainaro Municipality Administrator together with local leaders and communities are ready to implement de-concentration, administrative decentralization and the local authority**
- 2. Will work in the fields of education, health, agriculture, economy, infrastructure, culture, eco-tourism, clean water, sanitation, environment and social relationships between the community of the Ainaro Municipality and Ballarat, Australia**
- 3. Ballarat and Ainaro Municipality will work together to provide input, share experiences when the implementation of de-concentration, administrative decentralization and local authority will be granted to the Ainaro Municipality**
- 4. Ballarat will provide support and assistance in capacity building of civil servants in order to improve their professional knowledge**
- 5. Sustain strengthening the bonds of friendship, through cooperation and communication between Ballarat and the Ainaro Municipality from the bottom up to the municipal level**
- 6. Provide technical assistance in development programs of the Ainaro Municipality.**

**This declaration may be modified as necessary between Ballarat and Ainaro Municipality.**

**Ainaro, August 15, 2016**

**Belinda Coates**  
**Deputy Mayor - City of Ballarat**

**Albertino de Araujo, M.AP**  
**Ainaro Municipality Administrator**



ADMINISTRAÇÃO  
MUNICIPAL DE  
AINARO



**Deklarasaun konferensia dahuluk Munisipal konaba Deskonsentrasaun no Desentralizasaun Administrativa no Poder Lokal ho tema “Deskonsentra servisu hodi promove dezenvolvimentu lokal” hamutuk ho delegasaun Sidade Amiga Ballarat - Australia iha Municipio Ainaro**

Ohin dia 15 de Agostu de 2016, halo komitmentu hamutuk katak:

1. Administrador Municipio Ainaro hamutuk ho Autoridades Lokal no comunidade pruntu simu Deskonsentrasaun, Desentralizasaun Administrativa no Poder Lokal.
2. Servisu hamutuk iha area Edukasaun, Saude, Agrikultura, Ekonomia, Infraenstruktura, kultura, Turismo, Be'e mos, Saneamento, Meio Ambiente, Sosial entre Autoridades no comunidade Municipio Ainaro ho Sidade Amiga Ballarat - Australia.
3. Sidade Amiga Ballarat husi Australia no Municipio Ainaro servisu hamutuk hodi fo hanoin no fahe esperensia bainhira implementasaun Deskonsentrasaun, Desentralizasaun Administrativa no Poder Lokal entrega ona mai iha Municipio Ainaro.
4. Sidade Amiga Ballarat - Australia pruntu fo'o apoiu kapasitasaun ba funsionarius hodi hasae koñesimentu profesional.
5. Hametin nafatin lasu amizade, liu husi kooperasaun no komunikasaun entre sidade amiga Ballarat-Australia ho Municipi Ainaro hahu husi baze to'o nivel Municipio.
6. Apoiu assistensia tekniku iha implementasaun programa dezenvolvimentu Munisipio Ainaro.

Deklarasaun ne'e bele iha mudansa wainhira iha nesidades nebe mak bele fo benefisiu ba parte rua entre Ballarat-Australia no Municipio Ainaro.

Ainaro, dia 15 de Agostu de 2016

  
**Belinda Coates**

Deputy Mayor - City of Ballarat

  
**Albertino de Araujo, M.AP**  
Administrador Municipio Ainaro

**The Agreement Formally Acknowledging the  
30<sup>th</sup> Anniversary of the Sister City Affiliation Between  
The City of Ballarat and The Town of Inagawa**

The City of Ballarat, the State of Victoria, Australia and the Town of Inagawa Hyogo Prefecture, Japan have engaged in many cultural and educational activities in the spirit of friendship, freedom and peace for thirty years after initiating a Sister City Agreement on the 1 August, 1988.

The City of Ballarat and the Town of Inagawa have committed to strengthening the relationship between our respective cities and communities and will continue to promote cultural opportunities as they arise.

As a critical element of the 30th Anniversary Celebrations, the City of Ballarat will receive a delegation from the Town of Inagawa. This opportunity will be used to acknowledge the mutual friendship and respect which has been demonstrated through a range of projects and activities undertaken over the last thirty years and will further commit to working together to protect and enhance that relationship as we adjust and adapt to an ever-changing International climate.

**We commit to strengthening our precious Sister City relationship in the following 4 strategic areas:**

1. promote International education by continuing exchange student programs from each City. These students will be encouraged to become goodwill ambassadors and promote the understanding of each other's culture and history.
2. encourage an increased awareness of each other's culture through the mutual exchange of artwork
3. investigate opportunities for economic exchange and development of mutually beneficial economic activities.
4. encourage tourism between our cities through further information exchange and development of ideas including a focus on mining history.

In this 30th year of our Sister City alliance we celebrate our many achievements and successes but are also mindful of the challenges of the future. The strength and goodwill of our unique relationship are the foundation stones for future growth and prosperity. We acknowledge not only the support of the Inagawa and Ballarat Town Halls, but the many and significant contributions of our respective communities.

In confirmation of the above, this agreement is signed on 23rd October 2018.

## 8.9. CITY PARTNERSHIPS DELEGATED COMMITTEE

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Pete Appleton, Executive Manager Engaged Communities

### PURPOSE

1. This report requests Council:
  - Establish the City Partnerships Delegated Committee;
  - Adopt the City Partnerships Delegated Committee Terms of Reference;
  - Endorse the C4 Instrument of Delegation for the City Partnerships Delegated Committee;
  - Endorse the members of the City Partnerships Delegated Committee and determine a Chairperson; and
  - Revoke the current Grants Policy endorsed by Council on 23 June 2021 (R121/21).

### BACKGROUND

2. This new Committee is being established to consider all applications made to the City Partnerships Program.
3. The primary role of the Committee is to confirm which applications progress to be considered within the subsequent annual Council budget process.
4. The requirement for the new delegated Committee stems from Council's review of its Grants Policy in August 2022 (R123/22). The policy includes the requirement to establish a new Committee to confirm which City Partnerships Program applications progress to be considered within the next Council annual budget process.
5. The City Partnerships Program is an annual program with submissions closing in March each year. The Committee will meet once submissions have closed to consider recommendations made by Council Officers following an assessment process.

### KEY MATTERS

6. The new process whereby Council Officers complete an assessment of all City Partnerships Program applications and provide recommendations to a Delegated Committee directly responds to recommendations made within the Victorian Auditor General's Office (VAGO) *Fraud Control Over Local Government Grants Report 2022*. The VAGO report recommended that Councillors be excluded from assessing and making recommendations on grant applications. The VAGO report suggested process is as follows:
  - i. Council Staff assess applications. This may be done by one staff member or a number of staff as an assessment panel.

- ii. If Councillors decide which applicants receive grants: assessors or an assessor prepare a report for Councillors with recommendations on which applications to approve.
  - iii. Councillors approve or reject recommendations at a Council Meeting.
7. Section 63 of the *Local Government Act 2020* allows Council to establish a Delegated Committee.
8. Section 63(1)(a) of the *Local Government Act 2020* stipulates that Council must appoint at least two Councillors to a delegated Committee.
9. Section 63(2)(a) of the *Local Government Act 2020* requires the Chair of the Delegated Committee to be endorsed by Council and must be either the Mayor or a Councillor appointed to the Committee.
10. In accordance with section 11(1) of the *Local Government Act 2020*, the C4 Instruments of Delegation to members of Delegated Committees must be approved by Council, rather than the Chief Executive Officer.
11. Minutes from the Delegated Committee will be made public by a Committee Report to Council, noting that any commercial information provided by applicants will be considered under Section 66 of the *Local Government Act 2020* as a confidential attachment.
12. At the 24 August 2022 Council Meeting, Council adopted the Partnerships and Grants Policy (R123/22). The Grants Policy adopted on 23 June 2021 (R121/21) needs to be revoked.

## OFFICER RECOMMENDATION

- 13. In exercise of powers conferred by Section 63 of the *Local Government Act 2020* (the Act) Council resolves that:**
  - 13.1 From the date of this resolution, the City Partnerships Delegated Committee be established.**
  - 13.2 Endorse the City Partnerships Delegated Committee Terms of Reference that include appointing all nine Councillors of the Ballarat City Council as members; and**
  - 13.3 The Chair of the Committee be the Mayor.**
- 14. In the exercise of the powers conferred by Section 63 of the *Local Government Act 2020*, Ballarat City Council resolves to:**
  - 14.1 Adopt the C4 Instrument of Delegation to members of the City Partnerships Delegated Committee, the powers, duties and functions set out in the attached delegation (the instrument).**
  - 14.2 The Instrument:**
    - a. Comes into force immediately upon resolution; and**
    - b. Remains in force until Council determines to vary or revoke it.**

**14.3 The powers, duties and functions conferred on the members of the Delegated Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.**

**15. Revoke the Grants Policy adopted by Council on 23 June 2021 (R121/21).**

## **ATTACHMENTS**

1. Governance Review [**8.9.1** - 2 pages]
2. C4 Delegation - City Partnership Delegated Committee [**8.9.2** - 3 pages]
3. City Partnerships Delegated Committee Terms of Reference [**8.9.3** - 6 pages]

OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. This report directly aligns with Council's Grants Policy 2022.

**COMMUNITY IMPACT**

2. There is no direct community impact from this report.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

5. There are no financial implications from this report.

**LEGAL AND RISK CONSIDERATIONS**

6. The endorsement of the Terms of Reference ensures that the Delegated Committee will function within a framework meeting essential legislative requirements.
7. Endorsement of the committee members and a chairperson ensure compliance with section 63(1) and 63(2) of the *Local Government Act 2020*.

**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 was no community consultation and engagement in the preparation of this report.

**GENDER EQUALITY ACT 2020**

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

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**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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***C4 Instrument of Delegation (Delegated Committees)***

**Ballarat City Council**

**Instrument of Delegation**

**City Partnerships Delegated Committee**

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## Instrument of Delegation

Ballarat City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on ## [##date] and known as the "City Partnerships Delegated Committee" (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on ## [##date];
2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
3. the delegation:
  - 3.1 remains in force until Council resolves to vary or revoke it; and
  - 3.2 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
4. all members of the Delegated Committee will have voting rights on the Delegated Committee.

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**SCHEDULE****Powers and functions**

To exercise Council's functions and powers to perform Council's duties in relation to the management of which applications of the City Partnerships Program are to be funded within the subsequent annual Council budget process.

1. To function in accordance with the Council Terms of Reference;
2. Confirm which applications from the City Partnerships Program are to progress to be considered within the subsequent Council budget process;
3. to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

**Exceptions, conditions and limitations**

The members of the Delegated Committee are not authorised by this Instrument to:

4. enter into contracts, or incur expenditure, for an amount which exceeds the approved budget; and
5. exercise the powers which, by force section 11(2) of the *Local Government Act 2020*, cannot be delegated.

# City Partnerships Delegated Committee

## Terms of Reference



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## 1. Background

- 1.1. By this Terms of Reference document, the Ballarat City Council (Council) establishes the City Partnerships Delegated Committee (Committee) pursuant to section 63 of the *Local Government Act 2020* (LGA).
- 1.2. The members of a Delegated Committee have the powers, duties and functions of Council as set out in these Terms of Reference and the Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3. These Terms of Reference are authorised by a resolution [insert resolution number after the Council meeting] of Council passed on [insert date of the Council meeting the ToR were endorsed, after the Council meeting].

## 2. Purpose

The Committee is established for the purpose of:

- 2.1 confirming which applications from the City Partnerships Program are to progress to be considered within the subsequent annual Council budget process.

## 3. Objectives

The objectives of the Committee are:

- 3.1 to maximise the community impact from the City Partnerships Program by referring supported applications with sustained and meaningful community and economic outcomes through for consideration within the next annual Council budget process.

## 4. Roles and Responsibility

- 4.1 To exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation, and
- 4.2 To only consider Applicants that meet the following criteria:
  - a). Community Stream:
    - Available exclusively for Not-For-Profit and Charitable Organisations.
    - Organisations based primarily in Ballarat.
    - Funding range: \$20,000 - \$100,000 per applicant per financial year.
    - Maximum funding agreement available is for three (3 years).
    - Assessment based on alignment with current Council Plan, Project Need, Use of local suppliers, Community Benefit (participation rates and community inclusion), value for money, contribution from applicant.



b). Commercial Stream:

- Open to Business and Not-For-Profit Charitable Organisations.
- Funding range: Applications greater than \$20,000
- Maximum funding agreement available is for three (3 years).
- Assessment based on alignment with current Council Plan, Project Need, Economic Return on Investment, Community Benefit (community inclusion).

## 5. Delegation of Powers, Duties and Functions

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

## 6. Membership

- 6.1. The Committee will consist of all Councillors.
- 6.2. Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 6.3. Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 6.4. Council Officers to advise and provide administrative support to the Committee:
- Director Community Wellbeing
  - Executive Manager Engaged Communities
  - Community Grants and Engagement Officer
- 6.5. The Chairperson of the Committee will be appointed by Council in accordance with section 63(2)(a) of the *Local Government Act 2020*.
- 6.6. If the Chairperson is absent from a Committee meeting, the Committee will select a temporary Chairperson to chair the Committee meeting.
- 6.7. All of the Committee members must submit Initial and Biannual Personal Interest Returns to Council in accordance with sections 133 and 134 of the *Local Government Act 2020*.



## 7. Meetings

- 7.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
  - 7.1.1 Council's Governance Rules;
  - 7.1.2 section 61 *Local Government Act 2020*; and
  - 7.1.3 the Committee's discretion, as exercised from time to time.
- 7.2 The Committee will meet once submissions from the annual City Partnerships Program have closed and the officer assessment work is complete.
- 7.3 A quorum of the Committee will be half of the members plus one.
- 7.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 7.5 Sub committees may be appointed by the Committee and meet between general meetings and as authorised by the full Committee. Sub committees do not have any delegated powers.

## 8. Reporting

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

- 8.1 Council's Governance Rules;
- 8.2 the Committee's discretion, as exercised from time to time;
- 8.3 Minutes of Committee meetings must be forwarded to the Statutory Compliance Unit immediately after adoption by the Committee.
- 8.4 Minutes from the Delegated Committee will be made public by a Committee Report to Council, noting that any commercial information provided by applicants will be considered under Section 66 of the *Local Government Act 2020* as a confidential attachment.

## 9. Creation and Dissolution

- 9.1 By these Terms of Reference, the:
  - 9.1.1 Committee is established; and
  - 9.1.2 powers, duties and functions of the Committee members, as set out in the Instrument of Delegation, are delegated.
- 9.2 These Terms of Reference and the Instrument of Delegation:



- 9.2.1 come into force immediately when the resolution of Council adopting them is made; and
- 9.2.2 remain in force until Council determines to vary or revoke it.
- 9.3 The Committee must be dissolved by a resolution of Council.

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

## 8.10. ANNUAL GRANTS REPORT

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Pete Appleton, Executive Manager Engaged Communities

### PURPOSE

1. To provide a report to Council on the outcomes of the City of Ballarat's three (3) grant programs in 2021/2022.

### BACKGROUND

2. In 2021/2022 the City of Ballarat offered three grant programs: The Strategic Partnerships Program; the Community Impact Grant Program, and; the Tourism Events Grant Program.
3. Each program had a specific purpose as outlined in Table 1 below:

*Table 1: Description of grant programs*

Community Impact Grant Program	Tourism Events Grant Program	Strategic Partnerships Program
<p>A broad-ranging program that supported not-for-profit community groups to deliver projects, programs and events that provided benefit to the community.</p> <p>The Program funded activities that promote community participation and connection, healthy lifestyles, and community resilience.</p> <p>Grants of up to \$20,000 were available.</p>	<p>A Program to support tourism events and activities that advance and encourage increased visitation, participation, and yield.</p> <p>The Program supported events and activities that marketed the municipality as a tourism destination of choice.</p> <p>Grants of up to \$20,000 were available.</p>	<p>A larger grant program designed to fund initiatives aligning with the Council Plan, Health and Wellbeing Plan, the Council Grants Policy and other relevant plans and strategies that have been endorsed by Council.</p> <p>This Program had capacity to accommodate funding in excess of \$20,000 and allowed for multi-year funding.</p> <p>The Program was paused in 2022 and was subject to a review.</p>

4. In 2021/2022 there were four rounds of the Community Impact Grant Program, and applications were assessed monthly for the Tourism Events Grant Program. A new model for the Strategic Partnership Program was trialled where there were two windows for application submission – one in August 2021 and a subsequent round in February 2022.

5. Applications to the Strategic Partnerships Program submitted in February 2022 were not assessed and Councillors requested the Program be paused and a review undertaken.
6. As a result of that review, the Strategic Partnership Program has since ceased and been replaced by the City Partnerships Program in 2022/2023. This Program will accept applications from October to March each year that will be considered as part of Council's annual budget planning cycle. The operation of this Program is outlined in Council's Partnerships and Grants Policy.

## KEY MATTERS

7. In 2021/2022, 57 grants were awarded, and 14 multi-year funding programs continued. Payments to the value of \$1,458,064 were made to 64 funded organisations.

### Strategic Partnership Program

8. There were 14 Strategic Partnerships in place in 2021/2022. Three new partnerships were developed during the year whilst one concluded.
9. A sum of \$1,081,041 was paid out to 16 organisations in 2021/2022. A scheduled payment to the value of \$5,000 to one organisation was not made due to COVID impacting the recipient's activities.
10. The Strategic Partnership Program agreements in place for the 2021/2022 year could be categorised as providing support for:
  - infrastructure and asset management (n=3)
  - sport (n=3)
  - events (n=5)
  - business and commerce (n=2)
  - education and development (n=3)
11. The events category was funded more than any other category, accounting for 34 per cent of expenditure, followed by infrastructure and asset management partnerships with 23 per cent of the funding allocation (Figure 1). The sport category accounted for 18 per cent of funding allocated and the business and commerce category accounted for 16 per cent of expenditure. Nine per cent of expenditure was allocated to projects in the education and development category.

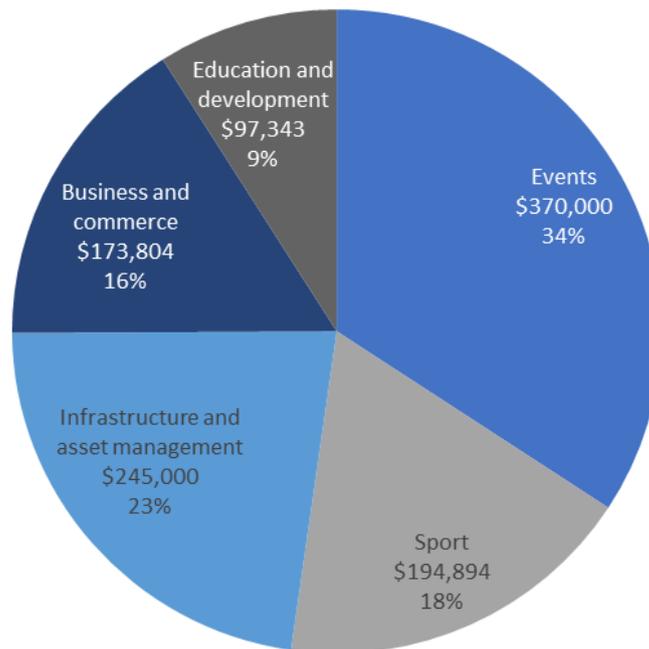


Figure 1: Proportion of Strategic Partnership Program funding by program category

12. A full list of funding recipients and their activities can be found in the attached report.

### Community Impact Grant Program

13. The Community Impact Grant Program objectives in 2021/2022 were to promote outcomes in:

- environmental sustainability
- healthy, connected, and inclusive communities
- community-focused economic outcomes, innovation, and resilience

14. Seventy-two applications to the Community Impact Grant program were received over four rounds in 2021/2022.

15. Of those, 44 were funded for an approval rate of 61 per cent. This is similar to the 2020/2021 approval rate of 62 per cent. One project was unable to proceed, and the funds were returned leaving a total of 43 projects.

16. Thirty-eight community groups and organisations received a total of \$241,623 from a budget of \$303,600.

17. Projects funded in 2021/2022 could be allocated to one of five categories:

- equipment (n=24)
- facility improvements (n=5)
- events (n=7)
- community strengthening (n=5)
- wellbeing (n=2)

18. Requests for funding to purchase equipment comprised more than half of all applications and 42 per cent of allocated funds (Figure 2). Facility improvement projects accounted for 20 per cent of the funding allocation, while events accounted for 18 per cent of funding disbursed. Community strengthening projects accounted for 13 per cent of the funding allocation and wellbeing projects were awarded seven (7) per cent of expenditure.
19. A full list of funding recipients for 2020/2021 and the agreed funded activities can be found in the attached report.

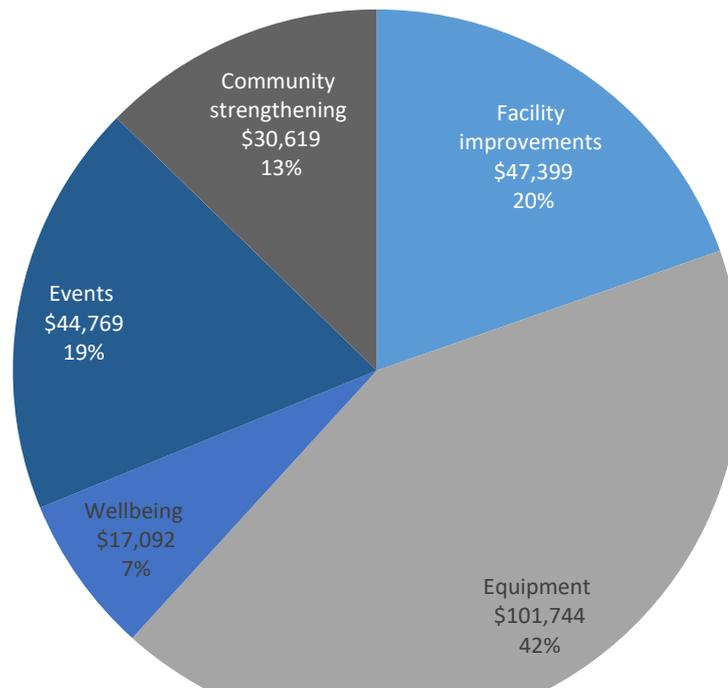


Figure 2: Proportion of Community Impact Grant Program funding by project category

### Tourism Events Grant Program

20. The Tourism Events Grant Program aims to support and attract events that:
- increase tourism visitation
  - support Ballarat's liveability and build civic pride
  - contribute to building the city's perception, improving Ballarat's competitive strengths and unique qualities.
21. Twenty (20) applications to the Tourism Events Grant Program were received in 2021/2022. Ten events were funded for an approval rate of 50 per cent.
22. A total of \$135,400 was allocated from a budget of \$155,000.
23. Projects funded in 2021/2022 could be allocated to three categories:
- arts and cultural events (n=5)
  - sporting events (n=4)
  - food and wine events (n=1)

24. Arts and cultural events received the greatest proportion of allocated funding in 2021/2022 at 59 per cent of expenditure (Figure 3). Sporting events received 38 per cent of allocated funding, and the food and wine event received three per cent of funding.
25. A full list of funding recipients and funding allocations can be found in the attached report.

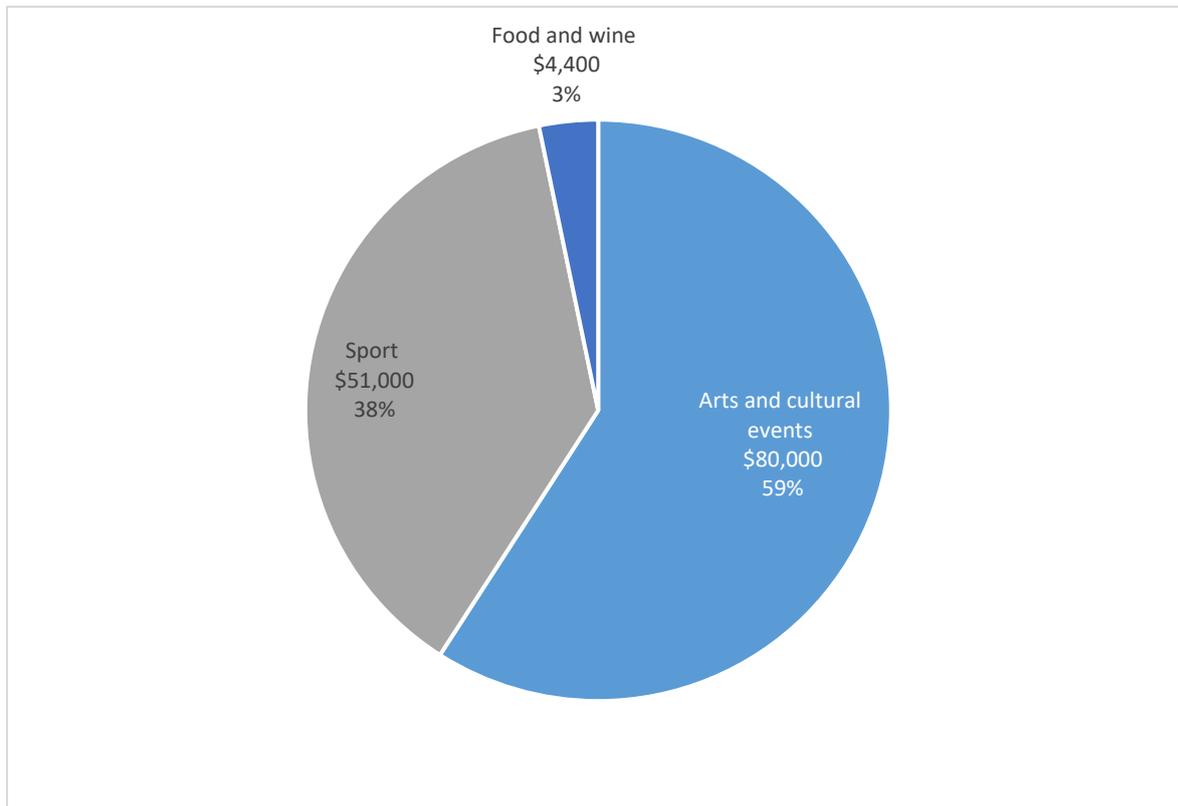


Figure 3: Tourism Events Grant Program funding by project category

## OFFICER RECOMMENDATION

### 26. That Council:

- 26.1 Receive and note the Report outlining the delivery and outcomes of Council's grant programs in 2021/2022.**

## ATTACHMENTS

1. Governance Review [8.10.1 - 2 pages]
2. Grant programs Year in review 2021 22 [8.10.2 - 14 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. All grants' programs were administered in 2021/2022 in accordance with the Grants Policy that was current at the time.
2. Council grant programs align with the following goals of the Council Plan 2021-2025:
  - a. A healthy, connected and inclusive community
  - b. A city that conserves and enhances our natural and built assets
  - c. A strong and innovative economy and city
  - d. A council that provides leadership and advocates for its community

**COMMUNITY IMPACT**

3. The City of Ballarat's grant programs to support community groups, organisations and businesses seeking funding for programs, events, products and services that bring a range of benefits to Ballarat.
4. The City of Ballarat grant programs have delivered outcomes on both Council's strategic objectives and for the community in 2021/2022 by:
  - a. the delivery of large-scale events that have promoted visitation to the city
  - b. effective use of funds to manage infrastructure and assets
  - c. provision of support to the local small business community
  - d. promotion of wellbeing, physical activity and participation in sport
  - e. the support of a strong network of community organisations that promote a strong and resilient community, and support for their delivery of activities to diverse community members in a range of interest areas.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

5. Nil implications.

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

6. Grant programs are not designed to provide ongoing funding and it is recommended that funded parties make the appropriate arrangements for the projects to be financially sustainable.

**FINANCIAL IMPLICATIONS**

7. Each grant program operated within allocated budgets.

**LEGAL AND RISK CONSIDERATIONS**

8. Financial and legal considerations include the use of funding agreements and acquittal processes to ensure compliant financial management.

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#### 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*.

#### COMMUNITY CONSULTATION AND ENGAGEMENT

10. No consultation was required in the development of this factual report.

#### GENDER EQUALITY ACT 2020

11. Applicants are expected to provide detail as to the consideration they have given to the impact of their event, program or activity on people of different genders, abilities, cultures and ages and outline efforts to make their activities accessible to a broad range of people.
12. Applicants are referred to Council's 'How to make your project more inclusive' guide to provide some guidance about access and inclusion.

#### CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT

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

#### PROCUREMENT COLLABORATION

**(For Contracts Only)**

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# CITY OF BALLARAT GRANT PROGRAMS

## ANNUAL REVIEW 2021/2022

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## Executive Summary

In 2021/2022 the City of Ballarat offered three grant programs: The Strategic Partnerships Program; the Community Impact Grant Program and; the Tourism Events Program. Fifty-seven grants were awarded in 2021/2022 and 14 multi-year funding programs continued. Payments to the value of \$1,458,064 were made to 64 funded organisations.

### Strategic Partnership Program

There were 14 Strategic Partnerships in place in 2021/2022. Three new partnerships were developed during the year while another came to its conclusion. A sum of \$1,081,041 was paid out to 16 organisations in 2021/2022. A scheduled payment to the value of \$5,000 to one organisation was not made due to COVID impacting the recipient's activities. A full list of funding recipients and their activities can be found in [Appendix A](#).

The Strategic Partnership Program agreements in place for the 2021/2022 year could be categorised as providing support for:

- infrastructure and asset management
- sport
- events
- business and commerce
- education and development

### Community Impact Grant Program

Seventy-two applications to the Community Impact Grant program were received over four rounds in 2021/2022. Of those, 44 were funded for an approval rate of 61 per cent. This is similar to the 2020/2021 approval rate of 62 per cent (Table 2). One project was unable to proceed, and the funds were returned leaving a total of 43 projects. Thirty-eight community groups and organisations received a total of \$241,623 from a budget of \$303,600.

A full list of funding recipients and their activities can be found in [Appendix B](#).

Projects funded in 2021/2022 could be allocated to one of five categories:

- equipment
- facility improvements
- events
- community strengthening
- wellbeing

### Tourism Events Grant Program

Twenty applications to the Tourism Event Grants Program were received in 2021/2022. Ten events were funded for an approval rate of 50 per cent. A total of \$135,400 was allocated from a budget of \$155,000.

Projects funded in 2021/2022 could be allocated to three categories:

- arts and cultural events
- sporting events
- food and wine events

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## Introduction

In 2021/2022 the City of Ballarat offered three grant programs: The Strategic Partnerships Program; the Community Impact Grant Program and; the Tourism Events Grant Program. Each Program had a specific purpose as outlined below:

*Table 1: Description of grant programs*

<b>Community Impact Grant Program</b>	<b>Tourism Events Grant Program</b>	<b>Strategic Partnerships Program</b>
<p>A broad ranging program that supported not-for-profit community groups to deliver projects, programs and events that provided benefit to the community.</p> <p>The Program funded activities that promote community participation and connection, healthy lifestyles and community resilience.</p> <p>Grants of up to \$20,000 were available.</p>	<p>A Program to support tourism events and activities that advance and encourage increased visitation, participation and yield.</p> <p>The Program supported events and activities that marketed the municipality as a tourism destination of choice.</p> <p>Grants of up to \$20,000 were available.</p>	<p>A large grant program designed to fund initiatives aligning with the Council Plan, Health and Wellbeing Plan, the Council Grants Policy and other relevant plans and strategies that have been endorsed by Council.</p> <p>This Program had capacity to accommodate funding in excess of \$20,000 and allowed for multi-year funding.</p> <p>The Program was paused in 2022 and was subject to a review.</p>

In 2021/2022 there were four rounds of the Community Impact Grant Program and applications were assessed monthly for the Tourism Events Grant Program. A new model for the Strategic Partnership Program was trialled where there were two windows for application submission – one in August and the next in February. Applications submitted in February were not assessed and Councillors requested the Program be paused and a review undertaken.

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## Strategic Partnerships Grants

There were 17 Strategic Partnerships in place in 2021/2022. Three new partnerships were developed during the year while another came to its conclusion. A sum of \$1,081,041 was paid out to 16 organisations in 2021/2022. A scheduled payment to the value of \$5,000 to one organisation was not made due to COVID impacting the recipient's activities.

The Strategic Partnership Program agreements in place for the 2021/2022 year could be categorised as providing support for:

- infrastructure and asset management
- sport
- events
- business and commerce
- education and development (see Figure 1).

Some agreements fit in to more than one category but are outlined here under their primary category.

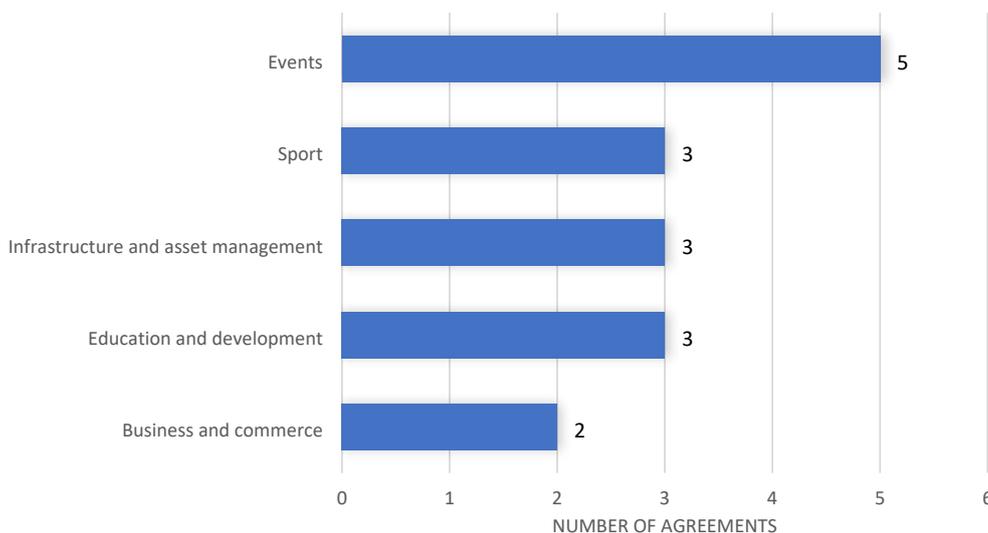


Figure 1: Number of Strategic Partnership Agreements in each category

In terms of expenditure by category (Figure 2), the events category was funded significantly more than any other category, accounting for 34 per cent of expenditure. Events currently supported by the Strategic Partnership Program are generally large-scale events that attract visitors from other regions to Ballarat such as the Winter Wonderlights, International Foto Biennale and the Royal South Street Eisteddfod.

The sport category accounted for 18 per cent of funding allocated and included projects to promote basketball participation, and to run swimming meets and rowing regattas. The infrastructure and asset management category accounted for 23 per cent of funds disbursed in 2021/2022. The 'infrastructure and asset management' category involves the development and management of community infrastructure and assets including planning of the new showgrounds; management of cricket wickets across the municipality; better use of the

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Ballarat Mechanics Institute building and; management of historical collections at Sovereign Hill.

The business and commerce category involves a range of activities designed to promote and support the local business community in Ballarat and accounted for 16 per cent of expenditure. Nine per cent of expenditure was allocated to projects in the education and development category. Projects include a new agreement with Ballarat's neighbourhood houses to build the capacity of local community organisations; a partnership that supports people into education pathways; and a leadership program to develop personal and professional leadership skills.

A full list of funding recipients for 2020/2021 and the agreed funded activities can be found in [Appendix A](#).

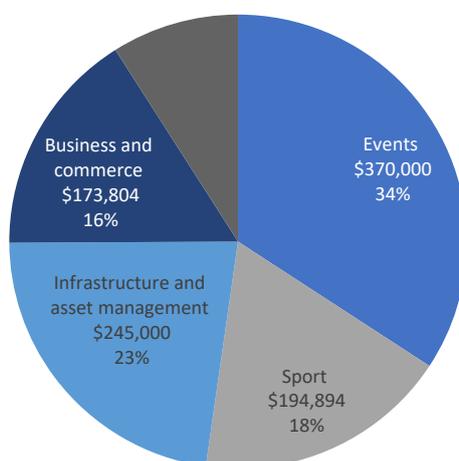


Figure 2: Proportion of Strategic Partnership Program funding per category in 2021/2022

The Strategic Partnerships Program previously operated as a non-competitive process. In 2021/2022, the Program was advertised publicly as part of the City of Ballarat's grant offerings. Applications were accepted during August and February only and assessed using standard criteria before recommendations for funding were made to Council. Three new partnerships were approved from the August application window before Council requested a review of the Program. As a result of that review the Strategic Partnership Program has ceased and been replaced by the City Partnerships Program. This Program will accept applications from October to March each year that will be considered as part of Council's annual budget planning cycle. The operation of this Program is outlined in Council's [Partnerships and Grants Policy](#).

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## Community Impact Grants

The Community Impact Grant Program objectives in 2021/2022 were to promote outcomes in:

- environmental sustainability
- healthy, connected and inclusive communities
- community-focused economic outcomes, innovation and resilience

Seventy-two applications to the Community Impact Grant program were received over four rounds in 2021/2022. Of those, 44 were funded for an approval rate of 61 per cent. This is similar to the 2020/2021 approval rate of 62 per cent (Table 2). One project was unable to proceed, and the funds were returned leaving a total of 43 projects. Thirty-eight community groups and organisations received a total of \$241,623 from a budget of \$303,600.

Table 2: Comparison of number of grants funded and funding allocation 2020/2021 vs 2021/2022

Year	Number applications received	Number approved applications	Sum allocated
2020/2021	90	56	\$253,494
2021/2022	72	44	\$241,623

Projects funded in 2021/2022 could be allocated to one of five categories\*:

- equipment
- facility improvements
- events
- community strengthening
- wellbeing

\*Project where funds were returned was not included in this analysis.

Figure 3 shows that requests for funding to purchase equipment comprised more than half of all applications (n=24) and 42 per cent of allocated funds (Figure 4). A range of equipment was requested including sporting equipment, laptops, projectors, software, office equipment and furniture, and gardening equipment.

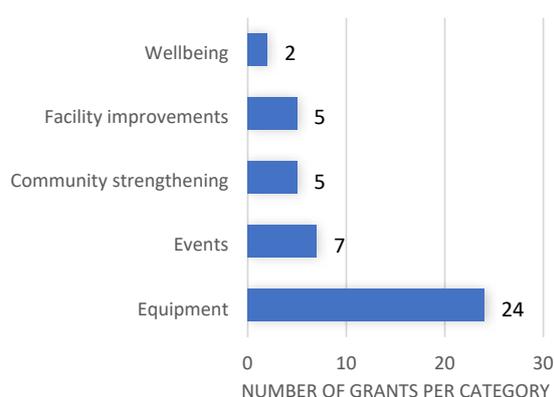


Figure 3: Number of grants per category 2021/2022

Facility improvement projects accounted for 20 per cent of the funding allocation over five projects. Projects included the building of an access ramp, heating and cooling system purchase and installation, and landscaping works.

Events accounted for 18 per cent (n=7) of the funding allocation. Projects in this category included the new Ballarat Ballet Eisteddfod and the Ballarat Pride 2023 event. Other events funded included the Christmas in Buninyong event, a woodworking show and a 40<sup>th</sup> anniversary celebration for a local community group.

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Projects that were designed to increase community participation, respond to local aspirations and needs, and build skills and capacity in the community were classified as community strengthening projects. There were five projects in this category including a free fitness training program, a singing tuition program and the publication of a book. This category accounted for 13 per cent of the funding allocation.

Two funded projects promoted community wellbeing and accounted for seven per cent of the funding allocation. These projects included a youth mentoring project and a social connection program for people who were homeless or at risk of homelessness.

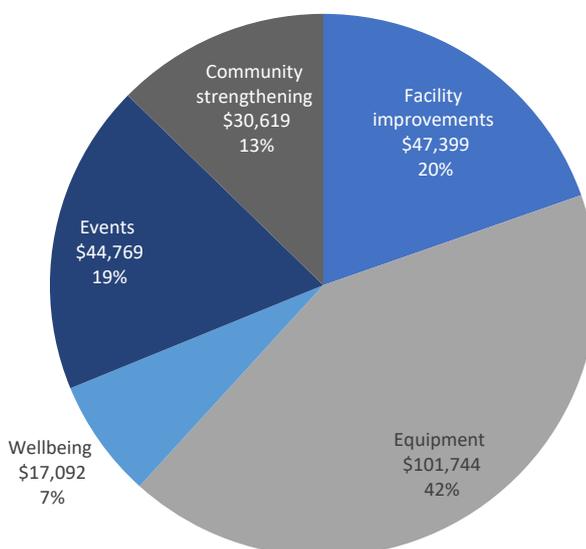


Figure 4: Proportion of Community Impact Grant Program funding allocation by category

Table 3: Average funding allocated per category

The average funding allocation varied across categories. Unsurprisingly, more funding was requested per project for facility improvement projects than other projects (Table 3). Wellbeing projects had the second-highest average allocation, followed by events and community strengthening projects. Despite there being many projects that requested funding for equipment, the average funding allocation was the lowest for this category.

Category	Average funding allocated
Facility improvements	\$9,480
Wellbeing	\$8,546
Events	\$6,396
Community strengthening	\$6,124
Equipment	\$4,239

The Community Impact Grant program supported 38 local community groups and organisations in 2021/2022. The development and support of a strong network of community organisations is vital for a strong and resilient community. Simply by supporting these organisations, Council delivers outcomes in terms of community strength and capacity building. The projects and activities that are funded then provide a further layer of community benefit. Funding recipients are listed in [Appendix B](#). There are many different types of organisations that have received funding in 2020/2021 representing a wide range of target groups including people of differing ages, socioeconomic status, genders, cultural backgrounds and interests. The organisations deliver activities, events, programs and projects that promote community participation in a range of interest areas; encourage connections between organisations and between individuals; promote physical and mental health; and build the networks and skills that make a community resilient to hardships.

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There are opportunities for improvement to the Community Impact Grant Program in the coming year. These include:

- alignment of the grant program with Council's adopted Inclusion Framework
- wider promotion of the grant program to encourage more applications, particularly from those who have not applied for funding in the past
- opportunities to build the capacity of local organisations to develop quality grant applications

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## Tourism Events Grants

The Tourism Events Grant Program aims to support and attract events that:

- increase tourism visitation
- support Ballarat's liveability and build civic pride
- contribute to building the city's perception, improving Ballarat's competitive strengths and unique qualities.

Twenty applications to the Tourism Event Grants Program were received in 2021/2022. Ten events were funded (Table 4) for an approval rate of 50 per cent. A total of \$135,400 was allocated from a budget of \$155,000.

Projects funded in 2021/2022 could be allocated to three categories:

- arts and cultural events (n=5)
- sporting events (n=4)
- food and wine events (n=1)

Arts and cultural events received the greatest proportion of allocated funding in 2021/2022 at 59 per cent of expenditure. Sporting events received 38 per cent of allocated funding, and the food and wine event was funded three per cent of funding. Arts and cultural events had the highest average allocation of funding, followed by sporting events. The single food and wine event received a small allocation of funding (Table 5).

Three applications were submitted for business events, but none were funded. The Tourism Events Grants Program is currently under review to better cater for business event applications.

Table 4: Grants awarded under the Tourism Events Grants Program 2021/2022

Event	Allocation
Organs of the Ballarat Goldfields	\$15,000
Poco Film Festival	\$20,000
Guy Sebastian Concert (CANCELLED)	\$20,000
Beyond Dark	\$20,000
Fibre Arts Festival	\$5,000
Mitchell Harris Regional Lunch	\$4,400
Dragon Boat Victoria	\$12,000
Ballarat Gift	\$14,000
CX Ballarat	\$20,000
Ultimate Championship Victoria	\$5,000

Table 4: Average funding allocation by

Category	Average funding allocated
Arts and cultural events	\$16,000
Sporting events	\$12,750
Food and wine event	\$4,400

category

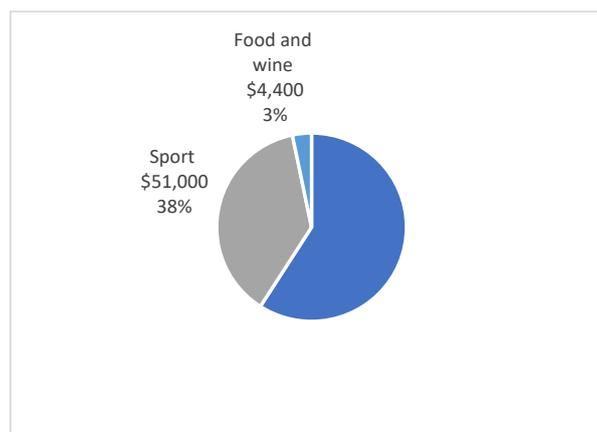


Figure 5: Proportion of Tourism Events Grant Program funding by category

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## Discussion

The City of Ballarat grant programs have delivered outcomes on both Council's strategic objectives and for the community by:

- the delivery of large-scale events that have promoted visitation to the city
- effective use of funds to manage infrastructure and assets
- provision of support to the local small business community
- promotion of wellbeing, physical activity and participation in sport
- the support of a strong network of community organisations that promote a strong and resilient community, and support for their delivery of activities to diverse community members in a range of interest areas.

With a commitment to continuous improvement, the funding guidelines for each program are reviewed annually. The [Partnerships and Grants Policy](#) was updated and adopted by Council in August 2022. These changes will impact on the 2022/2023 grants programs. Changes to the Policy include:

- Cessation of the Strategic Partnerships Program to be replaced with the City Partnerships Program.
- Single period of five months per year for the submission of applications to the City Partnerships Program.
- No allocated budget for the City Partnerships Program. Applications will now be considered as part of Council's annual budget planning cycle.
- Creation of two streams of funding for the City Partnerships Program – the community stream and the commercial stream.
- Limit on duration of City Partnerships Program agreements to three years.
- Assessment of City Partnerships applications will be undertaken by a panel of Council Officers. Officers will submit a report of recommendations to a delegated Committee of Councillors comprising of all Councillors. The Committee will confirm which applications will progress through to the annual budget planning process.
- Inclusion of a requirement in line with the Gender Equality Act that applications to all grant programs will demonstrate how they have considered how people of different genders may be impacted by the proposed event, program or activity.

Funding guidelines and application forms have been updated for the 2022/2023 year to ensure that they provide the best information for potential applicants, garner relevant information for assessment and reporting, and reflect changes outlined in the Partnerships and Grants Policy. Application forms also collect information from applicants about their experience in submitting their applications to aid improvement to the application process.

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## Appendix A – Strategic Partnerships Program: Funded activities 2021/2022

Organisation	Primary category	Funding provided 2020/2021
Ballarat Agricultural & Pastoral Society (BAPS)	Infrastructure and asset management	\$100,000
Rowing Victoria	Sports	\$55,000
Royal South Street Society (RSSS)	Events	\$60,000
Catholic Care - Clemente Partnership	Education and development	\$15,000
Ballarat International Foto Biennale	Events	\$200,000
Basketball Ballarat	Sport	\$126,000
Ballarat Cricket Association (BCA)	Infrastructure and asset management	\$100,000
Leadership Ballarat	Education and development	\$2,000
Sovereign Hill Museums Association	Events	\$80,000
Commerce Ballarat	Business and commerce	\$110,000
Rock Ballarat	Events	\$15,000
Ballarat Mechanic's Institute	Infrastructure and asset management	\$45,000
Runway Ballarat	Business and commerce	\$25,000
Carols by Candlelight	Events	\$15,000
Ballarat East Neighbourhood House	Education and development	\$80,343
Midlands District Amateur Swimming Association	Sport	\$13,894
Ballarat Sports Foundation	Sport	No payment due to impact of COVID on activities

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## Appendix B - Community Impact Grant Program: Funded activities 2021/2022

No.	Grant recipient	Amount Allocated	Project Title	Brief description	Category
1	Ballarat & District Irish Association Incorporated	\$5,910	Develop a website	Website development-knowledge share, connectivity	Community strengthening
2	Ballarat Ballet Eisteddfod	\$10,000	Ballarat Ballet Eisteddfod	New Ballarat based Ballet comp	Event
3	Ballarat Catholic Diocesan Historical Commission archives	\$8,513	CDHC archives display cases	New display cases	Equipment
4	Ballarat Catholic Diocesan Historical Commission archives	\$1,170	CDHC archives - Display magnifiers	Magnifiers for display cases	Equipment
5	Ballarat Community Garden Inc	\$6,664	Encourage greater communal use of equipment to maintain and beautify our community garden space	Replace Ride on Mower	Equipment
6	Ballarat East Community Men's Shed	\$8,140	Replace gas heating with electric air conditioners	Replace heating cooling system	Facility improvement
7	Ballarat Historical Society Inc	\$10,000	Ballarat Remembered; Ninety years of change (Working Title)	Publish book	Community strengthening
8	Ballarat Kendo Club	\$8,479	Ballarat Kendo Club safety equipment renewal	Sports uniform (protective equipment)	Equipment
9	Ballarat Memorial Sports Inc	\$6,034	Shelving storage office furnishings and equipment	Shelving, storage, furniture, computer and other office equipment	Equipment
10	Ballarat Neighbourhood Centre	\$9,091	Sebastopol Art Space	Convert container into art space	Facility improvement
11	Ballarat Regional Athletic Centre	\$4,300	Life-saving equipment - Defibrillator purchase	Two defibrillators	Equipment
12	Ballarat Regional Multicultural Council	\$9,318	Ballarat Welcome Centre equipment project	Sound and visual equipment	Equipment
13	Ballarat Toy Library	\$1,922	Providing a professional service in 2021 and beyond.	Computer software	Equipment
14	Ballarat Voices	\$10,000	Ballarat Voices - Inspiring young singers	Program-singing tuition, choir	Community strengthening
15	Ballarat Wholefoods Collective	\$6,688	Ballarat Wholefoods Collective - Expanding our food range	Upright freezer to extend range	Equipment
16	Ballarat Woodworkers Guild	\$500	Education needs	Woodworking books	Equipment
17	Ballarat Woodworkers Guild	\$1,071	Wood and Craft Show	Woodworking show	Event
18	Ballarat Woodworkers Guild	\$1,909	Health protection	Dust extractors	Equipment
19	Ballarat YCW Harriers	\$1,950	Train safety post covid	Free fitness training program	Community strengthening
20	Big Brothers Big Sisters Australia	\$8,910	Men2B Active Youth Mentoring Program	Mentoring program	Wellbeing
21	Bootblack Plus	\$1,975	A Place At The Table 2022	Event for LGBTIQ+ people and service providers etc	Event

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22	BREAZE Inc	\$2,759	Building better homes for the future in Ballarat	Forum	Community strengthening
23	Buninyong Business Network	\$13,474	Christmas in Buninyong	Christmas decorations, artwork etc, elf trail	Event
24	Buninyong Probuss Club Inc	\$2,405	Overcoming adversity during the pandemic - Buninyong Probuss	Event-build connectivity post covid	Event
25	Club M.U.D	\$9,017	Club MUD (downhill mountain biking) transformation	New marquee and event trailer	Equipment
26	East Ballarat Cricket Club Inc	\$5,200	Increasing pitch time for cricketers	Portable junior pitches	Equipment
27	Eastwood Leisure Complex Inc	\$1,865	Inclusive communities	Increase access to technology	Equipment
28	Filipino Australian Sports Club of Ballarat Inc	\$1,968	Sports competition	Purchase of microphones and generator for running of sport competition events	Equipment
29	Friends of Ballarat Botanical Gardens	\$1,980	Friends of the Gardens 40th anniversary event to celebrate the contribution of our volunteers	Celebrate volunteers and encourage others	Event
30	Friends of the Buninyong Botanic Garden	\$1,077	Buninyong Senior Citizens Centre garden and seating area	Improve outdoor area at front of centre	Facility improvement
31	Midlands Golf and Bowls Club	\$2,515	Defibrillator	Defibrillator x 1	Equipment
32	Midlands Golf and Bowls Club	\$3,483	Scoreboards	Scoreboards x 8	Equipment
33	Midlands Golf and Bowls Club	\$1,819	Additional bowls to increase participation	Bowling balls	Equipment
34	Napoleons Enfield Landcare Group Incorporated	\$1,818	Communication technology upgrade	I-pad and projector to share work and increase skill levels	Equipment
35	North Ballarat Cricket Club	\$5,502	Bowling machines and peripherals to increase participation in the club	Bowling machines	Equipment
36	Rotary Club of Alfredton Inc	\$3,741	Linking Lucas community with Lucas Community Garden	Recycled plastic table and chairs, Aerobins	Equipment
37	Sebastopol Men's Shed	\$1,809	Pot recycling shelving	Shelving for storing of pots and plants	Equipment
38	Sebastopol Men's Shed	\$4,580	Update computer system	Update computers	Equipment
39	Speak Australia	\$13,864	Ballarat Pride 2023	family friendly festival celebrating LGBTIQ+ community	Event
40	The Anglican Parish of St Peter Ballarat	\$20,000	All accessible safety ramp	Ramp for access	Facility improvement
41	The Scout Association of Australia Victorian Branch Ballarat District Scouts Executive	\$1,028	District banners	Replacement Banners-for events	Equipment
42	Uniting - Street2Home	\$8,182	Community engagement	Program of activities for rough sleepers	Wellbeing
43	Victoria Bowling Club Inc	\$9,091	Members lounge heating & cooling	Install new heating/cooling in members lounge	Facility improvement
44	Western Croquet Club	\$1,902	Croquet office upgrade	Computer and other office equipment	Equipment

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## 8.11. QUARTERLY PERFORMANCE REPORT PERIOD ENDING 31 DECEMBER 2022

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

### PURPOSE

1. To present the quarterly performance reports for the quarter ending 31 December 2022 and to seek endorsement of the 2022/23 Mid-Year Budget Review (MYBR).

### BACKGROUND

2. Pursuant to Section 97 of the *Local Government Act 2020* (the Act), as soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a statement comparing the budgeted revenue and expenditure for the financial year with the actual revenue and expenditure to date is presented to the Council at a Council meeting which is open to the public.
3. In accordance with Section 97(3) of the Act, the second quarterly report of a financial year must include a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.
4. Item 20 of the Governance and Management checklist requires a six-monthly report of indicators measuring financial and non-financial performance (including the performance indicators referred to in section 98 of the Act) to be prepared. This checklist is required as per Regulation 9(c) of the *Local Government (Planning and Reporting) Regulations 2020*.

### KEY MATTERS

5. The following suite of documents comprise the Quarterly Performance Report for period ending 31 December 2022:
  - a. Financial Management Report (attachment 1)
  - b. Mid-Year Budget Review (MYBR) Summary (attachment 2)
  - c. Performance Statement Report (attachment 3)
  - d. Council Plan 2021-2025 - Annual Action Plan 2022/23 (attachment 4)
6. These reports provide an update on Council's performance in relation to budget and the implementation of the Council Plan 2022/23 actions for the six months to 31 December 2022.
7. The Quarterly Financial Management Report sets out Council's financial performance for the six months to 31 December 2022, including;
  - a. Financial Summary
  - b. Financial Statements
  - c. Capital Project Report
  - d. Local Spend Summary
  - e. Investments Summary

8. The Mid-Year Budget Review (MYBR) Summary highlights the major variations expected to the adopted budget for the year ending 30 June 2023.
9. The Performance Statement Report shows the required Local Government Performance Indicators for the six months to 31 December 2022. It must be noted that there are some complexities with preparing six-monthly results for indicators that were designed to be prepared on an annual basis. Also, these six-monthly results are unaudited.
10. The Council Plan Quarterly Report – 31 December 2022 provides an update on the progress relating to the implementation of the Council Plan 2022/23 actions.
11. The statements in the Financial Management Report contain the following data sets in relation to Year to Date (YTD) and Annual performance:

**Adopted Budget** The budget that was adopted by Council and is published on Council's website.

**Adjusted Budget** The agreed adjustments to the adopted budget that were endorsed including:

- Council approved carryovers from 2021/22 (\$24.14 million);
- Unexpended grants and corresponding expenditure from 2021/22 (\$20.8 million); and,
- Opening financial position following 30 June 2022 audit.

**Forecast** Adjusted budget updated for any further approved forecast changes up to 31 December 2022.

**Actual** YTD Results to 31 December 2022.

### **Year to Date Performance – six months to 31 December 2022**

#### **Income Statement**

12. The Income Statement provides a summary of the total income and total expenditure relating to Council's annual operations.
13. The Income Statement shows a surplus of \$104.2 million for the six months to 31 December 2022, \$9.1 million favourable to the YTD adjusted budget.
14. This positive YTD variance is primarily due to less than expected expenditure in Employee Costs and Materials and Services, partially offset by less than expected revenue levels. Please refer to the Income Statement Notes in the attached for further detail.
15. The expected annual impact of these movements has been considered as part of the Mid-Year Budget Review and addressed as part of the forecast later in this report.

#### **Statement of Capital Works**

16. The Statement of Capital Works is Council's approved Capital Works Program by the required Asset Categories.

17. As at 31 December 2022, Council had spent \$24.7 million compared to the YTD budget of \$78.4 million. There is \$29.8 million of commitments (purchase orders) outstanding as at 31 December 2022.
18. This actual spend to date represents 31.5% of the YTD adjusted budget of \$78.4m. Further information on the movements is detailed in the Forecast section and attachment to this report.

### **Balance Sheet**

19. The Balance Sheet summarises the value of Assets (which Council owns) and our Liabilities (what Council owes), and the difference between assets and liabilities (Net Assets or Equity) reflects Council's net worth.
20. Council's net worth as at 31 December 2022 is \$2.37 billion.

### **Cash Flow**

21. The Cashflow Statement reflects actual results as at 31 December 2022. Council's Cash and Cash Equivalents were \$159.8 million, \$52.8 million favourable to the adjusted budget.
22. This YTD variation is primarily attributable to Cash outflows from investing activities (Capital Works) which are down YTD by \$52.8 million.

### **Local Spend**

23. For the six months to 31 December 2022, 59% of Council's total expenditure with suppliers has been classified as Local. The comparable percentage of local spend last financial year to December 2021 was also 59%.

### **Investments**

24. As at 31 December 2022 Council was holding \$139.5 million in investments, varying in interest rates from 3.27% to 4.35%. Officers have seen a number of rate increases by the RBA in recent months with further predicted increases going forward.
25. \$80 million was invested with Fossil Fuel Free institutions at comparable interest rates. This represented 61.65% of the investment portfolio.

### **Statutory Planning Indicators**

26. The indicators relating to statutory planning in the attached Performance Statement Report are summarised in the table below.
27. The number of new planning applications received by the City of Ballarat has remained strong over the past 18 months. Additionally, the complexity of applications received has also increased significantly. This aligns with a rapidly growing City and a shift in focus to higher density urban development. The management team is now committed to focusing on various process improvements which will enhance the efficiency of the planning application process over the longer term, and at the same time, will improve our customer centric approach.

Service Performance Indicator	Results for 6 Months Ending			
	31 Dec 19	31 Dec 20	31 Dec 21	31 Dec 22
SP1-Time taken to decide planning applications (days)	70.00	59.00	66.00	95.00
SP2-Planning applications decided within required time frames	59.33%	79.81%	57.46%	46.66%
SP3-Cost of statutory planning service	\$1,688.85	\$1,761.49	\$2,375.13	\$2,339.85
SP4-Council planning decisions upheld at VCAT	71.43%	100.00%	100.00%	40.00%

28. The Statutory Planning team's performance during Quarter 2 of the 2022/23 financial year indicates that the team are now starting to reduce the backlog of applications which has started to shift the team towards greater efficiency longer term. A specific Council briefing is scheduled for 1 March 2023 on this topic.

### **Forecast (Mid Year Budget Review - MYBR)**

#### **Income Statement**

29. As detailed in the attached report, the annual forecast operating surplus has decreased by \$10.2 million, to \$66.2 million. It must be noted that this movement includes \$13.1m of unfavourable variance relating to the following 'non-cash' items:

- a. Depreciation – \$5.2m
- b. Bad Debt Provision – \$3.9m
- c. Non-Monetary Contributions – \$4.0m

30. Per the table below, the \$10.2m decrease in net surplus is the result of \$12.1m in net unfavourable timing variances being offset by \$1.9m in net favourable permanent variances.

	<b>\$'000</b>
<b>Net Surplus - Forecast 30 September 2022</b>	<b>76,384</b>
Permanent Savings/Additional Revenue	15,195
Permanent Cost Increase/Lost Revenue	(13,340)
Timing - Savings/Additional Revenue	2,595
Timing - Cost Increase/Lost Revenue	(14,649)
<b>Net Surplus - Forecast (MYBR) 31 December 2022</b>	<b>66,185</b>

31. Please refer to the Mid-Year Budget Review Summary (attachment 2) for further detail.

#### **Statement of Capital Works**

32. As detailed in the attached report, the annual forecast capital expenditure has been reduced by \$46.6 million, to \$104.7 million. As summarised in the table below, the vast majority (\$48.9m) of this reduction relates to the timing of projects, in that they will not be completed by 30 June 2023 and have been deferred to be delivered in 2023/24, so will need to be requested for carryover.

	<b>\$'000</b>
<b>Forecast – 30 September 2022</b>	<b>151,307</b>
Projects Deferred to 2023/24 budget – Dec 2022	(48,902)
Permanent reduction/saving in Capital Works	(3,047)
Permanent increase in Capital Works	5,324
<b>Forecast (MYBR) – 31 December 2022</b>	<b>104,682</b>

33. The Capital Project Report provides financial detail of the Capital Works Program, per project.

### **New Borrowings**

34. The original budget included a total of \$12.75 million in new borrowings, in May 2023, to support the delivery of Council's Capital Works Program.

35. However, given the delayed timelines of the funded projects and the forecast cash balance, it is considered prudent not to proceed with these borrowings in 2022/23.

36. It is recommended that the level of future borrowings be reassessed as part of the 2023/24 budget development process.

### **Cash Flow**

37. The above forecast adjustments to the income statement and balance sheet (including no borrowings) will result in a forecast cash balance of \$118.1 million as at 30 June 2023, an increase of \$37 million compared to the September 2022 forecast.

38. The following are considered permanent cash variances, totaling \$8.6 million. It is recommended that this amount is allocated to the debt repayment/inflationary provision established by Council in September 2022.

	<b>\$'000</b>
Operating Savings	15,195
Unfavourable Operating Items (cash items only)	(4,292)
Capital Savings	3,047
Unfavourable Capital items	(5,323)
<b>Total Permanent Cash Saving</b>	<b>8,627</b>

### **Debt Repayment/Inflationary Provision**

39. Council has established a debt repayment/inflationary provision that will assist in managing cost pressures that may arise during 2022/23 and/or meeting upcoming loan repayments.

40. The balance of this reserve as at 30 November 2022, was \$5.3 million, after allocating \$489k to the additional forecast cost of the redevelopment of Ballarat Central Library,

41. It is recommended that the following permanent cash movements be allocated to/from this reserve, leaving a balance of \$14 million as at 31 December 2022.

	\$'000
<b>Opening Balance – 30 November 2022</b>	<b>5,332</b>
MYBR - Permanent Cash Saving	8,627
<b>Closing Balance – 31 December 2022</b>	<b>13,959</b>

42. It is recommended that any funds remaining in this reserve be held to support partial repayment of the \$21.3 million interest only loan than matures in 2025/26.

### Chief Executive Statement

43. In accordance with Section 97(3) of the *Local Government Act 2020*, it is the view of the Chief Executive Officer that a revised budget for 2022/23 will not be required by City of Ballarat.

### OFFICER RECOMMENDATION

**44. That Council:**

**44.1 Receive the Quarterly Financial Management Report – Period Ending 31 December 2022 and note the financial matters contained within the report.**

**44.2 Endorse the 2022-23 Mid-Year Budget Review adjustments.**

**44.3 Resolve not to undertake the budgeted borrowings of \$12.75 million and refer borrowing levels to the 2023/24 budget process.**

**44.4 Receive the Quarterly Performance Management Report – Period Ending 31 December 2022.**

**44.5 Receive the Quarterly Council Plan 2021-2025 - Annual Action Plan 2022/23 update to 31 December 2022.**

### ATTACHMENTS

1. Governance Review [8.11.1 - 2 pages]
2. Quarterly Financial Management Report - Period Ending 31 December 2022 [8.11.2 - 10 pages]
3. Mid Year Budget Review Summary - Period Ending 31 December 2022 [8.11.3 - 3 pages]
4. Performance Statement Report - Period Ending 31 December 2022 [8.11.4 - 17 pages]
5. Council Plan 2021-2025 - Annual Action Plan 2022/23 - Period Ending 31 December 2022 [8.11.5 - 69 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

1. The Quarterly Performance Report is a Statutory report as per section 97 of the *Local Government Act 2020*.
2. The Council Plan report provides the community with an update on how Council is progressing with the implementation of the adopted Council Plan.

**COMMUNITY IMPACT**

3. The inclusion of the Quarterly Performance Report in the Council agenda and the availability to the community, increases awareness of the Council's financial position and provides transparency in its financial operations.

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

6. The Quarterly Finance Report reports on the Council's ongoing financial viability as at the date of the report 31 December 2022, and its performance against the Council budget for 2022/23.

**LEGAL AND RISK CONSIDERATIONS**

7. There are no legal and risk implications identified for the subject of the report.

**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 is no requirement for community consultation or engagement with this report.

**GENDER EQUALITY ACT 2020**

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

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**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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## **Quarterly Financial Management Report Period Ending 31 December 2022**

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**Summary of Financial Results - City of Ballarat**  
**Period Ending 31 December 2022**

The Income Statement shows a surplus of \$104.2m for the 6 months to 31 December 2022, \$9.2m favourable to the year to date (YTD) adjusted budget. This is primarily due to less than expected expenditure in Employee Costs and Materials and Services, partially offset by less than expected revenue levels.

Following the mid-year budget review, the net result for the financial year is forecast to decrease by \$10.2m to \$66.2m, compared to the September 2022 forecast of \$76.4m. However, \$13.1m of this relates to non cash items such as non-monetary contributions, depreciation and provisions.

Following the review, the annual capital works program is forecast to reduce by a further \$46.6m, to \$104.7m, compared to the September forecast of \$151.3m. Most of this reduction relates to timing of projects, with many being deferred to the 2023/24 budget.

Capital expenditure for the 6 months to 31 December 2022 totals \$24.69m, which represents 31.5% of the YTD adjusted budget of \$78.4m and 23.7% of the total annual forecast capital works, now expected to be \$104.2m.

Below is a summary of the income and capital works statements compared to budget. Please see the financial statements on the following pages for further information on Council's financial performance



**Key Budget Variances:**

**Rates** - Revenue is consistent with the current forecast.

**Grants and Contributions** - Updated forecast in line with current known funding and agreements, net reduction shown for 2022/23 with some permanent alterations and others around timing of funding receipt

**Other** - Favourable due to additional interest revenue driven by higher interest rates available and higher cash balances held than budgeted, adjusted accordingly in the forecast.



**Key Budget Variances:**

**Employee Costs** – Below budget due to ongoing vacant positions and also due to a permanent saving of \$766k in the annual Workcover Premium to budget. The latest forecast indicates a saving of \$5m for the financial year.

**Materials and Services** – Favourable to forecast primarily due to the timing of service delivery, forecast changes only resulted in a small net change overall.

**Other** - Unfavourable to budget due to a \$2.2 million bad debt provision being raised relating to infringement debtors.



**Key Budget Variances:**

The variance between YTD adjusted Budget and YTD Actual is primarily due to the timing of the Capital Works program.

The Capital Works statement is showing total spend to 31 December of \$24.69m. This is:

- 31.5% of the adjusted year to date budget of \$78.4m;
- 23.7% of the annual forecast of \$104.2m.

Significant project underspends compared to YTD adjusted budget include;

- DCP Construction \$10.6m
- Major Infrastructure Renewal \$6.2m
- Airport Runway \$5.2m
- Central Library \$3.3m
- Bakery Hill \$2.8m

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### Income Statement - City of Ballarat

Period Ending 31 December 2022

	Year to Date (YTD)			Annual			Variance v Sept 2022 Forecast	Notes
	Adjusted Budget \$'000	Actual \$'000	Variance \$'000	Adopted Budget \$'000	Forecast Sep 2022 \$'000	Forecast Dec 2022 \$'000		
<b>Income</b>								
Rates and charges	140,782	141,480	698	142,027	142,027	143,101	1,074	
Statutory fees and fines	2,643	3,553	910	6,278	6,278	7,878	1,600	1
User Fees	11,096	9,544	(1,552)	22,403	22,396	22,436	40	2
Grants Capital	25,316	21,189	(4,127)	18,441	35,681	33,499	(2,182)	3
Grants Operating	13,167	11,691	(1,476)	27,344	30,168	30,185	17	4
Contributions Monetary	7,410	4,904	(2,506)	14,330	14,518	10,536	(3,982)	5
Contributions Non Monetary	0	0	0	34,473	34,473	30,473	(4,000)	
Net Gain/(Loss) on disposal of property, infrastructure, plant and equipment	1,628	170	(1,458)	2,703	2,703	603	(2,100)	6
Fair Value adjustments for investment property	0	0	0	0	0	0	0	
Share of net profits on associates and joint ventures accounted for by the equity method	0	0	0	0	0	0	0	
Other Income	1,271	3,693	2,422	2,494	2,501	6,123	3,622	7
<b>Total Income</b>	<b>203,313</b>	<b>196,224</b>	<b>(7,089)</b>	<b>270,493</b>	<b>290,745</b>	<b>284,833</b>	<b>(5,912)</b>	
<b>Expenses</b>								
Employee Costs	39,811	34,026	5,785	78,199	79,934	74,933	5,001	8
Materials and services	46,661	31,741	14,920	88,529	90,742	91,015	(273)	9
Depreciation and amortisation	20,484	22,823	(2,339)	40,969	40,969	46,146	(5,177)	10
Amortisation - Intangible Assets	0	0	0	0	0	0	0	
Amortisation - Right of Use	0	0	0	0	0	0	0	
Bad and doubtful debts	287	2,441	(2,154)	568	568	4,438	(3,870)	
Borrowing Costs	711	714	(3)	1,390	1,390	1,358	32	
Finance Costs	0	0	0	0	0	0	0	
Other expenses	287	244	43	724	758	758	0	
Fair Value adjustments for investment property	0	0	0	0	0	0	0	
Share of net losses on associates and joint ventures accounted for by the equity method	0	0	0	0	0	0	0	
<b>Total expenses</b>	<b>108,241</b>	<b>91,989</b>	<b>16,252</b>	<b>210,379</b>	<b>214,361</b>	<b>218,648</b>	<b>(4,287)</b>	
<b>Net Surplus</b>	<b>95,072</b>	<b>104,235</b>	<b>9,163</b>	<b>60,114</b>	<b>76,384</b>	<b>66,185</b>	<b>(10,199)</b>	

**Notes:**

1. Statutory Fees and Fines - Revenue from parking fines are \$933k ahead of YTD budget, while Town Planning Permits are \$175k favourable to YTD budget. In the forecast a total increase of \$1.6m has been included, \$1.4m for Parking Fines and \$200k for Permit revenues.
2. User Fees - Unfavourable variance to budget primarily due to timing issues for Tip fees \$1.5m (two months invoicing).
3. Capital Grants - YTD variance largely considered to be a timing issue only. The Forecast reduction of \$2.2m consisted of a permanent \$3.1m reduction on previously budgeted State contribution on the Airport Runway program. Previously unbudgeted funding was added for Bicycle Projects to be completed and eligible for claim this financial year, other changes were of a timing nature only.
4. Operating Grants - YTD variance considered to be a timing issue.
5. Contributions Monetary & Non Monetary have both seen forecast reductions based on the development activity for these DCP items which has been slower than budgeted assumptions.
6. The sale of 3 pieces of land ordinarily budgeted will not occur this financial year.
7. Other Income - Additional interest revenue driven by higher interest rates and higher cash balances held than budgeted, \$2.06m favourable YTD. Subsequently the full year forecast was been increased by \$3.6m.
8. Employee Costs - Favourable YTD due to ongoing vacant positions and also due to savings of \$766k in the annual Workcover Premium to budget. Permanent cost savings have been recognised in the mid year budget review forecast adjustment.
9. Materials and Services - The large YTD favourable variances are primarily considered timing issues for invoicing and works delivery, this is reflected by the large value of raised Purchase Orders. Significant items of these timing issues outside contractor costs include EPA levy quarterly invoice not raised and savings from Q1 budgeted costs totalling \$3.1m, Street Lighting costs around the Heritage LED upgrades \$1.4m, and significant underspend on Contractor costs across the organisation.
10. The non-cash items of Depreciation & Bad Debts were updated in the forecast, additional details are in the MYBR summary report.

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### Balance Sheet - City of Ballarat

As at 31 December 2022

	Year to Date (YTD)			Annual			Variance v Forecast \$'000	Notes
	Adjusted Budget \$'000	Actual \$'000	Variance \$'000	Adopted Budget \$'000	Forecast Sep 2022 \$'000	Forecast Dec 2022 \$'000		
<b>Assets</b>								
<b>Current Assets</b>								
Cash and cash equivalents	106,933	159,751	52,818	50,368	81,100	118,056	36,956	1
Trade and other receivables	11,958	5,217	(6,741)	6,458	8,480	8,480	0	
Rates Receivables	78,653	86,821	8,168	5,500	5,500	5,500	0	2
Fire Services Levy	6,638	7,723	1,085	0	0	0	0	
Other Financial Assets	2	2	0	2	2	2	0	
Inventories	456	477	21	456	435	435	0	
Non-Current Assets Classified as Held for Sale	0	0	0	0	0	0	0	
Other assets	200	1,088	888	1,307	1,742	1,742	0	
<b>Total Current Assets</b>	<b>204,840</b>	<b>261,079</b>	<b>56,239</b>	<b>64,091</b>	<b>97,259</b>	<b>134,215</b>	<b>36,956</b>	
<b>Non-Current Assets</b>								
Trade and other receivables	0	0	0	0	0	0	0	
Other Financial Assets	0	0	0	0	0	0	0	
Investments in associates, joint ventures and subsidiaries	0	0	0	0	0	0	0	
Property, infrastructure, plant and equipment	2,186,316	2,184,342	(1,974)	2,109,953	2,295,884	2,146,407	(149,477)	3
Right of Use Asset	1,678	1,095	(583)	1,678	1,095	1,095	0	
Investment Property	0	0	0	0	0	0	0	
Other Non-Current Assets	158	1,637	1,479	158	2,387	2,387	0	
Works in Progress Expense - Current Year	78,452	24,692	(53,760)	127,357	149,437	149,437	0	
<b>Total Non-Current Assets</b>	<b>2,266,604</b>	<b>2,211,766</b>	<b>(54,838)</b>	<b>2,239,146</b>	<b>2,448,803</b>	<b>2,299,326</b>	<b>(149,477)</b>	
<b>Total Assets</b>	<b>2,471,444</b>	<b>2,472,845</b>	<b>1,401</b>	<b>2,303,237</b>	<b>2,546,062</b>	<b>2,433,541</b>	<b>(112,521)</b>	
<b>Liabilities</b>								
<b>Current Liabilities</b>								
Trade and other payables	9,089	1,482	7,607	9,089	9,089	9,089	0	
Fire Services Levy	9,834	12,995	(3,161)	0	0	0	0	
Trust funds and deposits	14,138	11,453	2,685	14,138	14,138	14,138	0	
Provisions	15,368	14,143	1,225	15,735	15,368	19,238	(3,870)	4
Interest-bearing loans and borrowings	2,737	2,373	364	4,166	4,166	3,053	1,113	
Lease Liabilities	457	401	56	457	401	401	0	
Unearned Income	0	0	0	0	0	0	0	
Other Current Liabilities	0	0	0	0	0	0	0	
<b>Total Current Liabilities</b>	<b>51,623</b>	<b>42,847</b>	<b>8,776</b>	<b>43,585</b>	<b>43,162</b>	<b>45,919</b>	<b>(2,757)</b>	
<b>Non-Current Liabilities</b>								
Trust Funds and Deposits	0	0	0	0	0	0	0	
Provisions	23,058	24,473	(1,415)	10,603	23,058	23,058	0	
Interest-bearing loans and borrowings	31,047	31,048	(1)	39,540	39,540	27,994	11,546	
Lease Liabilities	1,153	752	401	1,153	752	752	0	
Other Non-Current Liabilities	0	0	0	0	0	0	0	
<b>Total Non-Current Liabilities</b>	<b>55,258</b>	<b>56,273</b>	<b>(1,015)</b>	<b>51,296</b>	<b>63,350</b>	<b>51,804</b>	<b>11,546</b>	
<b>Total Liabilities</b>	<b>106,881</b>	<b>99,120</b>	<b>7,761</b>	<b>94,881</b>	<b>106,512</b>	<b>97,723</b>	<b>8,789</b>	
<b>Net Assets</b>	<b>2,364,563</b>	<b>2,373,725</b>	<b>9,162</b>	<b>2,208,356</b>	<b>2,439,550</b>	<b>2,335,818</b>	<b>(103,732)</b>	
<b>Equity</b>								
Accumulated surplus	1,350,312	1,350,312	0	1,372,086	1,350,312	1,350,312	0	
Reserves	919,179	919,179	0	776,157	1,012,854	919,321	(93,533)	
YTD Surplus/(Deficit)	95,072	104,234	9,162	60,113	76,384	66,185	(10,199)	
<b>Total Equity</b>	<b>2,364,563</b>	<b>2,373,725</b>	<b>9,162</b>	<b>2,208,356</b>	<b>2,439,550</b>	<b>2,335,818</b>	<b>(103,732)</b>	

**Notes:**

- Cash balances have been updated for the Forecast changes and reflect the reduced capital program to be delivered and all operating expenditure updates.
- Rates Receivable and Fire Service Levy balances are high due to rates being raised in full during July.
- Work in Progress assets are less than YTD budget due to the timing of the capital works program. An initial forecast reduction of \$19.7m was put forward to the September Council meeting, and with the reductions outlined in the MYBR process the total decrease from the adjusted budget is \$65m with a total of \$104.2m in capital works to be delivered.
- The forecast increase in the current provision balance relates to the increase in the bad debt provision.

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### Cash Flow Statement - City Of Ballarat

Period Ending 31 December 2022

	Year to Date Inflows/Outflows			Annual Inflows/Outflows			Variance v Sept 2022 Forecast	Notes
	Adjusted Budget \$'000	Actual \$'000	Variance \$'000	Adopted Budget \$'000	Forecast Sep 2022 \$'000	Forecast Dec 2022 \$'000		
<b>Cash flows from operating activities</b>								
Rates and charges	61,985	59,909	(2,076)	141,743	139,277	140,351	1,074	1
Statutory fees and fines	2,642	3,285	643	6,278	6,278	7,878	1,600	2
User Fees	10,952	11,188	236	22,119	25,146	25,186	40	
Grants Operating	9,854	7,851	(2,003)	27,344	26,855	26,872	17	
Grants Capital	7,973	3,845	(4,128)	18,441	18,337	16,155	(2,182)	3
Contributions Monetary	7,220	4,716	(2,504)	14,330	14,330	10,348	(3,982)	4
Interest received	378	1,470	1,092	600	750	4,372	3,622	
Net GST Payment/Refund	0	791	791	0	0	0	0	
Other receipts	894	2,223	1,329	1,894	1,751	1,751	0	
Trust funds	0	(2,110)	(2,110)	0	(2,067)	(2,067)	0	
Fire Services Levy	1,884	2,631	747	0	0	0	0	
Employee Costs	(39,811)	(33,615)	6,196	(78,199)	(79,934)	(74,933)	5,001	5
Materials and Services	(45,293)	(43,645)	1,648	(88,530)	(95,371)	(95,502)	(131)	6
Short-term, low value and variable lease payments	0	0	0	0	0	0	0	
Other payments	(288)	(244)	44	(724)	(758)	(758)	0	
<b>Net cash provided by (used in) operating activities</b>	<b>18,390</b>	<b>18,295</b>	<b>(95)</b>	<b>65,296</b>	<b>54,594</b>	<b>59,652</b>	<b>5,058</b>	
<b>Cash flows from investing activities</b>								
Payments for property, infrastructure, plant and equipment	(78,454)	(24,629)	53,825	(127,357)	(151,307)	(104,682)	46,625	7
Proceeds from sale of property, infrastructure, plant and equipment	1,631	590	(1,041)	3,103	2,703	603	(2,100)	
Loans and advances to community organisations	0	0	0	0	0	0	0	
Repayment of loans and advances from community organisations	0	0	0	0	0	0	0	
<b>Net cash provided by (used in) investing activities</b>	<b>(76,823)</b>	<b>(24,039)</b>	<b>52,784</b>	<b>(124,254)</b>	<b>(148,604)</b>	<b>(104,079)</b>	<b>44,525</b>	
<b>Cash flows from financing activities</b>								
Finance costs	(821)	(719)	102	(1,390)	(1,390)	(1,358)	32	
Proceeds from interest bearing loans and borrowings	0	0	0	12,750	12,750	0	(12,750)	
Repayment of interest bearing loans and borrowings	(2,346)	(2,319)	27	(4,783)	(4,783)	(4,692)	91	
Interest paid - lease liability	0	0	0	0	0	0	0	
Repayment of lease liabilities	0	0	0	0	0	0	0	
<b>Net cash provided by (used in) financing activities</b>	<b>(3,167)</b>	<b>(3,038)</b>	<b>129</b>	<b>6,577</b>	<b>6,577</b>	<b>(6,050)</b>	<b>(12,627)</b>	
Net increase/(decrease) in cash and cash equivalents	(61,600)	(8,782)	52,818	(52,381)	(87,433)	(50,477)	36,956	
Cash and cash equivalents at the beginning of the period	168,533	168,533	0	102,749	168,533	168,533	0	
<b>Cash and cash equivalents at the end of the period</b>	<b>106,933</b>	<b>159,751</b>	<b>52,818</b>	<b>50,368</b>	<b>81,100</b>	<b>118,056</b>	<b>36,956</b>	
<b>Less Restricted Cash</b>								
Sub Dividers Reserve	(4,233)	(4,233)	0	(3,210)	(4,233)	(4,377)	(144)	
Developer Contributions Reserve	(26,316)	(26,316)	0	(17,957)	(26,316)	(30,456)	(4,140)	
Asset Realisation Reserve (Sale of Land)	(3,321)	(3,322)	(1)	0	(3,321)	0	3,321	
Waste Reserve	(5,094)	(5,094)	0	(733)	(5,094)	(4,284)	810	
Trust Funds and Deposits	(16,205)	(11,453)	4,752	(11,788)	(14,138)	(14,138)	0	
<b>Total Restricted Cash</b>	<b>(55,169)</b>	<b>(50,418)</b>	<b>4,751</b>	<b>(33,688)</b>	<b>(53,102)</b>	<b>(53,255)</b>	<b>(153)</b>	
<b>Unrestricted Cash</b>	<b>51,764</b>	<b>109,333</b>	<b>57,569</b>	<b>16,680</b>	<b>27,998</b>	<b>64,801</b>	<b>36,803</b>	

**Notes:**

Cash changes resulting from the MYBR forecast outcome have been updated for operating activities.

1. YTD Cash flow from Rates and Charges is unfavourable by \$2m. This is considered to be a timing issue based on budgeted assumptions on the timing of rate payment receipts and the timing of Pensioner rebate receipt.
2. Statutory fees and fines have increased in line with the income statement. The original budget was too conservative.
3. YTD grants budget is considered to be of a timing nature based on funding assumptions.
4. Contributions Monetary primarily relates to timing of Developer Contributions.
5. Employee costs are down which is reflective of the YTD savings due to vacant positions.
6. Materials and Service payments are above budget YTD primarily due to the timing of invoicing and creditor payments.
7. Cash flows from investing activities are tracking well below budget due to the level of capital works that have been delivered YTD. Forecast changes for the capital program have been adjusted, along with the decrease in proceeds from land sales.

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## Statement of Capital Works - City of Ballarat

### Period Ending 31 December 2022

	Year to Date			Annual			Variance v Sept 2022 Forecast
	Forecast Sep 2022 \$'000	Actual \$'000	Variance \$'000	Adopted Budget \$'000	Forecast Sep 2022 \$'000	Forecast Dec 2022 \$'000	
<b>Property</b>							
Land	0	4,750	(4,750)	0	10,000	4,750	5,250
Land improvements	100	0	100	200	200	200	0
<b>Total land</b>	<b>100</b>	<b>4,750</b>	<b>(4,650)</b>	<b>200</b>	<b>10,200</b>	<b>4,950</b>	<b>5,250</b>
<b>Buildings</b>							
Buildings	6,755	410	6,345	12,400	8,727	8,870	(143)
Heritage buildings	2,534	80	2,454	9,281	6,044	3,155	2,889
Building improvements	2,956	862	2,094	5,303	4,957	4,299	658
Leasehold improvements	0	0	0	0	0	0	0
<b>Total buildings</b>	<b>12,245</b>	<b>1,352</b>	<b>10,893</b>	<b>26,984</b>	<b>19,728</b>	<b>16,324</b>	<b>3,404</b>
<b>Total property</b>	<b>12,345</b>	<b>6,102</b>	<b>6,243</b>	<b>27,184</b>	<b>29,928</b>	<b>21,274</b>	<b>8,654</b>
<b>Plant and equipment</b>							
Heritage plant and equipment	0	0	0	0	0	0	0
Plant, machinery and equipment	3,668	842	2,826	4,966	5,488	5,063	426
Fixtures, fittings and furniture	62	25	37	68	68	45	23
Computers and telecommunications	820	488	332	2,346	2,720	2,720	0
Library books	227	188	39	428	468	468	0
<b>Total plant and equipment</b>	<b>4,777</b>	<b>1,543</b>	<b>3,234</b>	<b>7,808</b>	<b>8,744</b>	<b>8,296</b>	<b>449</b>
<b>Infrastructure</b>							
Roads	27,222	4,141	23,081	35,308	48,581	24,956	23,625
Bridges	250	1	249	527	527	177	350
Footpaths and cycleways	600	1,155	(555)	800	1,682	2,129	(447)
Drainage	3,047	371	2,676	4,695	1,710	1,610	100
Recreational, leisure and community facilities	16,273	8,255	8,018	16,395	25,227	23,512	1,715
Waste management	1,591	1,352	239	7,359	4,762	7,607	(2,845)
Parks, open space and streetscapes	2,853	492	2,361	7,827	8,014	5,097	2,917
Aerodromes	5,293	84	5,209	11,304	11,529	5,472	6,057
Off street car parks	610	474	136	749	1,792	1,792	0
Other infrastructure	3,591	722	2,869	7,401	8,811	2,760	6,051
<b>Total infrastructure</b>	<b>61,330</b>	<b>17,047</b>	<b>44,283</b>	<b>92,365</b>	<b>112,635</b>	<b>75,113</b>	<b>37,522</b>
<b>Total capital works expenditure</b>	<b>78,452</b>	<b>24,692</b>	<b>53,760</b>	<b>127,357</b>	<b>151,307</b>	<b>104,682</b>	<b>46,625</b>
<b>Represented by:</b>							
New asset expenditure	30,849	16,329	14,520	61,955	83,277	42,131	41,146
Asset renewal expenditure	28,725	4,498	24,227	42,862	47,012	38,067	8,945
Asset expansion expenditure	0	0	0	0	0	0	0
Asset upgrade expenditure	18,878	3,865	15,013	22,540	21,018	24,485	(3,467)
<b>Total capital works expenditure</b>	<b>78,452</b>	<b>24,692</b>	<b>53,760</b>	<b>127,357</b>	<b>151,307</b>	<b>104,682</b>	<b>46,625</b>

**Notes:**

The variance between YTD adjusted Budget and YTD Actual is primarily due to the timing of the Capital Works program.

The forecast figures are reflective of all changes highlighted as part of the mid-year budget review (MYBR), as a result the capital program has been reduced to \$104.2m.

The Capital Works statement is showing total spend to 31 December of \$24.69m. This is:

- 31.5% of the adjusted year to date budget of \$78.4m;
- 23.7% of the annual forecast of \$104.2m.

Significant project underspends compared to YTD adjusted budget include;

- DCP Construction \$10.6m
- Major Infrastructure Renewal \$6.2m
- Airport Runway \$5.2m
- Central Library \$3.3m
- Bakery Hill \$2.8m

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### Capital Project Report - City of Ballarat Period Ending 31 December 2022

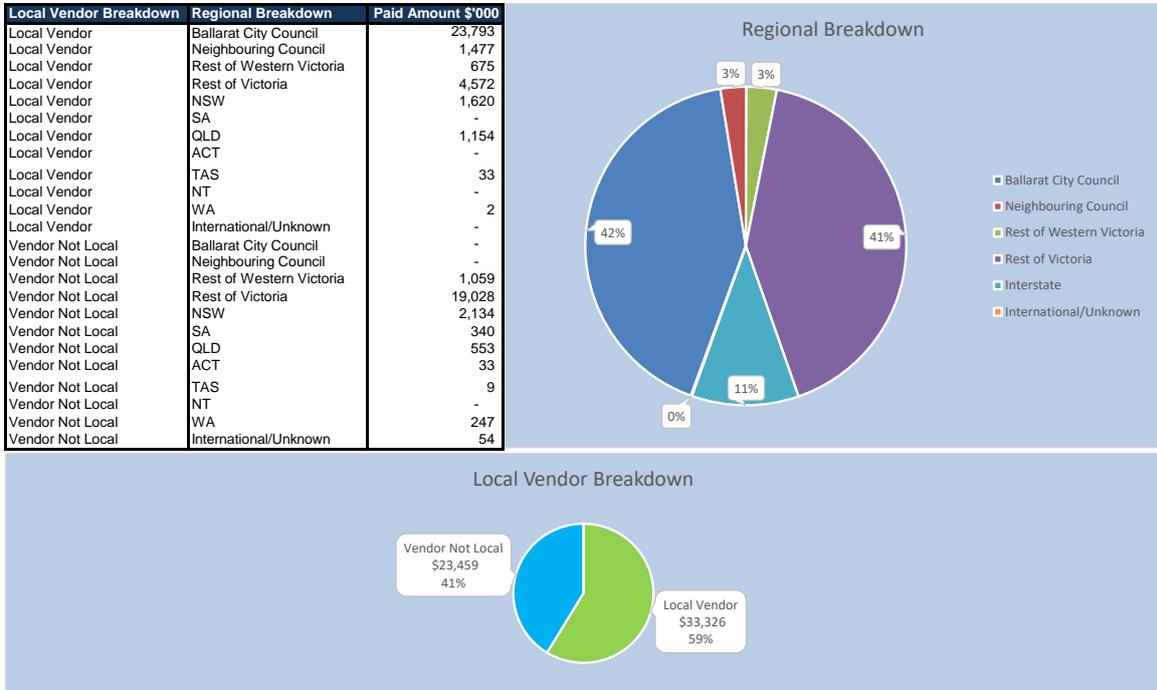
Project	Project Description	Asset Class	Year To Date			Annual	
			Adjusted Budget \$'000	Actuals \$'000	Variance \$'000	Forecast Sep 2022 \$'000	Forecast Dec 2022 \$'000
801520	Equipment	Plant, machinery and equipment	0	3	(3)	0	212
801540	Library Books	Library books	227	188	39	468	468
802940	Furniture	Fixtures, fittings and furniture	0	25	(25)	0	0
820040	Parking Meter Replacement Program	Plant, machinery and equipment	50	0	50	100	40
820700	Plant Replacement Program	Plant, machinery and equipment	2,785	839	1,946	3,385	3,385
820710	Waste Fleet Replacement Program	Plant, machinery and equipment	600	0	600	1,200	1,200
820750	BALC Assets & Equipment	Recreational, leisure and community facilities	0	18	(18)	290	310
820760	Outdoor Swimming Pool Upgrade	Recreational, leisure and community facilities	150	39	111	150	150
822010	Land Development Council Contribut.	Other infrastructure	65	83	(18)	130	130
822460	Desktop Replacement Program	Computers and telecommunications	350	484	(134)	1,160	1,160
823120	BRL Capital Expenditure	Waste Management	1,050	1,291	(241)	3,180	6,155
823330	City Entrances	Parks, open space and streetscapes	102	15	87	204	204
831700	Playground Improvement Program	Recreational, leisure and community facilities	33	9	24	65	65
833550	Street and Park Furniture Renewal	Parks, open space and streetscapes	100	46	54	180	180
833570	Ballarat Botanical Gardens - Asset	Parks, open space and streetscapes	51	0	51	102	102
833650	Street Irrigation	Parks, open space and streetscapes	85	22	63	170	170
833655	Irrigation Renewal Botanical Gardens	Parks, open space and streetscapes	250	0	250	500	200
833670	Civic Hall Redevelopment Project	Heritage buildings	50	32	18	50	50
833760	School Crossing Supervisor Shelters	Other infrastructure	13	0	13	25	25
833820	Playspace Upgrades	Recreational, leisure and community facilities	230	0	230	299	299
834040	Facilities Upgrade	Building Improvements	1,903	797	1,106	3,279	3,203
834520	Bicycle Strategy Projects	Footpaths and cycleways	0	701	(701)	254	701
834530	Federal Blackspot Funding	Roads	250	30	220	500	932
834540	Major New Capital Road Projects	Roads	1,764	2,378	(614)	2,071	2,940
834550	Major Infrastructure Renewal Project	Roads	6,847	629	6,218	11,655	8,095
834551	LRCI Funded Program	Roads	1,433	194	1,239	1,999	566
834552	Prior Year Construction Final Road Seals Program	Roads	100	0	100	200	200
834570	Federal Roads to Recovery Funding	Roads	1,013	57	956	2,689	1,100
834610	Public Art Program	Recreational, leisure and community facilities	21	8	13	370	270
835300	Sebastopol South Kindergarten Refurbishment	Building Improvements	432	36	396	607	76
835990	Recreation Capital Improvement	Recreational, leisure and community facilities	1,987	652	1,335	2,793	1,653
836000	Replacement Bin Program	Waste Management	190	59	131	380	250
836040	Median Strip Landscaping	Parks, open space and streetscapes	56	0	56	112	112
836190	Sports Reserves Surface Renewal	Recreational, leisure and community facilities	250	256	(6)	250	256
836390	HMT Equipment	Fixtures, fittings and furniture	62	0	62	62	2
836400	Program Gravel Road Renewal	Roads	879	0	879	879	879
836410	Program Major Patching	Roads	560	47	513	1,405	1,405
836980	Bicycle Paths	Footpaths and cycleways	0	5	(5)	200	200
836990	Bridge Rehabilitation Infrastructure	Bridges	250	1	249	527	177
837000	Bus Shelter repair and replacement	Other infrastructure	88	188	(100)	203	250
837010	Drainage Projects	Drainage	447	371	76	1,060	1,060
837020	Lake Wendouree Infrastructure Works	Other infrastructure	53	34	19	106	106
837021	Better Boating	Other infrastructure	30	0	30	30	30
837022	North Shore Fishing Access	Other infrastructure	80	73	7	80	80
837030	Kerb and channelling	Roads	243	267	(24)	485	485
837040	Footpath Works	Footpaths and cycleways	600	449	151	1,228	1,228
837050	Program Reseals	Roads	2,000	41	1,959	2,000	2,000
837055	Program Asphaltting	Roads	1,000	0	1,000	1,000	1,000
837060	DCP Construction	Roads	11,132	492	10,640	23,699	5,355
837170	HMT Conservation Works	Heritage buildings	432	35	397	864	130
837200	Community Infrastructure Plan Implementation	Buildings	40	59	(19)	147	190
837201	Major Community Infrastructure Plan Implementation	Buildings	2,135	36	2,099	2,758	2,758
837202	Minor Community Infrastructure Plan Implementation	Buildings	995	68	927	1,608	1,608
837220	Ballarat Animal Shelter	Plant, machinery and equipment	0	0	0	337	0
837380	Art Acquisitions For AGB	Recreational, leisure and community facilities	0	155	(155)	0	0
837500	SMART City & Suburbs Grant	Computers and telecommunications	0	4	(4)	0	0
837550	Charlesworth St Retarding Basin	Drainage	1,600	0	1,600	200	200
837570	Lake Lighting & Fitness Equipment	Recreational, leisure and community facilities	1,882	640	1,242	3,283	3,283
837590	Events Capital	Recreational, leisure and community facilities	109	52	57	245	245
837610	Bakery Hill	Other infrastructure	3,077	308	2,769	7,048	950
837620	Town Hall restoration (A Hall)	Building Improvements	15	27	(12)	100	100
837630	Central Library	Buildings	3,560	213	3,347	4,164	4,164
837660	Street Trees & Planting	Parks, open space and streetscapes	250	1	249	500	500
837670	Fast Track Recreation Projects	Recreational, leisure and community facilities	2,085	1,133	952	3,226	2,635
837680	Vic Park Soccer & Pavilion	Recreational, leisure and community facilities	0	0	0	0	0
837690	Wendouree Community Recreation Precinct	Recreational, leisure and community facilities	4,013	4,753	(740)	5,537	5,537
837700	Mars Stadium Stage 2	Recreational, leisure and community facilities	0	2	(2)	0	0
837711	HMT Stage 3	Heritage buildings	2,052	13	2,039	5,130	2,975
837713	Ballarat Sports and Ent Centre Stage 2	Buildings	0	34	(34)	0	100
837714	Warrenheip St Buninyong Street Scape Upgrade	Parks, open space and streetscapes	0	1	(1)	0	0
837717	Airport Runway Upgrade	Aerodromes	5,260	65	5,195	11,464	5,407
837718	Alfredton Recreation Reserve Upgrade	Recreational, leisure and community facilities	594	39	555	594	594
837719	Art Gallery Lighting Upgrade	Building Improvements	210	2	208	210	210
837721	CBD Outdoor Dining & Streetscape Activation	Recreational, leisure and community facilities	0	5	(5)	0	0
837723	Vic Roads Sturt St West of Drummond	Roads	0	6	(6)	0	0
837724	Fernery Outdoor Landscaping	Parks, open space and streetscapes	215	32	183	472	472
837725	My Neighbourhood Capital	Other infrastructure	35	0	35	594	594
837727	AGB Upgrade - Toilet facilities	Building Improvements	25	0	25	50	0
837728	AGB Upgrade - Skylights	Building Improvements	275	0	275	550	550
837739	Black Hill Landfill Capital	Waste Management	0	0	0	50	50
837740	Whitehorse Rd Landfill Capital	Waste Management	351	2	349	902	902

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**Local Spend Summary - City Of Ballarat**  
 Period Ending 31 December 2022



Notes:  
 - Interstate vendors that have been classified as local, relate to local branches or businesses that have a head office interstate. i.e. it is considered that these businesses employ local people and contribute to the local economy.

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### Investments Summary - City Of Ballarat Period Ending 31 December 2022

Institution	Percentage of Total investments	Investment Type	Investment Amount	Interest Rate	Commencement Date	Maturity Date
Commonwealth Bank	4.30%	Term Deposit	\$ 6,000,000.00	3.27%	10/08/2022	4/01/2023
Bank of Queensland - Laminar Capital	4.30%	Term Deposit	\$ 6,000,000.00	3.28%	17/08/2022	11/01/2023
Bank of Queensland - Laminar Capital	4.30%	Term Deposit	\$ 6,000,000.00	3.28%	17/08/2022	18/01/2023
Commonwealth Bank	4.30%	Term Deposit	\$ 6,000,000.00	3.34%	24/08/2022	25/01/2023
Bank of Queensland	4.30%	Term Deposit	\$ 6,000,000.00	3.46%	31/08/2022	1/02/2023
Suncorp	3.94%	Term Deposit	\$ 5,500,000.00	3.45%	7/09/2022	8/02/2023
AMP - Laminar Capital	2.51%	Term Deposit	\$ 3,500,000.00	3.85%	14/09/2022	15/02/2023
AMP - Laminar Capital	1.43%	Term Deposit	\$ 2,000,000.00	3.85%	14/09/2022	22/02/2023
Suncorp	1.79%	Term Deposit	\$ 2,500,000.00	3.58%	14/09/2022	15/02/2023
Suncorp	1.43%	Term Deposit	\$ 2,000,000.00	3.83%	21/09/2022	1/03/2023
Suncorp	2.87%	Term Deposit	\$ 4,000,000.00	4.00%	28/09/2022	22/02/2023
Suncorp	2.87%	Term Deposit	\$ 4,000,000.00	4.00%	28/09/2022	1/03/2023
Suncorp	3.58%	Term Deposit	\$ 5,000,000.00	4.00%	28/09/2022	8/03/2023
Bank of Queensland	0.72%	Term Deposit	\$ 1,000,000.00	3.70%	5/10/2022	8/03/2023
Bank of Queensland	4.30%	Term Deposit	\$ 6,000,000.00	3.80%	5/10/2022	15/03/2023
Bank of Queensland	1.43%	Term Deposit	\$ 2,000,000.00	3.85%	5/10/2022	22/03/2023
Suncorp	2.87%	Term Deposit	\$ 4,000,000.00	3.84%	12/10/2022	22/03/2023
Bendigo & Adelaide Bank	3.58%	Term Deposit	\$ 5,000,000.00	3.95%	19/10/2022	29/03/2023
Bank of Queensland	3.58%	Term Deposit	\$ 5,000,000.00	4.05%	26/10/2022	5/04/2023
Suncorp	2.87%	Term Deposit	\$ 4,000,000.00	4.05%	2/11/2022	12/04/2023
Suncorp	1.43%	Term Deposit	\$ 2,000,000.00	4.06%	9/11/2022	12/04/2023
Suncorp	4.30%	Term Deposit	\$ 6,000,000.00	4.12%	9/11/2022	19/04/2023
Suncorp	3.58%	Term Deposit	\$ 5,000,000.00	4.04%	16/11/2022	26/04/2023
Suncorp	1.43%	Term Deposit	\$ 2,000,000.00	4.01%	23/11/2022	26/04/2023
Suncorp	5.02%	Term Deposit	\$ 7,000,000.00	4.06%	23/11/2022	3/05/2023
Suncorp	4.30%	Term Deposit	\$ 6,000,000.00	4.14%	30/11/2022	10/05/2023
Suncorp	2.15%	Term Deposit	\$ 3,000,000.00	4.18%	30/11/2022	17/05/2023
Bendigo & Adelaide Bank	4.30%	Term Deposit	\$ 6,000,000.00	4.15%	7/12/2022	24/05/2023
Bendigo & Adelaide Bank	4.30%	Term Deposit	\$ 6,000,000.00	4.20%	7/12/2022	31/05/2023
Suncorp	2.15%	Term Deposit	\$ 3,000,000.00	4.09%	7/12/2022	17/05/2023
Bendigo & Adelaide Bank	2.87%	Term Deposit	\$ 4,000,000.00	4.20%	14/12/2022	7/06/2023
Bank of Queensland	2.87%	Term Deposit	\$ 4,000,000.00	4.35%	21/12/2022	7/06/2023

Total Investments

\$ 139,500,000.00

Total % of Non Fossil Fuel Lending Institutions

61.65%

**Notes:**

To manage risk, all funds are invested to meet the requirements within Council investment procedure and to enable Council's treasury function to be managed efficiently. Eg. Diversity, appropriately rated institutions.

In implementing Council's resolution to divest from institutions supporting fossil fuel investment, a number of new investment have been made with Bendigo & Adelaide Bank and Suncorp. These investments represent 61.65% of total funds invested at 31 December 2022 and have been invested at rates that are considered comparable to other institutions.

Over the financial year to date there has been a significant increase in investment rates that Council has been able to take advantage of, given the RBA movements. Commentary suggests rates are likely to increase in further in early 2023.

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## Mid Year Budget Review Summary - City of Ballarat

### Period Ending 31 December 2022

Comprehensive Income Statement			\$'000	\$'000
<b>Net Surplus - Forecast 30 September 2022</b>				<b>\$ 76,384</b>
<b>Additional Income / Expense Savings - Permanent</b>				
Workcover Premium	(1)		\$766	
Employee Expenses	(2)		\$3,277	
Additional Rates & Charges received	(3)		\$1,074	
Statutory Fees; Parking Fines	(4)		\$1,400	
User Fees; Parking Revenue	(4)		\$600	
Statutory Fees; Permit revenue	(5)		\$200	
Interest Revenue	(6)		\$3,622	
Early Investigations - Project feasibility and initiation	(7)		\$701	
Bicycle Strategy Projects DOT - Funding (retrospective)	(8)		\$2,211	
Federal Blackspot Road funding	(9)		\$432	
Federal Assistance Grants	(9)		\$263	
Safe Haven Funding - Rowanview	(10)		\$650	
				<u>\$15,195</u>
<b>Additional Income / Expense Savings - Timing</b>				
Lake Lighting funding	(11)		\$1,300	
Business Improvement Projects	(12)		\$295	
EPA Levy	(13)		\$1,000	
				<u>\$2,595</u>
<b>Additional Expenses / Income Reduction - Permanent</b>				
Airport Runway funding	(14)		(\$3,240)	
Rowanview - Safe Haven program	(15)		(\$225)	
Plant & Equipment Fuel	(16)		(\$540)	
Deprecation (non cash)	(17)		(\$5,177)	
Bad Debt Provision (non cash)	(18)		(\$3,870)	
New Trainee positions	(19)		(\$200)	
Net other Permanent budget variances			(\$87)	<u>(\$13,340)</u>
<b>Additional Expenses / Income Reduction - Timing</b>				
Airport Runway funding	(14)		(\$1,149)	
Waste Tip Fees	(13)		(\$500)	
Landfill Leachate removal expense	(13)		(\$500)	
Green Waste Collection & Disposal	(13)		(\$650)	
Land sales	(20)		(\$2,100)	
Wendouree Community Recreation Precinct funding	(21)		(\$1,750)	
DCP cash contributions	(22)		(\$4,000)	
DCP Contributions Works in Kind (non cash)	(23)		(\$4,000)	
				<u>(\$14,649)</u>
<b>Annual Forecast Surplus</b>				<b>\$66,185</b>
<b>Notes:</b>				

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## Mid Year Budget Review Summary - City of Ballarat

### Period Ending 31 December 2022

- (1) Workcover premium much lower than budget
- (2) Predominately relates to savings in employee costs due to vacant positions.
- (3) Received rates beyond what was anticipated, increase flagged at September council meeting reviewed and increase further.
- (4) Parking fines and Parking User Fees are higher than budgeted. A conservative budget was set in an uncertain post COVID environment.
- (5) Permit revenue primarily due to Town Planning Permits, some additional income also for Local Law Permits.
- (6) Budget based on rates at that time, before a series of RBA rate rises was anticipated.
- (7) Reduction of required budget largely due to Animal Shelter investigations now being completed.
- (8) Department of Transport funding totals; Sturt St \$1.675m, MacArther St \$501k, Steinfeld St \$35k.
- (9) Federal funding programs where allocation was greater than budget estimate.
- (10) The Safe Haven project is a new unbudgeted program.
- (11) Timing of funding receipt based on updated funding agreement.
- (12) Timing of delivery of systems improvement projects delayed by resourcing issues.
- (13) Timing due to the volume of Waste costs being funded from the Waste reserve. Tip Fee revenue reduced, additional Leachate removal costs incurred due to high rainfall during 2022, and higher Green waste collection and disposal costs.
- (14) Airport funding \$3.2m in budgeted State funding removed (permanent), and \$1.149m instalment timing moved to 23/24.
- (15) Rowanview materials & services expenses to deliver program.
- (16) Fuel costs budgeted based on prevailing rate per litre, fuel costs have been substantially higher during 2022.
- (17) Higher depreciation actuals due to increase in Asset value at 30 June 2022.
- (18) As flagged at the September Council meeting, increase in provision required after detailed analysis of old Parking infringements.
- (19) New Trainee positions, up to 10 roles to be employed across various areas of council in the second half of 2022/23.
- (20) Expected land sale will not settle before 30 June 2023, future year budgets will be input based on revised timing expectations.
- (21) Two funding instalments received early (in 21/22 financial year) not 22/23 as budgeted.
- (22) DCP Monetary revenues updated based off current expectations. Development construction impacted by market downturn and shortages in labour and materials.
- (23) Timing of development construction has been slower than expected, hence work by developers will be delayed

#### Statement of Capital Works

		\$'000	\$'000
<b>Total Capital Works - Forecast 30 September 2022</b>			<b>\$ 151,307</b>
<b>Capital Works delivery timing (Rebudget in 23/24)</b>			
HMT	(1)	(\$2,890)	
DCP Construction	(1)	(\$18,344)	
Strategic Land Purchase	(1)	(\$5,250)	
Bakery Hill	(1)	(\$6,098)	
Airport Runway Upgrade	(1)	(\$6,057)	
Spotlight on Sebastopol	(1)	(\$2,367)	
Animal Shelter	(1)	(\$337)	
City Oval Change Rooms	(1)	(\$659)	
Irrigation Renewal Botanical Gardens	(1)	(\$300)	

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## Mid Year Budget Review Summary - City of Ballarat

### Period Ending 31 December 2022

Open Space Projects - from Reserve	(1)	(\$250)	
Sebastopol South Kindergarten Refurbishment	(1)	(\$531)	
Vic Park Pavilion	(1)	(\$591)	
Art Gallery Humidifiers	(1)	(\$250)	
Roads to Recovery	(1)	(\$1,589)	
Cromwell Street	(1)	(\$524)	
Beverin Street	(1)	(\$482)	
Windermere Street	(1)	(\$392)	
Winter Street	(1)	(\$360)	
Dowling Road	(1)	(\$349)	
Sturt Street/ Drummond Street	(1)	(\$240)	
Greenhalghs Road	(1)	(\$218)	
Bridge Rehab Cattle Station Rd	(1)	(\$350)	
Falkirk Road	(1)	(\$275)	
Mair Street Super Pipe	(1)	(\$100)	
Nolan Street	(1)	(\$99)	
			(\$48,902)
<b>Permanent Reduction in Capital Works</b>			
Pleasant Street Soccer Pitch	(2)	(\$440)	
Learmonth Netball Courts	(2)	(\$225)	
LRCI - Wendouree Pde Tram Track	(3)	(\$1,433)	
Peel/Eastwood Streets	(3)	(\$736)	
Other minor reductions		(\$213)	
			(\$3,047)
<b>Increase in Capital Works</b>			
Ballarat Regional Landfill - from Reserve	(4)	\$2,975	
Rowanview Capital Equipment	(4)	\$212	
Federal Blackspot (Fully Funded)	(5)	\$432	
Bicycle Strategy Projects (Funded)	(5)	\$1,316	
			\$4,935
Net other budget variances below \$150k			\$388
<b>31 December - Forecast</b>			<b>\$104,682</b>
<b>Notes:</b>			
(1) Project will not be completed in 2022/23. Will be requested as a carry forward in the 2023/24 Budget.			
(2) Correction of additional budget incorrectly added during unexpended grants/carryover process for partially funded projects. Not an actual saving or change to project, just budget adjustment.			
(3) Budgeted in 22/23, early delivery completed in 21/22.			
(4) Additional project budget required. Predominately covered by savings and funding.			
(5) Cost side of fully funded projects where additional funding received to budget assumptions.			

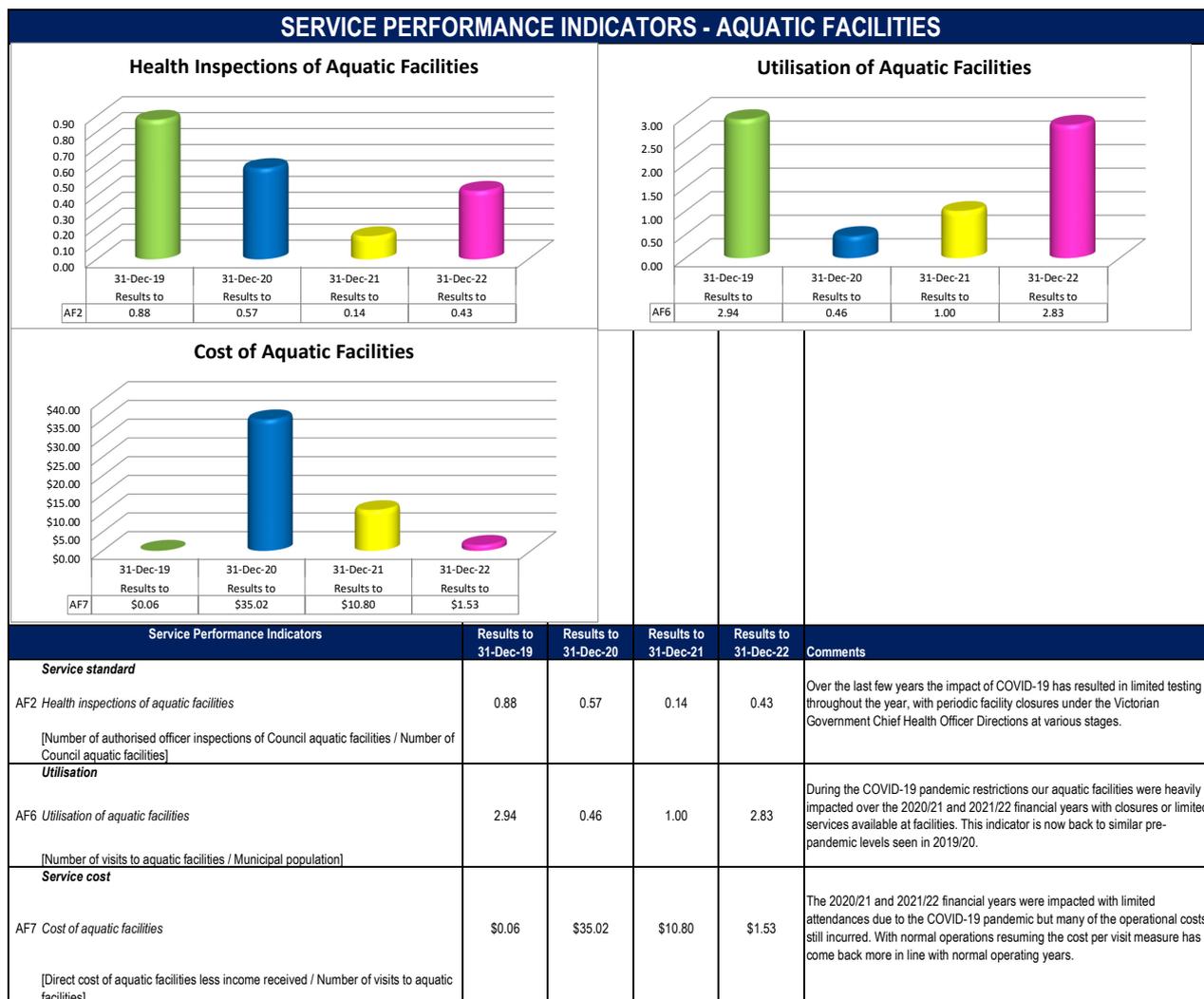
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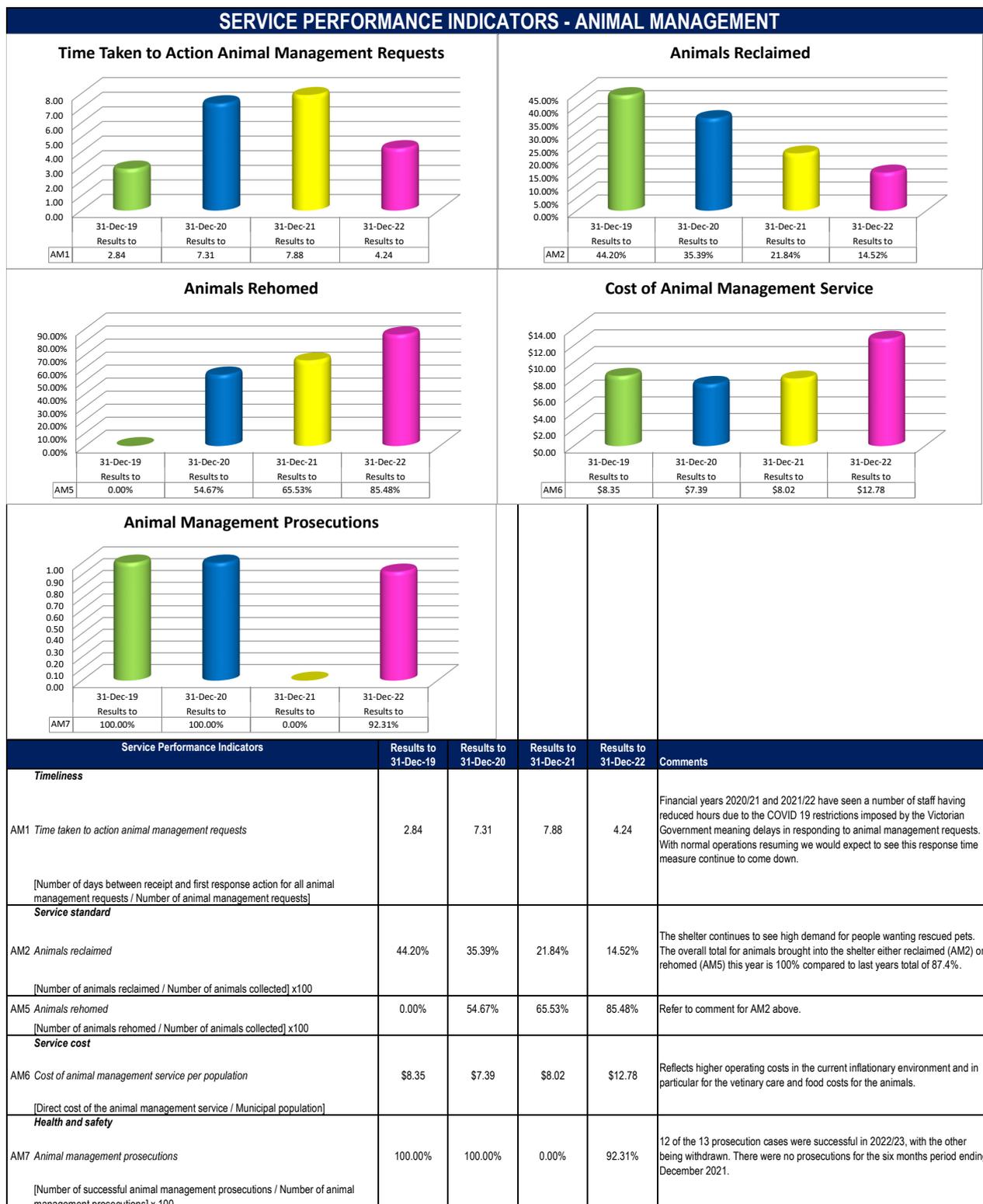
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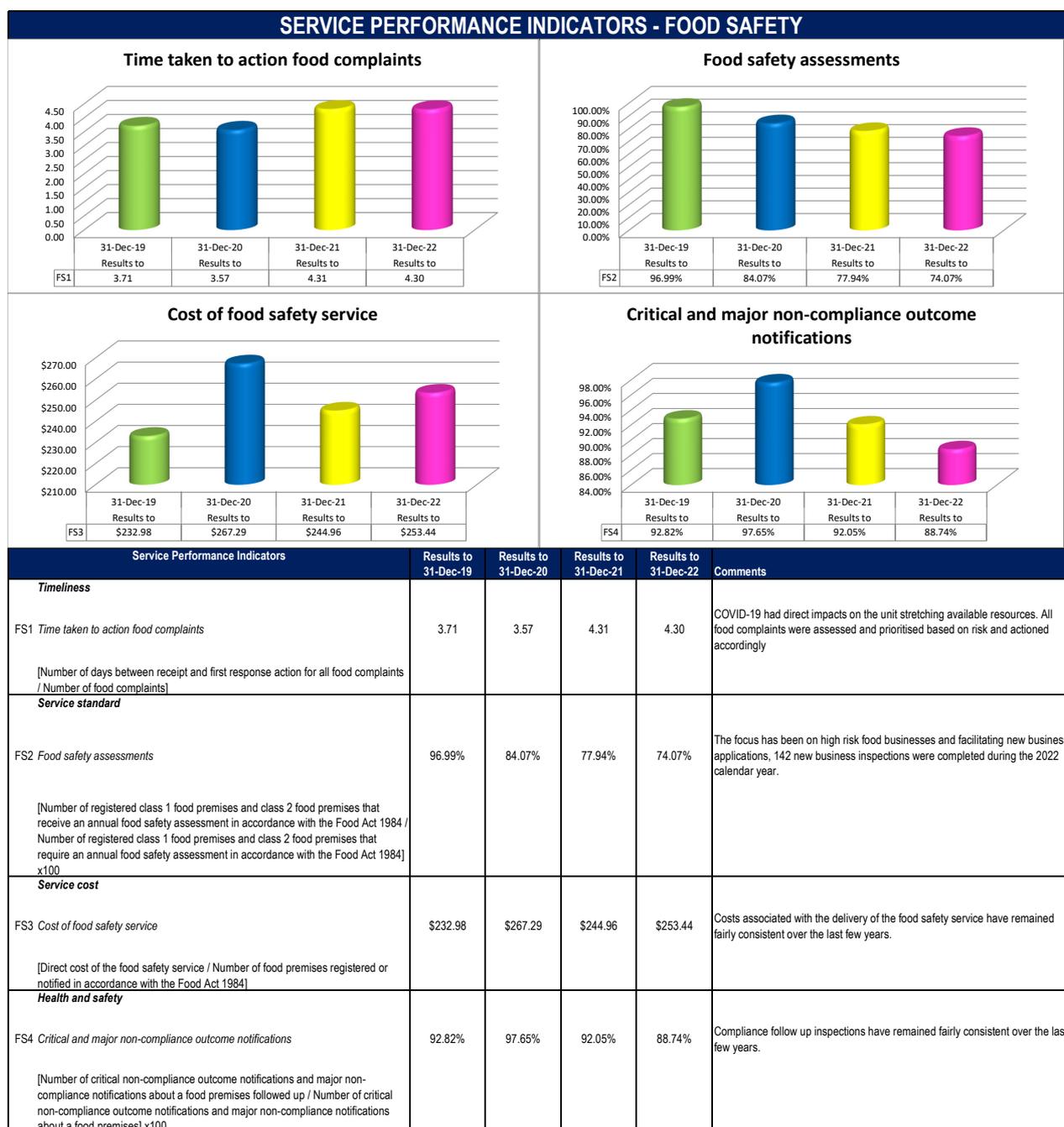


**City of Ballarat**

**Performance Statement Report  
For the Period Ended 31 December 2022**

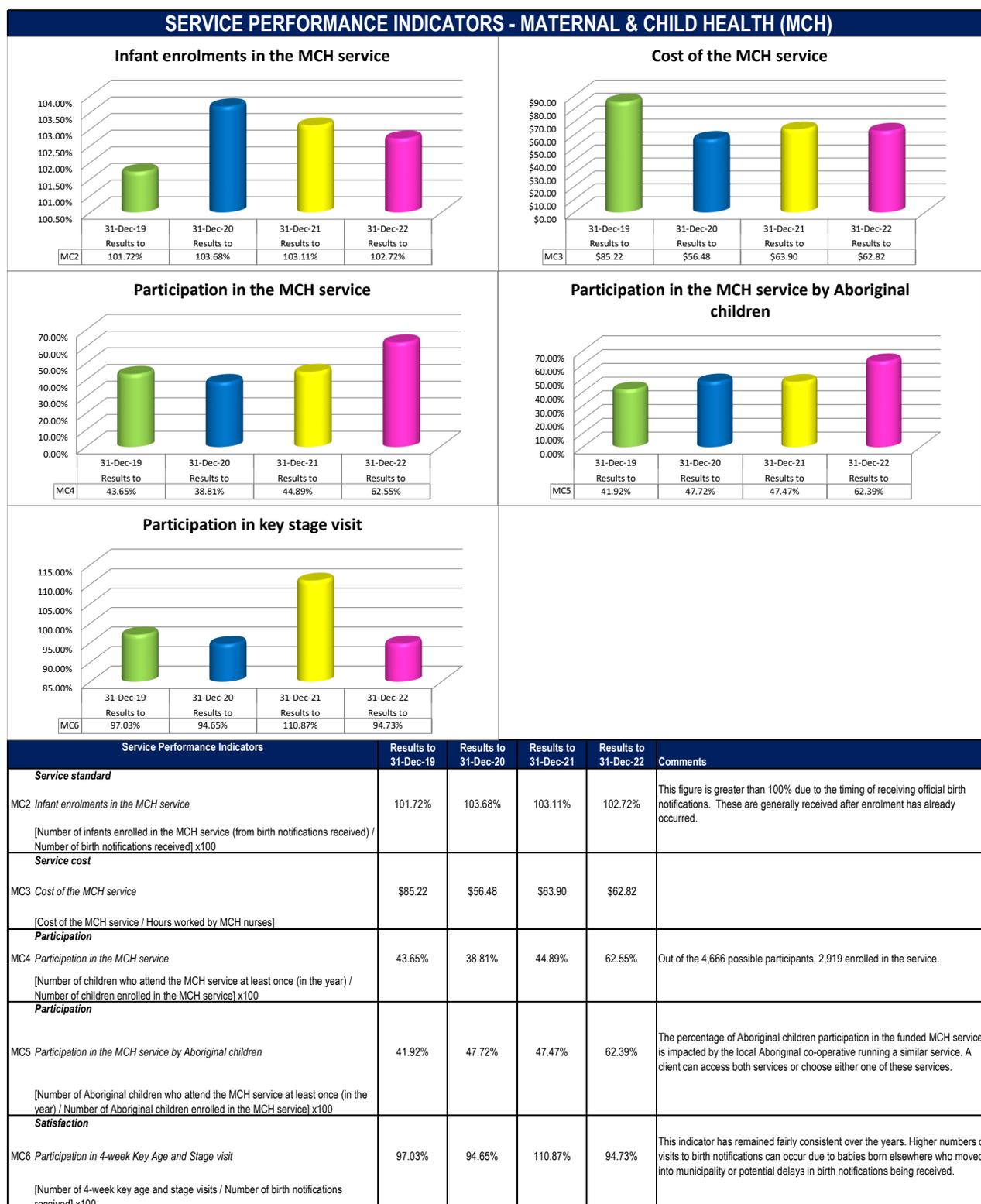




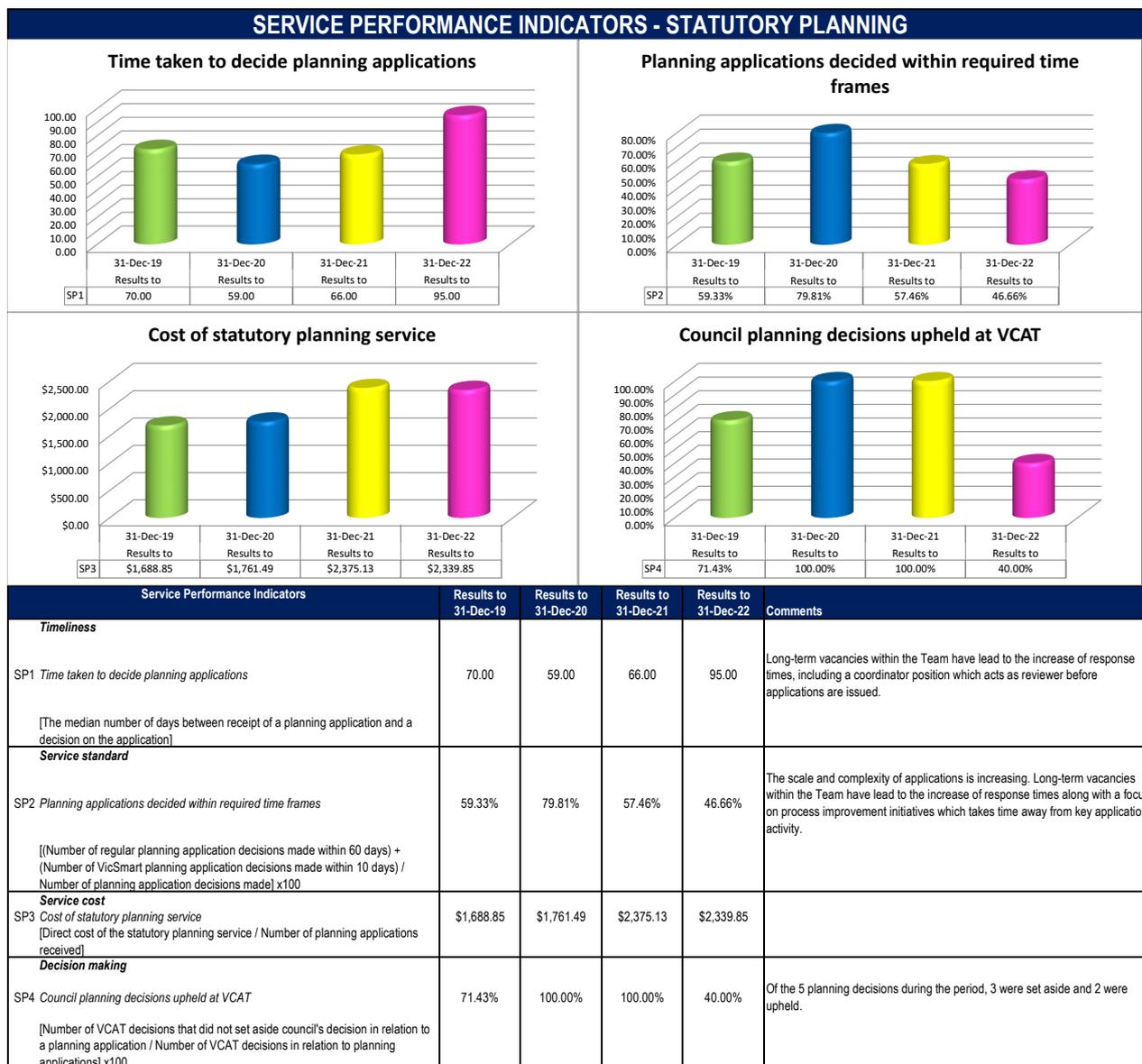


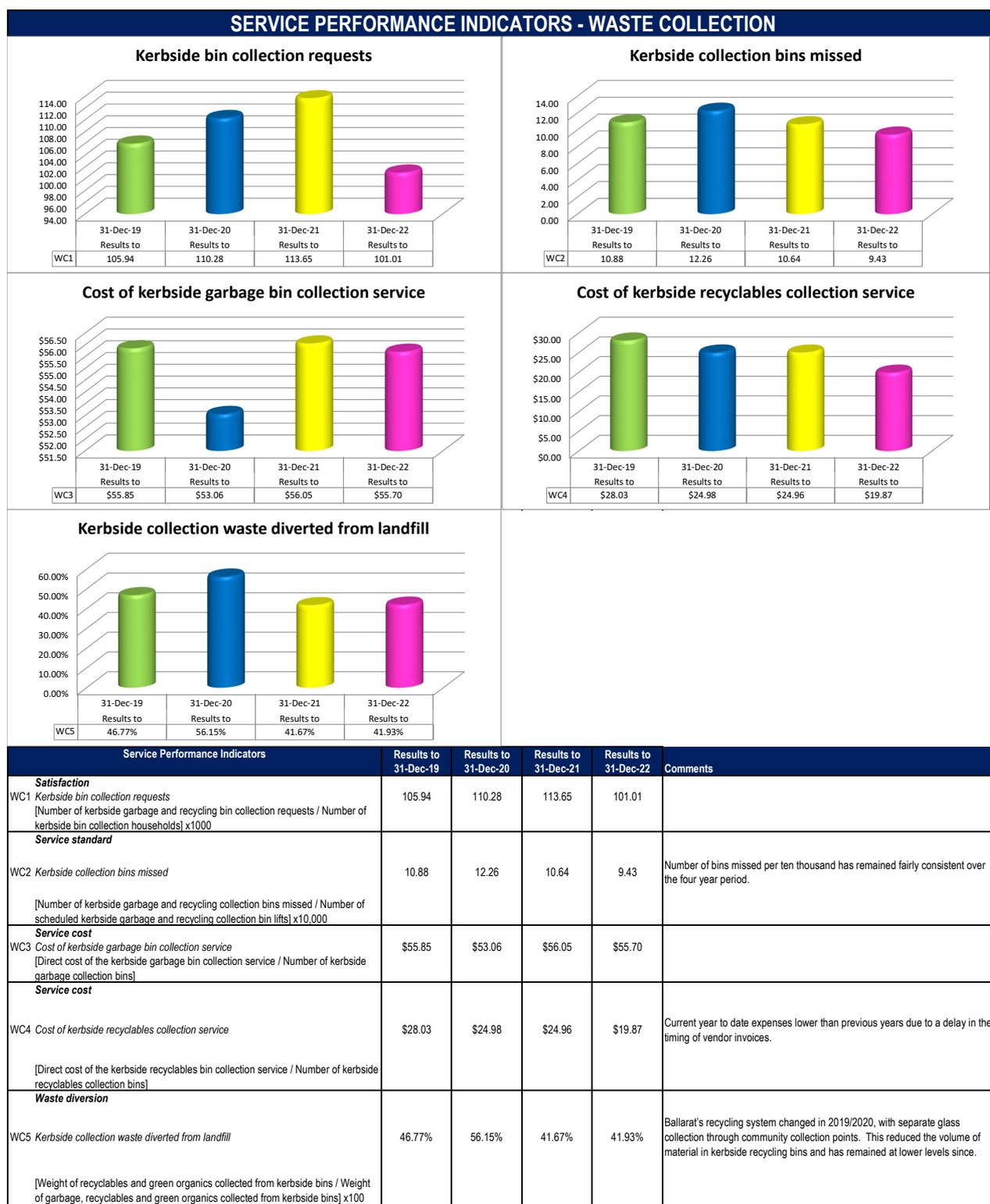
SERVICE PERFORMANCE INDICATORS - GOVERNANCE																													
<p><b>Council decisions made at meetings closed to the public</b></p> <table border="1"> <tr> <td>31-Dec-19</td> <td>31-Dec-20</td> <td>31-Dec-21</td> <td>31-Dec-22</td> </tr> <tr> <td>Results to</td> <td>Results to</td> <td>Results to</td> <td>Results to</td> </tr> <tr> <td>17.93%</td> <td>5.56%</td> <td>2.30%</td> <td>2.52%</td> </tr> </table>		31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22	Results to	Results to	Results to	Results to	17.93%	5.56%	2.30%	2.52%	<p><b>Satisfaction with community consultation and engagement</b></p> <table border="1"> <tr> <td>31-Dec-19</td> <td>31-Dec-20</td> <td>31-Dec-21</td> <td>31-Dec-22</td> </tr> <tr> <td>Results to</td> <td>Results to</td> <td>Results to</td> <td>Results to</td> </tr> <tr> <td>59.50</td> <td>63.60</td> <td>55.40</td> <td>51.00</td> </tr> </table>		31-Dec-19	31-Dec-20	31-Dec-21	31-Dec-22	Results to	Results to	Results to	Results to	59.50	63.60	55.40	51.00		
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Service Performance Indicators				Results to 31-Dec-19	Results to 31-Dec-20	Results to 31-Dec-21	Results to 31-Dec-22	Comments																					
<b>Transparency</b>																													
G1 Council decisions made at meetings closed to the public				17.93%	5.56%	2.30%	2.52%	In the past two financial years all tenders were put into the public resolutions of Council which had been considered at a closed meeting in the past. This change is the main factor in a significantly reduced percentage of decisions made in meetings closed to the public. Over the prior years, meeting procedures and contracts committee have varied the percentages of resolutions made in the closed to the public sessions.																					
[Number of Council resolutions made at ordinary or special meetings of Council, or at meetings of a special committee consisting only of Councillors, closed to the public / Number of Council resolutions made at ordinary or special meetings of Council or at meetings of a special committee consisting only of Councillors ] x100																													
<b>Consultation and engagement</b>																													
G2 Satisfaction with community consultation and engagement				59.50	63.60	55.40	51.00	Ballarat City Council adopted a new Community Engagement Policy in 2021, which will guide future engagement practices.																					
Community satisfaction rating out of 100 with how Council has performed on community consultation and engagement																													
<b>Attendance</b>																													
G3 Councillor attendance at council meetings				93.83%	100.00%	95.56%	100.00%	Of the 72 possible total meeting attendances there were no apologies and a total of 6 leave of absences.																					
[The sum of the number of Councillors who attended each ordinary and special Council meeting / (Number of ordinary and special Council meetings) × (Number of Councillors elected at the last Council general election)] x100																													
<b>Service cost</b>																													
G4 Cost of elected representation				\$24,021.18	\$20,357.17	\$21,580.14	\$24,556.40	Councillor allowances are independently reviewed and generally increased annually. This review is now undertaken by the Victorian Independent Remuneration Tribunal.																					
[Direct cost of the governance service / Number of Councillors elected at the last Council general election]																													
<b>Satisfaction</b>																													
G5 Satisfaction with council decisions				55.80	61.90	57.70	53.00																						
[Community satisfaction rating out of 100 with how council has performed in making decisions in the interest of the community]																													



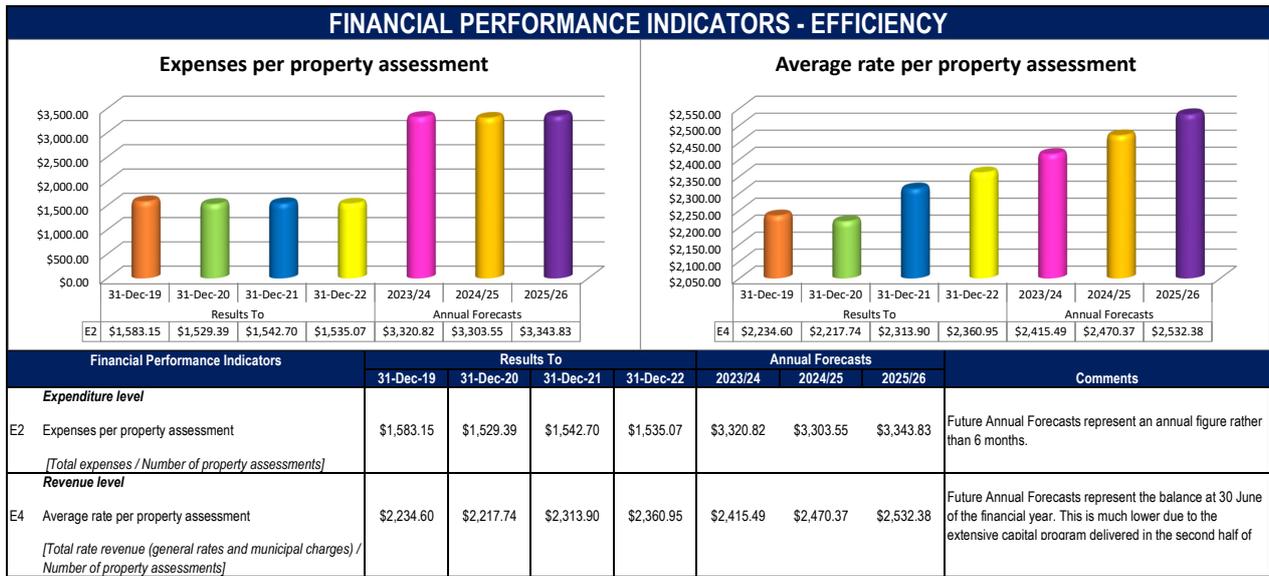


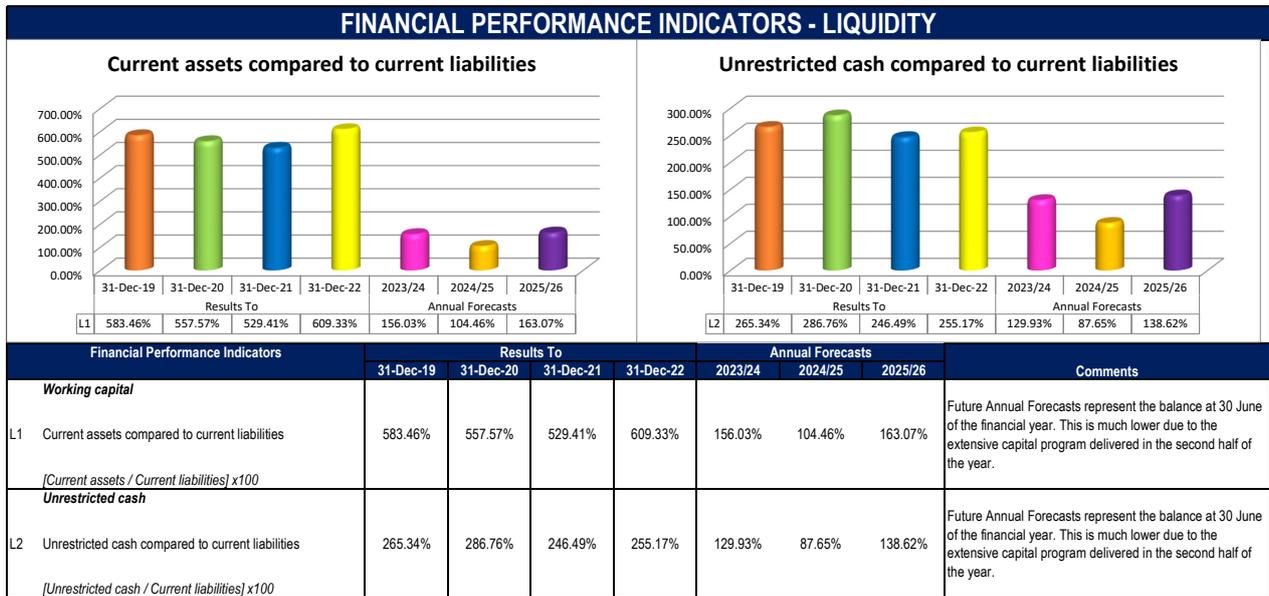
SERVICE PERFORMANCE INDICATORS - ROADS																													
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R1	Sealed local road requests				39.77	54.19	86.05	129.27	Council have been actively seeking more ways for the public to provide easier feedback via online applications about items requiring action. Through these initiatives Council have seen the number of requests increase dramatically above what was historically received.																				
	[Number of sealed local road requests / Kilometres of sealed local roads ] x100																												
<b>Condition</b>																													
R2	Sealed local roads maintained to condition standards				99.78%	99.83%	99.78%	99.78%	The road network is maintained as per the agreed level of service on an ongoing basis																				
	[Number of kilometres of sealed local roads below the renewal intervention level set by Council / Kilometres of sealed local roads] x100																												
<b>Service cost</b>																													
R3	Cost of sealed local road reconstruction				\$226.48	\$186.35	\$160.31	\$216.06	This indicator is impacted by the timing and type of construction jobs completed, as different types of works will have significantly different cost per metre outcomes depending of factors such as size and complexity.																				
	[Direct cost of sealed local road reconstruction / Square metres of sealed local roads reconstructed]																												
R4	Cost of sealed local road resealing				\$0.00	\$0.00	\$0.00	\$32.84	Road resealing is completed over the summer months, so for the half year this indicator is dependant on the amount of works completed at that time compared with previous years. In previous years there had been no sealed road works prior to 31 December.																				
	[Direct cost of sealed local road resealing / Square metres of sealed local roads resealed]																												
<b>Satisfaction</b>																													
R5	Satisfaction with sealed local roads				59.60	55.70	51.50	41.00	Results are from a Community Satisfaction Survey, a possible explanation is due to rainfalls in recent years, roads are deteriorating at a faster rate. There has been an increase in the number of requests which could lead to the decreased satisfaction.																				
	[Community satisfaction rating out of 100 with how council has performed on the condition of sealed local roads]																												

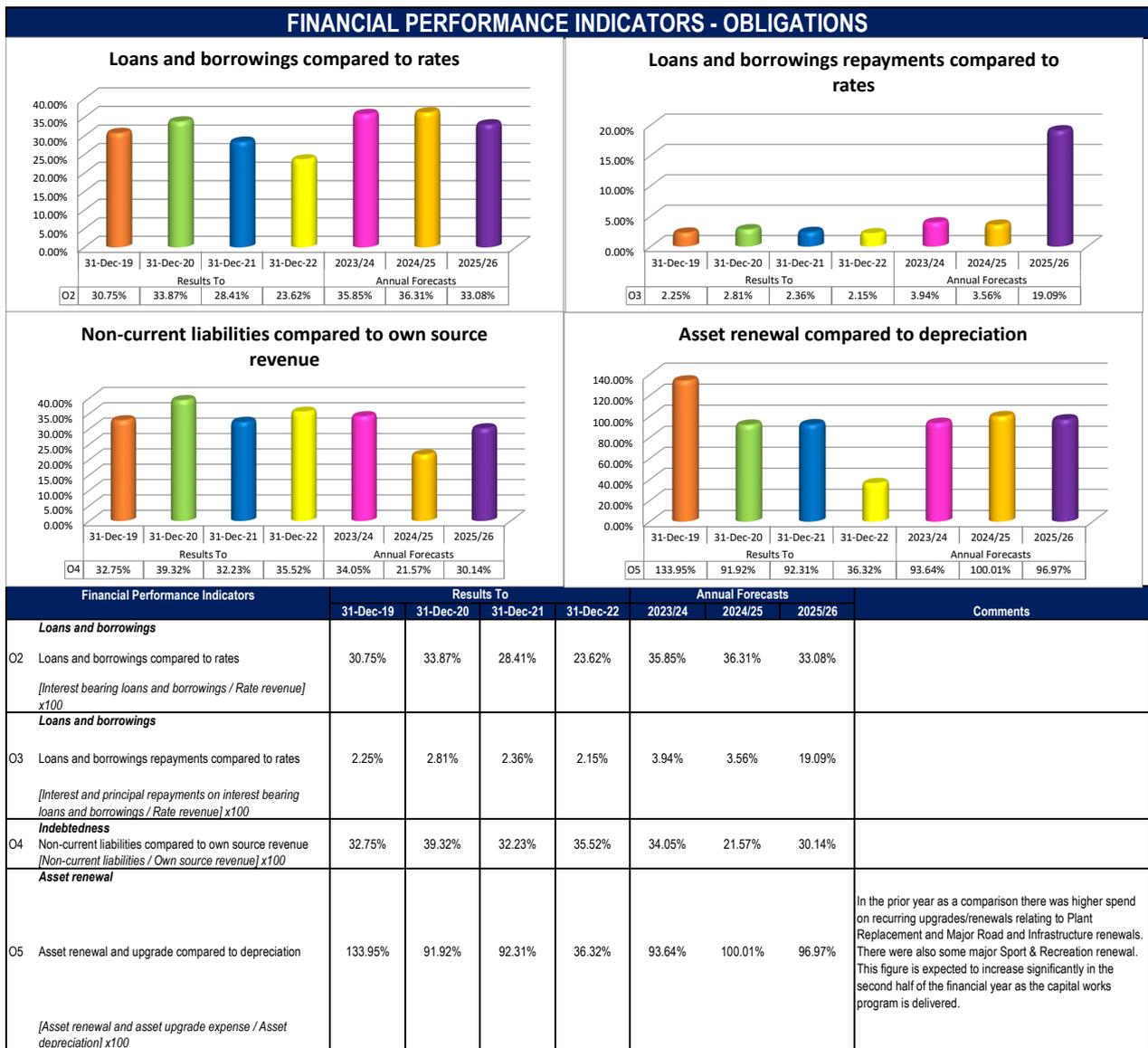


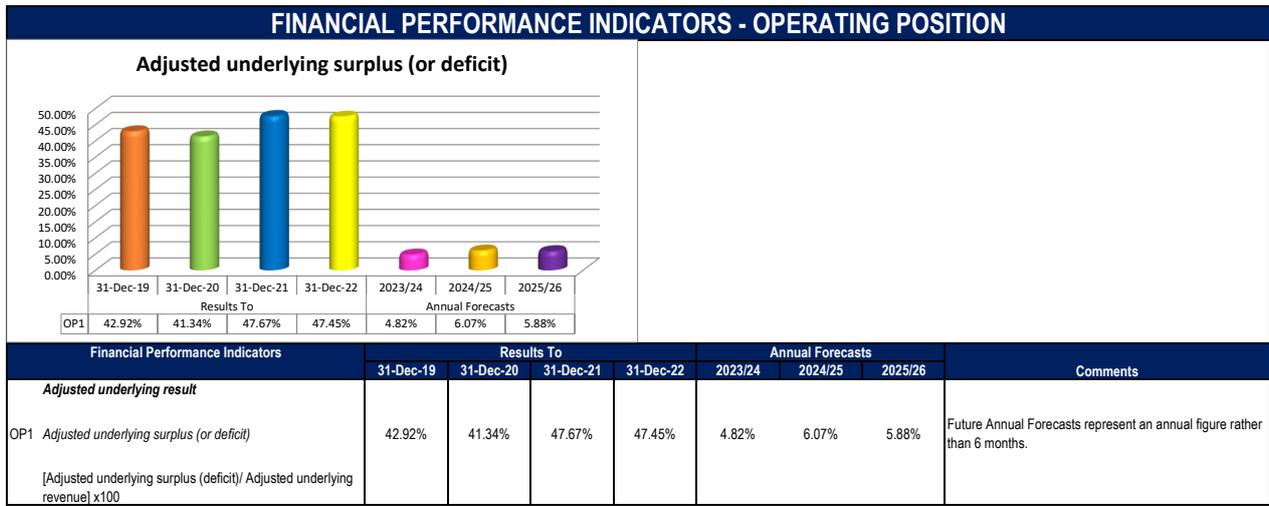


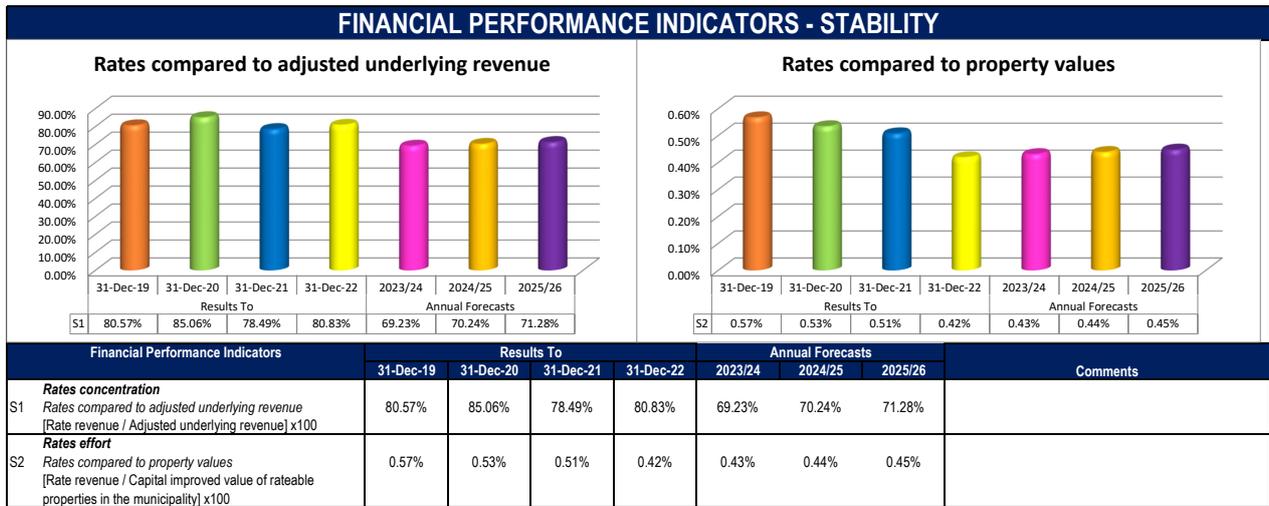
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<b>WORKFORCE DATA - FTE &amp; BAND CLASSIFICATION</b>										
<b>Structure Classification</b>	<b>Band 1 FTE</b>	<b>Band 2 FTE</b>	<b>Band 3 FTE</b>	<b>Band 4 FTE</b>	<b>Band 5 FTE</b>	<b>Band 6 FTE</b>	<b>Band 7 FTE</b>	<b>Band 8 FTE</b>	<b>All other FTE</b>	<b>Total FTE</b>
Permanent Full Time - Female	0.0	7.0	14.0	31.0	57.0	61.0	21.0	11.0	13.0	215.0
Permanent Full Time - Male	0.0	26.0	83.0	24.0	38.0	50.0	36.0	17.0	23.0	297.0
Permanent Part Time - Female	6.7	23.9	16.0	27.0	29.3	20.0	19.4	4.2	1.7	148.2
Permanent Part Time - Male	3.2	3.2	3.1	10.4	9.7	0.0	0.0	0.0	0.9	30.5
Casual - Female	1.6	4.0	19.4	10.2	2.2	0.3	1.5	0.0	0.0	39.2
Casual - Male	0.9	2.2	12.7	1.6	0.3	0.0	0.0	0.0	0.0	17.7
<b>TOTAL</b>	<b>12.4</b>	<b>66.3</b>	<b>148.2</b>	<b>104.2</b>	<b>136.5</b>	<b>131.3</b>	<b>77.9</b>	<b>32.2</b>	<b>38.6</b>	<b>747.6</b>



## Goal 1: An environmentally sustainable future

1.1.1 Transition towards zero emissions		
<b>Electric Vehicle Transition Plan - installation of Electric Vehicle charging stations</b>	<b>In Progress</b>	RFQ for installation electric vehicle chargers initiated in December 2022 for six parking lots at Multilevel Carpark and two lots at the Depot.
<b>Development of an Environmental Sustainable Design (ESD) Policy and Framework for Council assets</b>	<b>In Progress</b>	The Policy and Framework has been drafted with a workshop run for internal feedback. Next steps: - February further consultation - April Council adoption
<b>Educational programs for children with focus on electricity/water saving</b>	<b>Ongoing</b>	Educational programs allow children to learn about saving and reusing water including collecting rainwater, using tank water, planting, and caring for the environment.

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<p><b>Support solar energy efficiencies installations on community buildings</b></p>	<p><b>Ongoing</b></p>	<p>Continue to support solar energy efficiencies installations on community buildings and moving away for gas</p>
<p><b>Participate in opportunities towards transitioning to zero emissions</b></p>	<p><b>Ongoing</b></p>	<p>Reviewing options alongside fleet for hybrid vehicles</p>

**1.1.2 Transition towards zero waste**

<p><b>Exploration of nappy waste solutions with the Environmental Sustainable Design team</b></p>	<p><b>Ongoing</b></p>	<p>ESD continuing to explore new options regarding nappy recycling concepts after some unsuccessful leads.</p>
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<p><b>Update the Resource Recovery and Waste Management Strategy</b></p>	<p><b>In Progress</b></p>	<p>Draft timeline for the update of the Strategy has been developed. Expected to be presented to Council for adoption in October 2023.</p>
<p><b>Development of the Kerbside Transition Plan to align with Recycling Victoria Policy 2020</b></p>	<p><b>In Progress</b></p>	<p>First round of community consultation complete and draft plan currently being developed. Will be presented to 22 February 2023 Council meeting for endorsement, prior to commencing second round of consultation.</p>
<p><b>Explore opportunities to retain the value of waste materials locally</b></p>	<p><b>In Progress</b></p>	<p>Circular Economy Precinct - EOI under development and will be released in February 2023.                  Funding application made to Regional Recycling Fund for the development of a MRF in Ballarat.                  E-waste project scope being developed</p>
<p><b>Implement "in-truck" reporting and data management system</b></p>	<p><b>Ongoing</b></p>	<p>An assessment of the operational requirement against Council's current systems indicate that a next solution will be required. A Business Case for a solution has been developed and submitted to the 23/24 budget process. If funded project will recommence.</p>



<p><b>Participate in opportunities towards transitioning to zero waste</b></p>	<p><b>In Progress</b></p>	<p>Reviewing options at the Animal Shelter to reduce waste.</p>
<p><b>Continue to work with the Victorian Government to progress a circular economy precinct of regional significance</b></p>	<p><b>In Progress</b></p>	<p>Circular Economy Precinct EOI underdevelopment by working group consisting of DELWP, DV, RV, RDV and SV, ongoing and will be released in Feb 2023 Grant application made for Regional Recycling Infrastructure fund</p>

<p><b>1.1.3 Support Communities to be adaptive and resilient to a changing climate</b></p>		
<p><b>Ongoing promotion of Council's nappy and sanitary product rebate program with family, youth, and children's programs</b></p>	<p><b>Ongoing</b></p>	<p>The Early Years team and Sustainable Environment team have promoted the rebate through Parent Place and distribution of posters and flyers through the children's centres and MCH centres and are currently working on targeted promotion through the hospitals.</p>

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<p><b>Delivery of the Nature Stewards program for Spring / Summer</b></p>	<p><b>Completed</b></p>	<p>The Nature Stewards program was delivered from October to December with over 20 participants. The pilot was very successful, and two programs are planned to be delivered in 2023/2024.</p>
<p><b>Continue partnership with Central Highlands Water to implement improved access to recycled and storm water for sports grounds</b></p>	<p><b>Ongoing</b></p>	<p>The sustainability team has developed a project to establish recycled water availability to the Wendouree West recreation Reserve. Consultation has been undertaken with local sporting user groups. Funding has been sourced via the State Government to support the project.</p>
<p><b>Implement and report on the new Ballarat Municipal Emergency Management Plan 2022</b></p>	<p><b>Ongoing</b></p>	<p>Municipal Fire Prevention Officer Mark Cartledge facilitated a community awareness presentation on Councils Fire Hazard Management program to Nature Stewards, great feedback from attendees</p>

**1.1.4 Provide lower carbon transport options**

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<p><b>Electric Vehicle Transition Plan - develop a transition plan for Council fleet to Electric Vehicles</b></p>	<p><b>In Progress</b></p>	<p>Final report from the consultant in November 2022. Internal stakeholder workshop on the report on 16 Jan 2023.</p>
<p><b>In conjunction with the objectives of the Integrated Transport Action Plan, identify future capital works that help to best deliver lower carbon transport options</b></p>	<p><b>In Progress</b></p>	<p>Ballarat Rides initiative launched December 2022 in partnership with Visitor Economy Unit and supported by Neuron Mobility. Visitor focussed wayfinding and trail head installed and shared mobility e-bikes made available for hire. Detailed rolling works program further progressed.</p>
<p><b>Develop an Integrated Transport Plan which will identify future capital works that help to deliver lower carbon transport options across the city</b></p>	<p><b>In Progress</b></p>	<p>Scoping of ITS underway. Principal Transport Planner appointed and commencing Jan 2023 to be key project manager</p>
<p><b>Continue to review the Smarter Parking Initiative and align it to strategic planning for future infill development and smarter transport networks</b></p>	<p><b>In Progress</b></p>	<p>Worked with City Design and Engineering and Infrastructure for parking considerations within Sturt Street works and how this will interact with future works at Bridge Mall and other connecting precincts.</p>

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**Deliver annual capital projects that expand the City's footpath and bicycle path networks**

**In Progress**

Sturt St B-Path – Dawson to Grenville complete  
 Grenville St Bike Path South - construction Feb 2023  
 Grenville St North section in design  
 Grenville St Mid-Section part of B-Mall Project  
 Steinfeld St Section complete  
 Ballart Station to Creswick Rd via Macarthur St 90% complete  
 Macarthur St connection to Wendouree Pde subject to funding confirmation w RRV  
 Finalising funding agreement with RRV for balance of spend of the Safer Cycling Funding - Ballarat Connect Project  
 Trails and Connections Project - Finalising Design Sutton St and Whitelaw Ave Trails for Tender Feb 2023  
 Glenelg Highway Bike Path - Yarrowee River to DTC - in Design for completion March/April 2023. Funding for construction to be confirmed.

**1.1.5 Improved stewardship of our natural resources and protection and enhancement of biodiversity**

**Development of a 3 year Biodiversity Strategy in conjunction with the Ballarat community**

**In Progress**

Draft timeline for the development of the Strategy has been put together. Consultant has been engaged to assist with background information and a review of previous reports. Expected to be presented to Council for adoption in October 2023.

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<p><b>Continue to work with developers and builders on ensuring the implementation of appropriate construction management plans</b></p>	<p><b>Ongoing</b></p>	<p>Compliance team continue to work with Builders to ensure better construction management onsite to reduce impacts offsite. Discussions had with the planning department of conditions to planning permits to also reiterate this to builders. Continue to liaise with EPA and VBA towards education programs for builders and developers.</p>
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**1.1.6 Adopt more sustainable practices for our core business**

<p><b>Deliver sustainable heating, cooling and insulation solutions in community facilities throughout building via our asset renewal program</b></p>	<p><b>Ongoing</b></p>	<p>Continue to engage ESD department and other appropriate areas to ensure sustainable practices are built into our work</p>
<p><b>Implementation of recycle &amp; co-mingle recycle in Lucas Community Hub</b></p>	<p><b>Completed</b></p>	<p>Recycling and co-mingling initiatives have been implemented across all Family, Youth and Children's Services sites, including Lucas Community Hub.</p>

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<p><b>Sustainable Procurement Evaluation Framework to be developed</b></p>	<p><b>In Progress</b></p>	<p>The current Procurement Policy review provides an opportunity to be able to consider the most recent approaches in the Victorian Local Government sector to the evaluation of Environmental and Sustainable considerations in the awarding of a tender. Consideration will be given to a sample of other Council's within Victorian Local Government setting to understand the latest approaches to evaluating these factors and the models and methods applied in doing so.</p>
<p><b>Development of an Environmental Management System to reduce and manage environmental impacts and responsibilities while operating efficiently</b></p>	<p><b>In Progress</b></p>	<p>Consultant has been engaged to assist with identification of Council's Environmental Aspects - products / activities / services that have a significant impact on the environment.</p>
<p><b>Complete masterplan for the Ballarat Regional Landfill</b></p>	<p><b>In Progress</b></p>	<p>RFQ being developed for a consultant to complete the Masterplan.</p>
<p><b>Pursue road construction techniques with less reliance on virgin quarry materials</b></p>	<p><b>In Progress</b></p>	<p>Further trials in a sealed road environment for Nano Tech Terra Liquid will continue in 2023/24.</p>

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<p><b>Delivery of year 1 actions of Elevating Integrated Water Ballarat</b></p>	<p><b>In Progress</b></p>	<p>1) contract award is imminent for the design of new recycled water systems at Vic Park &amp; Wendouree West, and improvements to existing Redan pipeline to better use recycled water at 4 sports precincts. Construction of the Wendouree West and Redan will occur by mid-2023 whereas the larger Vic Park construction to occur by mid-2024.</p> <p>2) Ballarat West stormwater harvesting opportunities review has (so far) found 2 imminent low-cost opportunities for the wetland outlets to be constructed in a manner to enable stormwater harvesting to occur, without need for retrofit, when the sports precincts with irrigation demand occur (approx. 5+ years away). Implementation method is being discussed now with internal and external stakeholders.</p>
<p><b>Completion of Cell I Stage 2 at the Ballarat Regional Landfill</b></p>	<p><b>In Progress</b></p>	<p>Construction commenced and on track from completion 30 June 2023</p>
<p><b>Continue to progress the work towards a new Ballarat Animal Shelter that is aimed towards sustainable building outcomes</b></p>	<p><b>In Progress</b></p>	<p>Business case budget request submitted 4/01/2023</p>

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**Goal 2: A healthy, connected and inclusive community**

**2.2.1 Provide a socially equitable response to municipal growth and change**

<p><b>Carry out a feasibility study on the use of a flexible mobile vehicle to expand provision of outreach programs and services in community locations</b></p>	<p><b>In Progress</b></p>	<p>Business case work has commenced on the suitability of library kiosks in key community locations being a better alternative to a mobile library. Business case submitted as part of the 23/24 budget process.</p>
<p><b>Implementation of universal access to three-year-old kindergarten</b></p>	<p><b>Ongoing</b></p>	<p>We are continuing to work with State Government and local providers to ensure that three-year-old kindergarten is successfully implemented in Ballarat and uptake is strong. State Government are funding free three and four-year-old kindergarten for eligible services from 2023.</p>
<p><b>Implement Active Women and Girls Action Plan</b></p>	<p><b>In Progress</b></p>	<p>Work has commenced to review the recently released guidelines from the State Government that will guide future work to ensure that there are programs within Council that ensure the equitable access to Sporting Facilities. An internal Council working Group has been established to progress this program. Furthermore, ongoing capital projects that are improving facilities for female athletes continues - examples include North Ballarat netball Change rooms, Victoria Park Pavilion, and Wendouree West Community Facility. The City of Ballarat has also facilitated that a major national female sporting event (WBBL) competition and festival of cricket at the Eastern Oval from 29-31 Oct 2022.</p>

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<p><b>Implementation of Community Infrastructure Plan action plan and continued funding and advocacy for facilities and programs that meet the needs of our growing community</b></p>	<p><b>In Progress</b></p>	<p>Early childhood facilities - Design of new Alfredton Community Hub completed incorporating early learning and community spaces is supported by VSBA Building Blocks grant of \$2.25m. Tender for construction advertised in November 2022. Architect appointed to complete detailed design of proposed extension to Brown Hill Kindergarten in preparation for application for capital funding from State Government.</p> <p>Tender advertised and closed in December for principal design consultant for Sebastopol Community Hub.</p> <p>State government recent 'Best Start, Best Life' policy announcement and implementation of 30 hours of funded four-year-old kindergarten has implications for infrastructure requirements beyond 2025. Review of pipeline projects is underway.</p>
<p><b>Complete feasibility study on development of new integrated youth hub</b></p>	<p><b>In Progress</b></p>	<p>No further progress in Q2. Due to unavailability of Melbourne facility site visit to be arranged in early 2023. Drafting of EPMO documentation commenced, now anticipated to be submitted in first quarter of 2023 seeking PSC permission to proceed.</p>
<p><b>Complete a business case for the expansion of the public library services at the Eureka Centre, in addition to the Ballarat Research Hub at Eureka services for the Ballarat East community</b></p>	<p><b>In Progress</b></p>	<p>Investigating similar models at other councils</p>

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<p><b>Commence construction of Alfredton Community Hub</b></p>	<p><b>In Progress</b></p>	<p>Design of new Alfredton Community Hub completed incorporating early learning and community spaces is supported by VSBA Building Blocks grant of \$2.25m. Tender for construction advertised in November 2022. Construction on track to commence early 2023.</p>
<p><b>Implement Year One of Council's new Community Infrastructure Plan 2022-2037</b></p>	<p><b>In Progress</b></p>	<p>Alfredton Community Hub construction tender closed December 2022. Sebastopol Community Hub tender for principal design consultant closed December 2022. Advocacy for external funding for Eastwood Community Hub and Royal Park Community facility unsuccessful. Further funding opportunities will be sought.</p>
<p><b>Develop an Affordable Housing Strategy</b></p>	<p><b>In Progress</b></p>	<p>Advanced draft received Dec 2022; minor comments with consultants SGS for resolution. Final version expected early Feb 2023.</p>

**2.2.2 Enhance social cohesion, address isolation and loneliness, and support vulnerable communities**

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<p><b>Develop and implement a marketing and promotions plan which uses a variety of media and communication channels to increase awareness and understanding of available library services</b></p>	<p><b>In Progress</b></p>	<p>Draft in progress</p>
<p><b>Implement actions from Council's new Gambling Harm Minimisation Policy 2022</b></p>	<p><b>Ongoing</b></p>	<p>Attended quarterly Ballarat Gambling Harm Prevention Taskforce meeting. Provided support and attended the Gambling Harm Awareness Week activities hosted at Barkly Square (including panel event), hosted by CAFS and funded by VRGF. Attended VLGA's Local Government Gambling Network meetings.</p>
<p><b>Continue provision of community drop-in and outreach programs at Parent Place e.g. lactation support, family violence and legal aid</b></p>	<p><b>Ongoing</b></p>	<p>This work has continued in Parent Place with activities and targeted sessions held to support and connect families, and the Outreach program has commenced in areas of identified need.</p>
<p><b>Develop a new Ballarat Libraries website to provide a seamless online experience for library users and increase the use of online resources and services</b></p>	<p><b>In Progress</b></p>	<p>Meetings with Web designers. Business case completed.</p>

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<p><b>Implement and embed Multi-Agency Risk Assessment and Management (MARAM) framework and Child Safe Standards across all City of Ballarat services, policies and frameworks</b></p>	<p><b>Ongoing</b></p>	<p>Family, Youth and Children's Services team have continued to progress alignment audit of MARAM principles and requirements. Further work to occur regarding alignment of MARAM requirements across the organisation.</p>
<p><b>Implement Ballarat Aquatic and Leisure Centre (BALC) inclusion Program</b></p>	<p><b>Ongoing</b></p>	<p>Several programs have been established to improve the inclusiveness of BALC. Examples include the special activities event for members of Ballarat's LGBTIQ+ community and the support program provided to elder aboriginal community members through an arrangement with BADAC. BALC has also been in communication with Drug Court Victoria and Uniting Church to discuss ways to access the centre.</p> <p>Engineering and designs have been completed for a redevelopment of the adult change facility. Unfortunately, our grant application was unsuccessful, so we have now submitted a charter to fund it.</p>
<p><b>Deliver inclusive creative events, culture and social connection programs to young people 12 -25</b></p>	<p><b>In Progress</b></p>	<p>Variety of youth arts, social and recreation events delivered to community through period. Examples include movie night at Delacombe Town Centre, Skate Clinic at Wendouree West Recreation Reserve, LGBTIQ+ self-defence sessions x 3, live music at Volta music venue x 2 events, Laser force session, Street Art sessions x 2, Stand Up Paddle board sessions.</p>

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<p><b>Celebrate and encourage diversity and stimulate cross-cultural conversation and understanding</b></p>	<p><b>Ongoing</b></p>	<p>Program delivery continued with community partnership organisations, for example Intercultural Services and BRMC</p>
<p><b>Establish and strengthen partnerships with aligned service and cultural organisations and deliver a series of culturally based programs</b></p>	<p><b>Ongoing</b></p>	<p>Program planning and delivery continued with a focus on 2023, and partnerships with community organisations, for example BADAC and BRMC</p>
<p><b>Engage secondary schools/flexible learning options in respectful relationships and bullying prevention initiatives</b></p>	<p><b>In Progress</b></p>	<p>Work continues with Ballarat Community Health and community consortia supporting initiative to develop content with Creative Arts Team for pilot of 'Expect Respect', a program focusing on modelling positive behaviour in social relationships. Anticipated delivery in 2 schools in first half of 2023. Environmental scan occurring of current bullying prevention programs in schools, year levels, gaps and opportunities.</p>
<p><b>Continue provision of programs that support vulnerable communities including supported playgroups and parent groups</b></p>	<p><b>Ongoing</b></p>	<p>Continued provision of programs that support vulnerable communities including supported playgroups and parent groups. The Parent Place Outreach trial also commenced, and this will focus in areas with high levels of vulnerability.</p>

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<p><b>Develop and deliver, in collaboration with aligned community partners, lifelong learning programs and resources to build capacity in adult literacies, digital literacies, financial literacies, health literacies, information literacies and civic literacies</b></p>	<p><b>Ongoing</b></p>	<p>Continued delivery of public program schedule and pre-planning for 2023.</p>
<p><b>Develop, deliver and/or host a range of reading, social and lifestyle programs that appeal to a wide cross-section of the Ballarat community</b></p>	<p><b>Ongoing</b></p>	<p>Continued delivery of the 2022-23 program calendar. Examples for this quarter include reading parties and social connections programs.</p>
<p><b>Investigate the City of Ballarat becoming a United Nations Educational, Scientific and Cultural Organisation (UNESCO) Learning City</b></p>	<p><b>In Progress</b></p>	<p>A learning network will be developed in the first half of 2023.</p>
<p><b>Complete annual Children's consultations</b></p>	<p><b>Ongoing</b></p>	<p>Children's consultations are planned to coincide with Council activities. Children were consulted at the 2022 Children's Week activity regarding future activities and what makes them happy. Planning for further children's consultations in Q3 and Q4 is currently underway, and some will be coordinated and facilitated by other council business units.</p>

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<p><b>Complete scoping of new online Community Directory</b></p>	<p><b>Not Yet Started</b></p>	<p>Initial project scoping has been initiated and this work will be continued by the Engaged Communities team.</p>
<p><b>Continue to engage with other local, state and federal departments to identify strategies to assist with supporting better social cohesion, isolation/loneliness and vulnerable communities across all areas of regulatory services</b></p>	<p><b>Ongoing</b></p>	<p>Compliance team continue to interact with other support networks and agencies when dealing with vulnerable communities/individuals. Reviewing the need to reactivate multi-agency Hoarding and Squalor Network.</p>
<p><b>Connect with our older residents to assist them to connect with relevant activities and to participate, to partner with community groups, and other organisations so that a complimentary suite of opportunities are available across Ballarat which address our ageing community's needs. Provide assistance to understand My Aged Care system</b></p>	<p><b>Completed</b></p>	<p>Community Voice engagement process undertaken to get clear understanding from the ageing community of what Council's future role should include to allow the community to age well in Ballarat.</p>

**2.2.3 Support and improve community learning, community health and wellbeing**

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<p><b>Co-ordinate implementation and evaluation of Year Two of Council’s Public Health &amp; Wellbeing Plan 2021-2025</b></p>	<p><b>In Progress</b></p>	<p>Completed first year review of the H&amp;W plan and submitted to DHHS. Met milestone requirements for the VicHealth Local Government Partnership (VLGP). Continued action to deliver the MPHWP including successfully applying for funding from VicHealth to support development of the local food coalition; Sustain: The Australian Food Network have been appointed as the facilitators of the local food coalition; Launched the Eat Well Feel-Good branding project at Selkirk stadium and refreshed the Eureka pool kiosk with branding materials and colours; Launched Walk to School at Caledonian PS.</p>
<p><b>Partnership with Ballarat Community Health Achievement Program and Smiles for Miles including dental visits for 3- and 4-year-old kindergarten</b></p>	<p><b>In Progress</b></p>	<p>Wendouree, Girrabanya Children's Centres and Family Day Care all commenced Healthy Achievement Program and achieved SunSmart milestone accreditation. Dental visits are booked for 3- and 4-year-old kindergarten at both Wendouree and Girrabanya Children’s Centres.</p>
<p><b>Activation and delivery of the Live4Life program (youth mental health and wellbeing program) to Ballarat secondary schools</b></p>	<p><b>In Progress</b></p>	<p>Live4Life Community Partnership group meeting monthly. Eight schools progressing for 2023 delivery of Mental Health First Aid program to Year 8 level. External funds being utilised to deliver Youth Mental Health Training to staff in participating schools and community organisation representatives. 50 completed to date, further training scheduled for early 2023. Teen Youth Mental Health Instructor EOI completed, and training booked for 2023 for community and school participants.</p>

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<p><b>Implement Active Ballarat Action Plan</b></p>	<p><b>In Progress</b></p>	<p>key areas of activity include - capital infrastructure and facility upgrade at Wendouree West, Victoria Park, Pleasant Street reserve, Learmonth Reserve. Capital improvement design plans are underway for City Oval Bowls, Buninyong Bowls, and Ballarat Hockey facilities. Sports event acquisition continues and planning for legacy outcomes in response to 2026 Commonwealth Games continues. It is proposed that a program to review current actions against the Active Ballarat Plan will be conducted in the first half of 2023.</p>
<p><b>Implementation of Maternal Child Health (MCH) Sleep and Settling program initiative</b></p>	<p><b>Ongoing</b></p>	<p>Successful recruitment to 50% of the funded role. Program being offered to community; capacity exists for growth as an ongoing grant funded program and minimal uptake from community members. Promotion and communication about benefits of program with early years sector is ongoing.</p>
<p><b>Engage in opportunities for community education programs - responsible pet ownership programs, developer/builder education programs, education programs through the Ballarat Animal Shelter</b></p>	<p><b>Ongoing</b></p>	<p>Training and education programs to the community. Including the implementation of the school program for responsible pet ownership.</p>

**2.2.4 Enhance a sense of pride and belonging for residents**

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<p><b>Engage with community around local laws and continue to provide education to achieve compliance</b></p>	<p><b>Ongoing</b></p>	<p>Engage and educate community members to achieve compliance. Outline to property owners’ responsibilities, how to achieve compliance and achieve outcomes. Work towards cementing relationship(s) with other authorities (Uniting, Vic Pol etc)</p>
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**2.2.5 Prioritise reconciliation with Aboriginal and Torres Strait Islander Peoples**

<p><b>Collaborate with Aboriginal and Torres Strait Islander elders and the community to inform adoption of the Aboriginal and Torres Straight Islander Library Information and Resource Network (ATSILIRN) Protocols for Libraries, Archives, and Information Services</b></p>	<p><b>Ongoing</b></p>	<p>Work continues on these protocols, training around the protocols is expected to be carried out in May 2023.</p>
<p><b>Establish a program to acknowledge traditional custodians at new sporting facilities and redevelopments</b></p>	<p><b>Not Yet Started</b></p>	<p>An action plan will be developed during 2023.</p>

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<p><b>Event celebrating Aboriginal and Torres Strait Islander Children’s Day</b></p>	<p><b>In Progress</b></p>	<p>An event to celebrate Aboriginal and Torres Strait Islander Children’s Day in August 2023 will be collaboratively planned with other business units and First Nations organisations.</p>
<p><b>Continue acknowledgements in early years programs, creating safe spaces and ensure Reconciliation Week, National Aborigines and Islander Day Observance Committee (NAIDOC) Week and Harmony Day are celebrated as core program activities</b></p>	<p><b>Ongoing</b></p>	<p>Planning for development of a 2023 calendar of significant events for the Children’s Services is underway. Plans include acknowledging Reconciliation Week, National Aborigines, and Islander Day Observance Committee (NAIDOC) Week and Harmony Day.</p>
<p><b>Deliver the Cultural Awareness Program</b></p>	<p><b>Completed</b></p>	<p>Pilot Intercultural Competence Training was completed in 2022, 32 participants attended. Given the positive feedback a Training Package for implementation in 2023 (6 Sessions) will be provided as part of the ongoing professional development program.</p>
<p><b>Delivery of child and family initiatives in the Reconciliation Action Plan (RAP)</b></p>	<p><b>In Progress</b></p>	<p>Awaiting adoption of Reconciliation Action Plan. Individual teams are working on recognising culturally significant events e.g., NAIDOC Week, Aboriginal Children’s Day; and completion of cultural audits.</p>

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<p><b>Implement and report on Year One of Council's new Reconciliation Action Plan 2022-2024</b></p>	<p><b>In Progress</b></p>	<p>Further formal stakeholder engagement work completed with Waddawurrung Aboriginal Corporation and Dja Dja Wurrung Aboriginal Corporation.</p>
<p><b>Cultural Audit of Children's Services to continually assess program and practice</b></p>	<p><b>In Progress</b></p>	<p>Cultural audits completed in both Wendouree and Girrabanya Children's Centres. FDC still to commence. Action plans will be developed in 2023 to support Children's Services implementation of the RAP priorities.</p>
<p><b>Delivery of cultural competency training to youth volunteers</b></p>	<p><b>Completed</b></p>	<p>Training previously provided to 2022 Youth Ambassador volunteer program. Training to be delivered again to volunteer groups in 2023.</p>
<p><b>Indigenous naming of community rooms at Lucas Community Hub (in liaison with Traditional Owners)</b></p>	<p><b>In Progress</b></p>	<p>Consultation regarding room names has occurred with Wadawurrung Aboriginal Corporation and awaiting recommendations.</p>

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**Participate in opportunities to support reconciliation with Aboriginal and Torres Strait Islanders**

**Ongoing**

Through day-to-day business, continue to have regard for First Nations people towards achieving reconciliation.

**2.2.6 Provide opportunities for children, young people and families**

**Deliver the Child Safe Awareness and Training Program**

**In Progress**

Mandatory - online training module has been implemented and completed. This is now an ongoing activity.  
 Face to face child safe training commenced in November and will be completed in by March 2023. This training is for identified work groups who have engagement with children.  
 Ongoing awareness of child safe is now an ongoing activity.

**Implement Year 1 of Municipal Early Years Plan and Youth Strategy plans**

**In Progress**

Youth Strategy adopted by Council at October 2022 meeting. Internal working group developing approach to implementation of multiple inclusion strategies including Youth and MEYP strategies. Youth Strategy actions incorporated into work plans of Youth Service staff work plans to progress Year 1 actions.  
 The Municipal Early Years Plan has a Year 1 implementation plan and data and work towards the Year 1 actions is currently being captured.

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<p><b>Continue the delivery of the PlaySpace Strategy</b></p>	<p><b>Ongoing</b></p>	<p>Delivery of play space strategy and further partnering with other appropriate areas in sustainable and inclusive design</p>
<p><b>Upgrade skate parks in accordance with Teen and Tween Strategy</b></p>	<p><b>Ongoing</b></p>	<p>Work has commenced on a new skate park at MR Power Park in Sebastopol that is due for completion in 2023. Planning and design work to explore options for the redevelopment and upgrade of the regional skate park at Len T Fraser Reserve is scheduled for quarter 3. This will inform future budget requirements.</p>
<p><b>Continue to strengthen partnerships with the youth services team, youth councils/advisory groups and with relevant community organisations and agencies</b></p>	<p><b>In Progress</b></p>	<p>Introductory planning meeting held</p>
<p><b>Increase opportunities for children and adults with additional needs to access library programs (by working with people and groups with lived experience)</b></p>	<p><b>In Progress</b></p>	<p>Preliminary desktop research underway; plain text newsletters implemented</p>

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<p><b>Continue to work with Department of Transport to ensure that the school crossing program is the most effective based on need</b></p>	<p><b>Ongoing</b></p>	<p>School crossing program continuing.</p>
<p><b>Work in partnership with Family and Children's services to ensure that all early years literacy programs are evidence based in all libraries</b></p>	<p><b>Not Yet Started</b></p>	

<p><b>2.2.7 Support our ageing community</b></p>		
<p><b>Establish a range of intergenerational programs focused on outcomes of building respect, reducing ageism and elder abuse in the community</b></p>	<p><b>In Progress</b></p>	<p>Collaboration with Ageing Well on Ageism Awareness in this period</p>

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<p><b>Continue delivery of facility maintenance and renewal programs such as public toilets, painting, playground, open space and street furniture</b></p>	<p><b>Ongoing</b></p>	<p>Continue delivery of facility maintenance and renewal programs and supporting leasing agreements</p>
<p><b>Implementation of Year One actions in Ageing Well in Ballarat strategy, continue to support residents through the delivery of the Commonwealth Home Support Program, undertake a baseline assessment to determine Ballarat's Age Friendly Communities status and develop an awareness and education campaign to address Ageism in our community</b></p>	<p><b>Ongoing</b></p>	<p>Continued to provide the Commonwealth Home Support Program to 2218 residents. Commenced Year 1 priorities of the Ageing Well in Ballarat strategy action plan.</p>
<p><b>Work with Council business units and community organisations to provide Ageing Well library programs and resources that promote social connections and physical and mental wellbeing</b></p>	<p><b>Ongoing</b></p>	<p>Ongoing collaboration. Meetings held this quarter to further strategic actions; programs delivered include film screenings, social connections, digital literacy classes, reading related programming.</p>
<p><b>Participate in opportunities to support our ageing community</b></p>	<p><b>Ongoing</b></p>	<p>Continue to support and educate ageing community and develop strategies to assist with any obstacles encountered, particularly with Parking Technology and use of Council's technology.</p>



2.2.8 Enhance Ballarat as a diverse, inclusive and compassionate community		
<b>Deliver a Gender Equality, Diversity and Inclusion Awareness Program</b>	<b>In Progress</b>	The Gender Equality Action Plan (GEAP) sets the actions for 2021 to 2024 including raising awareness of gender equality
<b>Embed universal design in all project planning and delivery</b>	<b>In Progress</b>	Through the development of the EPMD, a framework to ensure Universal Design is being embedded into project delivery across the organisation is underway. Stakeholders and consultants in the area of Universal Design are already engaged in the delivery of Major Projects and is a major focus forming part of the Architectural brief for new and upgraded buildings.
<b>Implement and report on Year One of Council's new Inclusion Framework 2022</b>	<b>Ongoing</b>	Inclusion Framework formally adopted by Council in October 2022.

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<p><b>Implement and report on Year One of Council's new Disability Access &amp; Inclusion Plan 2022-2026</b></p>	<p><b>Ongoing</b></p>	<p>Disability Access &amp; Inclusion Plan formally adopted by Council in October 2022.</p>
<p><b>Implement and report on Year One of Council's new LGBTIQ+ Inclusion Plan 2022-2024</b></p>	<p><b>Ongoing</b></p>	<p>LGBTIQ+ Inclusion Plan formally adopted by Council in October 2022.</p>
<p><b>Implement and report on Year One of Council's new Intercultural Strategic Plan 2022-2026</b></p>	<p><b>Ongoing</b></p>	<p>The Intercultural Strategic Plan was adapted by Council in September 2022</p>
<p><b>Continue implementation of BALC inclusion program</b></p>	<p><b>In Progress</b></p>	<p>Several programs have been established to improve the inclusiveness of BALC. Examples include the special activities event for members of Ballarat's LGBTIQ+ community and the support program provided to elder aboriginal community members through an arrangement with BADAC. BALC has also been in communication with Drug Court Victoria and Uniting Church to discuss ways to access the centre.</p> <p>Engineering and designs have been completed for a redevelopment of the adult</p>

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change facility. Unfortunately, our grant application was unsuccessful, so we have now submitted a charter to fund it.

**Participate in opportunities to enhance a diverse, inclusive and compassionate community**

**Ongoing**

Regulatory Services team continue to apply compassion and empathy when dealing with complex compliance matters and invite support networks in to assist when required. Regulatory Services staff to continue to call out behaviour that does not adhere to the Council strategic goal.

**2.2.9 Prepare proactively for emergencies and natural disasters**

**Continue to proactively maintain high risk areas to reduce asset and property damage during natural disaster events**

**Completed**

Annual pit cleaning program completed. Areas included Learmonth, Buninyong and Mt Pleasant

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<p><b>Develop flood modelling to progress with new flood overlays</b></p>	<p><b>In Progress</b></p>	<p>Scoping competed. Responses received from Flood modelling consultants. These are currently being considered before finalisation of procurement</p>
<p><b>Lead Council's Preparedness, Response, Recovery and Reporting for all emergency management incidents</b></p>	<p><b>In Progress</b></p>	<p>Staff distributed three thousand five hundred Pre-Season advice notices to all vacant land holders under 15 hectares.</p> <p>Stage one of the Fire Hazard Assessments are completed with focus on the key risk areas. Staff have actioned three hundred and seventy-three customer requests for inspection and assessment with thirty-three outstanding. The Management Fire Prevention Officer (MFPO) team have collectively issued four hundred Fire Prevention Notices, the incoming customer requests and Fire Prevention Notices issued are on par with previous years.</p> <p>The MFPO has observed an increase in compliant properties prior to inspections. Councils fire prevention slashing program is ongoing.</p> <p>The Emergency Management Team have implemented an on-call Emergency Relief Centre Manager (ERCM) team of six additional staff, the ERCM team are on call through the fire danger period.</p> <p>Emergency Management team hosted two successful Pre Season briefing meetings held, both face to face and online.</p> <p>Emergency Management Relief Centre workshop held at the Russel Square site, twelve staff attended and great feedback.</p> <p>Emergency Management team hosted two successful Pre Season briefing meetings held, both face to face and online.</p> <p>Emergency Management Relief Centre workshop held at the Russel Square site, twelve staff attended and great feedback.</p>

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<p><b>Deliver the facility Gutter Cleaning Program across Council facilities</b></p>	<p><b>Not Yet Started</b></p>	
<p><b>Continue to work with community and surrounding municipalities to support animal care and welfare during natural emergencies and in response to incidents of domestic violence and at request of Grampians Health</b></p>	<p><b>Ongoing</b></p>	<p>Continually provide support to community and neighbouring municipalities as required during emergencies - recent flood events and for those experiencing domestic violence.</p>
<p><b>Continue to provide assistance in response to emergency and natural disaster events</b></p>	<p><b>In Progress</b></p>	<p>Provided response and recovery assistance during January Storm event and October event, continue to work with Emergency services to plan response requirements for events</p> <p>Continuing to work with funding sources to assist with recovery following October Rain event</p>

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**Goal 3: Fostering sustainable growth**

**3.3.1 Ensure housing supply, diversity and affordability can meet the needs of our growing and changing community**

<p><b>Progress of Housing Strategy and Housing Needs Analysis</b></p>	<p><b>In Progress</b></p>	<p>Work underway on key inputs relating to housing need, housing preferences, affordable housing, and change awareness amongst the community. Expectation is for consultation on draft Housing Strategy and Neighbourhood Character Analysis in April / May Council briefing 15 Feb 2023</p>
<p><b>Progress redevelopment opportunities for 5 Peel St South</b></p>	<p><b>In Progress</b></p>	<p>Expression of Interest submissions evaluated. Officers currently working on removing development restrictions related to the site.</p>

**3.3.2 Facilitate opportunities for infill residential development**

<p><b>Develop a Central Business District (CBD) Urban Design Framework</b></p>	<p><b>In Progress</b></p>	<p>Scoping of CBD Structure plan underway. Parking plan and survey nearing completion as key input</p>
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<p><b>Develop an Employment Lands Strategy</b></p>	<p><b>In Progress</b></p>	<p>Consultants Appointed and are currently preparing the ELS in response to submissions received in response to community consultation</p>
<p><b>Ensure parking strategies are appropriate for infill residential development</b></p>	<p><b>Ongoing</b></p>	<p>Continue to liaise with internal and external networks to continually review and develop Smarter Parking Solutions.</p>
<p><b>Develop a Building Conversation Guide encouraging shop top living</b></p>	<p><b>Not Yet Started</b></p>	<p>Work continues developing conversation guides for encouraging shop top housing. A feasibility report has also recently been completed which further assists in negotiating or encouraging shop top living. Officers are still working on regulatory challenges associated with shop top housing.</p>

**3.3.3 Ensure urban growth planning delivers high quality communities**

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**Continue to work with builders/developers to ensure construction management plans are implemented in accordance with local laws**

**Ongoing**

Continue to liaise with EPA and VBA towards education programs for builders and developers. Liaise with Council statutory planning dept to condition planning permits asking for a construction management plan prior to works commencing.

**3.3.4 Ensure environmental sustainability outcomes are embedded in new developments**

**Consider Environmental Sustainable Design (ESD) initiatives in all planning and delivery of projects**

**In Progress**

Through the development of the EPMO, a framework to ensure ESD initiatives are being embedded into project delivery across the organisation is underway. Stakeholders and consultants in the area of ESD are already engaged in the delivery of Major Projects.

**Include Environmental Sustainable Design principles in precinct structure plans**

**In Progress**

We are still waiting to hear from the VPA on whether the Northern PSP has been chosen a pilot for the innovation pathway.

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<p><b>Prepare an ESD planning policy and work towards incorporating into the planning scheme</b></p>	<p><b>In Progress</b></p>	<p>Submission to Minister for Planning undertaken in partnership with 23 other Vic councils. currently with DELWP for consideration.</p>
<p><b>Ensure that building works are in accordance with the Building Act and Building Code of Australia</b></p>	<p><b>Ongoing</b></p>	<p>Consistently respond to matters to ensure that building works are undertaken in accordance with the Building Act and Building Code of Australia and to ensure owners are aware of the legislative requirements.</p>

**3.3.5 Achieve better quality sustainable design outcomes in both Council and private developments**

<p><b>Central Business District (CBD) and Bridge Mall Built form Guidelines and Structure Plan</b></p>	<p><b>In Progress</b></p>	<p>Finalisation of Draft Built form Guidelines by Feb 2023. Council briefing on 15 Feb before community consultation in March/April 2023</p>
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**3.3.6 Unlock potential in major brownfield redevelopment sites**

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**Provide technical advice and support as required in relation to contaminated sites**

**Ongoing**

Continue to work with the EPA and support Sebastopol Gun Club Clean Up Plan.

**3.3.7 Create great precincts and places for people**

**Commission concept design work for a future Delacombe Town Centre Library and Community Hub**

**In Progress**

The review of the Delacombe Town Centre community infrastructure has been undertaken and a request for tender will be advertised in the second half of the 2022/23 FY. If this is not possible a budget business case has been submitted to ensure that the concept plan is developed in 2023.

**Continue to develop master plans at Brown Hill Reserve, City Oval master Plan and Marty Busch Reserve**

**In Progress**

The Draft Brown Hill and Marty Busch Reserve Master Plan have been completed and will be formerly considered by Council during the first half of 2023.

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<p><b>Commission concept design work for a future Wendouree Library and Community Hub</b></p>	<p><b>Completed</b></p>	<p>This part of the project is now complete, the next phase of the project will be to undertake detailed design work.</p>
<p><b>Completely refurbish the current Ballarat Library by 2023</b></p>	<p><b>Ongoing</b></p>	<p>The Ballarat library has now been cleared of furniture and collection items and a temporary library has been established in the Town Hall. Works will commence on the refurbishment in mid-January 2023. The project is expected to be complete in late 2023.</p>
<p><b>Deliver Stage 1 of the Ballarat Visitor Arrival masterplan</b></p>	<p><b>In Progress</b></p>	<p>Consultant has been appointed and the project has commenced.</p>
<p><b>Initiate the Aquatic Strategy Review</b></p>	<p><b>In Progress</b></p>	<p>Council has engaged specialist consultants to undertake an analysis and evidence gathering project with the purpose of informing the future aquatics and leisure needs for the municipality. This will include assessment of existing facilities and opportunities and will identify any gaps in facility provision across Ballarat.</p>

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<p><b>Review and update the Ballarat Major Events Precinct Masterplan</b></p>	<p><b>Not Yet Started</b></p>	
<p><b>Support and participate in opportunities in support of the creation of great precincts and places for people</b></p>	<p><b>Ongoing</b></p>	<p>Continue to work with internal and external stakeholders alike to contribute to a greater understanding of Regulatory Framework when developing new precinct plans.</p>
<p><b>Plan and implement updates to the Ballarat Botanical Gardens Master Plan</b></p>	<p><b>Ongoing</b></p>	



## Goal 4: Maintain, enhance and conserve our natural and built assets

### 4.4.1 Reduce the renewal gap of existing assets

<p><b>Continual improvement of the City of Ballarat asset management framework including new Asset Management Strategy and Asset Management Plans and procedures</b></p>	<p><b>In Progress</b></p>	<p>Continuation of work with Brightly Software and recruitment of Asset Management positions in 2023. Integration of GIS and Confirm is a high priority for 2023. Asset Management Plans are also a high priority. AMSC established to oversee the improvements to the Asset Management Strategy.</p>
<p><b>Deliver the 2022/2023 asset maintenance program</b></p>	<p><b>In Progress</b></p>	<p>major contracts awarded for Major Patching and Asphalt overlay, Reseal program completed 11/1/22 other programs / contracts awarded and on track for completion</p>
<p><b>Review and enhance the City of Ballarat's asset management framework including development of an updated Asset Management Strategy and associated plans</b></p>	<p><b>Ongoing</b></p>	<p>Continue enhancement of the City of Ballarat's asset management framework including development of an updated Asset Management Strategy and associated plans is ongoing to reduce the renewal gap</p>

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<p><b>Review and enhance the City of Ballarat's asset management framework including development of an updated Asset Management Strategy and associated plans</b></p>	<p>Ongoing</p>	<p>As noted, review and updating of the Asset Management Strategy and associated plans is ongoing with a focus on all building assets</p>
<p><b>Continue to work with the Traffic and Transport team and City Design team to influence good parking strategies and outcomes</b></p>	<p>Ongoing</p>	<p>Continue to interact and work with internal and external stakeholders to achieve good outcomes for parking and regulatory framework.</p>

**4.4.2 Respect, conserve and celebrate our rich heritage**

<p><b>Work in partnership with other heritage and cultural organisations to preserve the City of Ballarat's historical collections and stories and increase the accessibility of these collections</b></p>	<p>Ongoing</p>	<p>Ongoing archiving and microfilming. Meeting with Heritage &amp; Cultural Landscapes intern regarding digital archive access.</p>
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<p><b>Continue to progress World Heritage listing for the Central Victorian Goldfields</b></p>	<p><b>In Progress</b></p>	<p>Formal support and \$500,000 funding from Victorian Government secured. Consultants engaged to undertake World Heritage tentative listing and investment priority master plan (linked with Commonwealth Games). This phase of the project is due for completion mid-2023.</p>
<p><b>Develop 10-year capital works plan</b></p>	<p><b>In Progress</b></p>	<p>10 Year Capital Works Program is currently under development utilising Asset Modelling software by Brightly.</p>
<p><b>Continue to progress with Heritage Gaps analysis and work towards a planning scheme amendment to ensure that our built form controls can better balance heritage and urban change</b></p>	<p><b>In Progress</b></p>	<p>Thematic history project underway with consultants working on this project. Community reference group to be appointed. Heritage Project Officer appointed to Star Jan23. Updates to be provided to Councillors via briefings.</p>
<p><b>Deliver the annual Ballarat Heritage Festival</b></p>	<p><b>In Progress</b></p>	<p>Planning for the 2023 Ballarat Heritage Festival is underway and on track for delivery for May 2023. The 2022 event was a runner up finalist in the Festivals and Events category of the Victorian Tourism Awards.</p>

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**Continue to maintain our natural and built assets in accordance with associated master plans, conservations plans and heritage requirements**

Ongoing

**Participate in opportunities to respect, conserve and celebrate our rich heritage**

Ongoing

Continue to work with internal and external stakeholders to ensure that our rich heritage is respected and preserved. Event Permits take consideration of Heritage factors.

**4.4.3 Deliver quality and targeted capital works projects to address growth pressures**

**Deliver the Operations capital program**

In Progress

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<p><b>Plan for and deliver foundation infrastructure to protect Ballarat and surrounds from flooding and treat our storm water to best practice standards</b></p>	<p><b>In Progress</b></p>	<p>A Project Manager has now been appointed for the big three flood mitigation projects including Miners Rest Flood Mitigation Plan, The Gong, and Charlesworth Street Dam Wall upgrades. Other flood mitigation projects include DCP contributions such as the new wetlands at MR Power Park which is currently out for tender.</p>
<p><b>Deliver the Property and Facilities Capital Works Program</b></p>	<p><b>Ongoing</b></p>	<p>Delivery of the Property and Facilities Capital Works Program as an ongoing strategic program</p>
<p><b>Develop the business case for future stages of the Ballarat Western Link Road</b></p>	<p><b>In Progress</b></p>	<p>Currently progressing according to project plan.</p>
<p><b>Implement Sports Infrastructure Improvement Program</b></p>	<p><b>Ongoing</b></p>	<p>Several capital projects are currently being planned and delivered. The current projects being delivered include - Victoria Park Community Pavilion, Wendouree West Community Pavilion, netball courts at Learmonth and Alfredton Recreation Reserves, netball changerooms at North Ballarat and new soccer pitches at Pleasant Street Reserve. Planning for projects for 2024 period is also underway.</p>

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**Participate in opportunities to ensure capital works programs are consistent with the smarter parking initiative and strategies**

Ongoing

Continue to interact and work with internal and external stakeholders to achieve good outcomes for parking and regulatory framework.

**4.4.4 Maintain and conserve our open space and natural assets**

**Develop an Open Space Strategy which provides better guidance for the future provision of open space**

In Progress

OSS scope of works completed. Issuing to consultants for development of OSS being done Jan 23.

**Continue to advocate for upgrades to the Western Highway at Brown Hill and Warrenheip to freeway standard including connection upgrades to Ballarat's local road network**

Ongoing

As per previous comments. Council has representation at the Western Highway Action Committee.

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<p><b>Engage with community groups to deliver shared objectives in natural resources</b></p>	<p><b>Ongoing</b></p>	<p>Continuing to work with community groups</p>
<p><b>Participate in planning around open public space and consider the opportunities for off leash dog areas (unfenced)</b></p>	<p><b>Ongoing</b></p>	<p>Strategic plan for green areas to be developed for off-leash dog spaces (unfenced).</p>
<p><b>Manage trees in accordance with the tree management plan and continue to build our databases of tree assets</b></p>	<p><b>Ongoing</b></p>	<p>Review of tree management plan ongoing, new Coordinator commenced to have better overview of tree works,</p>
<p><b>Undertake vegetation clearances around electric lines as per the electric line clearance regulations</b></p>	<p><b>Completed</b></p>	<p>Continuing as per annual contract and program requirements</p> <p>Annual program completed</p>



## Goal 5: A strong and innovative economy and city

### 5.5.1 Deliver ongoing COVID-19 recovery response across the business and the community

<p><b>Continue to deliver streetscaping and infrastructure works in commercial, creative and hospitality focussed areas to facilitate greater access, usage (for example outdoor dining) and visitation</b></p>	<p><b>In Progress</b></p>	<p>A new outdoor dining outstand was installed in the first block of Sturt Street (Eastern end), to provide increased vibrancy and activation to that area. A permit was received from Heritage Victoria for the installation of a 5m LED video screen in Alfred Deakin Place, to be programmed by the Art Gallery of Ballarat.</p>
<p><b>Participate in the Grampians Public Health bi-weekly huddles and reactivate the Health Protection Working Group as required</b></p>	<p><b>Ongoing</b></p>	<p>Continue to participate in weekly briefing conducted by Grampians Public Health Unit in relation to emerging public health matters as they arise. COVID and Mosquito Borne disease remain active to the meeting agenda.</p>
<p><b>Continue to hold Council's Pandemic Taskforce meetings as required to ensure our workforce and community are in line with State and National Public Health Strategies</b></p>	<p><b>Ongoing</b></p>	<p>Pandemic Taskforce continue to meet regularly to ensure ongoing workforce and community planning are relevant and appropriate. Rapid Antigen Test expected to be the way to go moving forward as PCR tests become limited. Council to assist with Rapid Antigen Test distribution. Awaiting new guidelines to the State based Council program.</p>

### 5.5.2 Support local business to explore, innovate and adapt to emerging economic opportunities

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<p><b>Facilitate a program of initiatives to support local business to harness opportunities such as: a circular economy business program; and facilitation of a whole-city project to assist local employers access greater levels of skilled migration in addressing existing workforce shortages</b></p>	<p><b>In Progress</b></p>	<p>With respect to the circular economy business program, a survey was issued to hospitality business owners to gauge interest in a citywide reusable coffee cup scheme. Delivery of actions arising from the Material Flow Analysis continued, in support of advocacy for a circular precinct for Ballarat. The Skilled Migrant Ballarat Pilot Mentoring Program continued, with Federation University appointed to evaluate it.</p>
<p><b>Continue to measure the amount of Local Content in the procurement of goods and services</b></p>	<p><b>Ongoing</b></p>	<p>Supporting Local Business is a key part of Council's Procurement Policy. The process for measuring and scoring of Local Content will be considered during the current review of the Procurement Policy.</p>
<p><b>Deliver the 2022/2023 Visitor Economy Engagement Plan</b></p>	<p><b>In Progress</b></p>	<p>Ongoing with all planned activities delivered</p>
<p><b>Participate in outdoor dining working groups to ensure program is consistent with outdoor dining policy and smarter parking initiative</b></p>	<p><b>Ongoing</b></p>	<p>Local Law Outdoor Dining permits being issued in accordance with regulatory framework.</p>

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**5.5.3 Actively attract and facilitate new business development and investment to Ballarat**

<p><b>Provide an ongoing investment facilitation service, supported by an integrated marketing campaign to encourage the skilled people we need to invest, live, work and study in Ballarat</b></p>	<p>Ongoing</p>	<p>The Investment Facilitation team continued to support potential investors to understand the opportunities in Ballarat. Much of this work was undertaken in partnership with Committee for Ballarat and Federation University.</p>
<p><b>Environmental Health, Building and Local Laws continue to work closely with businesses to ensure that legislative requirements are satisfied</b></p>	<p>Ongoing</p>	<p>Regulatory Services continue to provide support and advice to businesses to ensure that all components of the regulatory framework pertaining to Building, Environmental Health and Local Laws are well understood and adhered to. Liaise with internal stakeholders to ensure businesses are informed of legislative requirements that are appurtenant to their business. For example, a new monthly meeting between departments to review new business alerts.</p>
<p><b>Deliver the Visitor Economy Local Area Plan and Region Wide Visitor Economy Destination Management Plan</b></p>	<p>In Progress</p>	<p>On track for delivery against set timelines</p>

**5.5.4 Deliver a comprehensive events calendar to strengthen civic pride and enhance Ballarat's reputation as a destination of choice**

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**Deliver our 2022/23 Events Calendar, continue to implement the Tourism Events Grants Program**

Ongoing

The Tourism Event Grant Program continues to prove a valuable support for events in Ballarat. Since 1 July 2022 nine events have been awarded a grant and of the annual budget of \$155,000 there is \$28,000 remaining.

**Implement Sports Acquisition Program**

Ongoing

Up to December 2022 the City of Ballarat has hosted 114 sporting events spanning 206 days.

**Top 5 events by Code**

Code	# of events	# of days
Basketball	13	26
Badminton	9	24
Cycling	9	18
Rowing	9	18
AFL	11	11

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**Top 5 by Venue Activation**

Venue	# of days
Lake Wendouree	21
Mars Stadium	14
Selkirk Stadium	13
Ballarat Badminton Stadium	11
Llanberris Reserve	10

**Work with Events team and Economic Development to ensure events and activities are supported and that the legislative framework is being addressed**

Ongoing

Continue to interact and work with internal and external stakeholders to achieve good outcomes for adherence to regulatory framework pertaining to Building, Environmental Health, and Local Laws. For example, a new monthly meeting between departments to review new business alerts.

**5.5.5 Actively promote Ballarat as a year-round destination of choice**

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<p><b>Implement priorities of the Ballarat Events Strategy 2018 - 2028</b></p>	<p><b>Ongoing</b></p>	<p>Implementation of this 10-year strategy continues with a detailed report card scheduled to be provided to Council each September. At the September 2022 presentation, all but two tasks remained outstanding for the last 12-month period. Staff shortages presents a current resourcing problem, but as vacant positions are filled the strategy will be brought up to date prior for the next reporting cycle.</p>
<p><b>Implement priorities from the 2030: A vision for the Eureka Centre</b></p>	<p><b>Ongoing</b></p>	<p>Implementation of the four-year business plan, developed to achieve the outcomes of the 2030: A Vision for Eureka, is on track with the focus on achieving Vision tasks due 2020 - 2024. A formal report card on execution of the strategy is scheduled for Council in Q3.</p>
<p><b>Implement priorities from the Destination Marketing Plan</b></p>	<p><b>In Progress</b></p>	<p>On track with Spring Summer campaigns underway. VFR campaign Ballarat in the Know to launch Jan 23 2023</p>
<p><b>Participate in opportunities to promote Ballarat as a destination of choice</b></p>	<p><b>Ongoing</b></p>	<p>Continue to promote Ballarat as a destination of choice through Local Law Event Permit interactions by working as a collective with other departments.</p>

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**5.5.6 Facilitate increased vibrancy in the CBD and other key business precincts**

<p><b>Implement actions from, and continue seeking funding for, Creative City Masterplan</b></p>	<p>Ongoing</p>	<p>Activation of the CBD remains a key priority in all event and arts strategies. Implementation of the principles and intent of the Creative City Masterplan has been achieved through the Bakery Hill Development project and its relevance to the Design Review Panel.</p>
<p><b>Support the delivery of the Outdoor Street Furniture Program</b></p>	<p>Ongoing</p>	<p>Continue to look for opportunities and partner to deliver facilities such as street furniture</p>
<p><b>Continue to deliver the Bakery Hill Urban Renewal Plan, while assisting traders to take advantage of new opportunities</b></p>	<p>In Progress</p>	<p>Bakery Hill (Stage 1) design to redevelop Bridge Mall, Grenville Street and connections finalised and procurement commenced for construction. Continued close liaison with property and business owners regarding major investment opportunities. Supported facade restoration grant applications. Pursuing private investment opportunities on Council owned land through EOI process for 5 Peel Street.</p>
<p><b>Continue to review outdoor dining policy, parking initiatives and other policies to support vibrancy in the Central Business District</b></p>	<p>Ongoing</p>	<p>Continually review outdoor dining policy, parking strategy and needs to support a vibrant CBD.</p>



5.5.7 Facilitate the growth of the creative sector and actively promote Ballarat as a Creative City		
<b>Implement priorities from the Creative City Strategy</b>	<b>Ongoing</b>	Implementation of the 10-year Strategy continues with positive outcomes produces, as measured against the 6 key Targets. The full report card was presented to Council and made public in this quarter.

5.5.8 Support social and economic inclusion to build the wealth throughout our Community		
<b>Deliver a program of business development and support to encourage more social enterprises to establish and thrive in Ballarat</b>	<b>In Progress</b>	Four businesses completed the Ready Set Grow Social Enterprise business development program, from sectors including circular economy, visitor economy, health and community services. We have commenced discussions with stakeholders about opportunities to build the capacity of existing Ballarat businesses to take up social procurement opportunities in government contacts.
<b>Encourage Social Procurement opportunities in accordance with Council's Procurement Policy</b>	<b>In Progress</b>	How Council can further encourage Social Procurement opportunities will be discussed during the current Procurement Policy Review.

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**Continue to work with others to ensure that legislative framework is satisfied in support of social and economic inclusion**

**Ongoing**

Continue to interact and work with internal and external stakeholders to achieve good outcomes and adherence to the regulatory framework.



## Goal 6: A Council that is accountable, transparent and advocates for its community

### 6.6.1 Ensure the effectiveness and efficiency of Council services

<b>Strengthen and build collaborations and partnerships in the Central Highlands Libraries region to develop community focused services</b>	<b>Ongoing</b>	Ongoing work with CHL councils, providing financial report, collection and shelving advise in new library developments, coordinating book purchase for Maternal health nurses. Working with Libraries Victoria regarding courier contact and data privacy.
<b>Continue to review operational services</b>	<b>Ongoing</b>	Currently reviewing Statutory Planning and Asset Management processes internally
<b>Continue to improve our Corporate Strategic Planning processes</b>	<b>In Progress</b>	Further detail has been added to our Annual Plan action reporting along with initial engagement for Corporate Business Plan development

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<p><b>Grow and develop the knowledge, skills, and capabilities of library staff so they are familiar with, and demonstrate best contemporary practice, in provision of public library services</b></p>	<p><b>In Progress</b></p>	<p>Draft Learning and Development framework in progress. Final version due February 2023.</p>
<p><b>Deliver the Human Resources Transformation Project</b></p>	<p><b>In Progress</b></p>	<p>HRIS Charter and Specifications completed and approved. Recruiting a Project Manager.</p>
<p><b>Work closely with associated community organisations to support Ballarat City Council's strategic objectives in relation to Community Engagement, Family and Children Services, Youth Services, Ageing Well and Intercultural Services</b></p>	<p><b>Ongoing</b></p>	<p>This project is ongoing, collaborations are being planned this year for projects such as an intergenerational playgroup and story time, more activities in conjunction with the active ageing unit especially around digital technology and library outreach services to BRMC - Ballarat Regional Multicultural Council</p>
<p><b>Continue to review operational services to provide the most effective and efficient service to the community</b></p>	<p><b>Ongoing</b></p>	<p>Continuing to review and update as required</p>

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**Continue to identify opportunities for business improvements in processes and policies and implement those strategies**

**Ongoing**

Continually reviewing processes for improving customer experience, through training of staff in knowledge, sharing of knowledge and implementing improvements to Council processes and procedures.

**6.6.2 Council to be known as a workplace of choice**

**Generate a People Capability Framework linked to Learning Plans**

**Completed**

Completed

**Participate in opportunities to provide students avenues to gain experience and mentoring to sustain future workforce for City of Ballarat**

**In Progress**

Three MCH students completed placement at City of Ballarat during 2022. Due to late changes of placement advice, there are currently two MCH student vacancies for 2023 however we anticipate these may fill once tertiary institutions recommence in March. Support provided to three Graduate MCH Nurses to commence as new employees during 2022/23.

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



<p><b>Completion of Department of Education and Training Innovation Grant partnership with Federation Uni providing professional support to new early childhood teacher graduates</b></p>	<p><b>In Progress</b></p>	<p>All sessions delivered. Fed Uni to conduct evaluation. Budget bid and charter submitted in hope to continue delivery of a similar project in new financial year.</p>
<p><b>Complete an Employee Value Proposition &amp; Employee Benefits Review</b></p>	<p><b>In Progress</b></p>	<p>Project commenced December 2022</p>
<p><b>Explore opportunities to enhance universally accessible careers expo</b></p>	<p><b>In Progress</b></p>	<p>Careers expo date set for June 2023 however no further details available yet. Negotiations and discussions will continue as to level of Council involvement in terms of sponsorship support and attendance to Expo.</p>
<p><b>Develop an all-Staff Professional Development Program built into the flow of work</b></p>	<p><b>Completed</b></p>	<p>Completed.                  Now an ongoing yearly program</p>

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



<p><b>Explore TAFE/Higher Education Micro-Qualification Pathways</b></p>	<p><b>Completed</b></p>	<p>Diploma course for managers has been developed and implemented</p>
<p><b>Continue to complete regular Employee/Staff Engagement Pulse Surveys</b></p>	<p><b>Completed</b></p>	<p>3rd Pulse survey run and completed in November - December 2022</p>

**6.6.3 Advocate on behalf of our Community**

<p><b>Develop a centre lead Volunteer Program</b></p>	<p><b>In Progress</b></p>	<p>Project due to be completed in February 2023</p>
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**CITY OF BALLARAT**  
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**Develop and implement targeted advocacy campaigns for community and Council priorities**

Ongoing

This quarter saw the ongoing delivery of advocacy campaigns related to a review of the Ballarat bus network, DDA accessibility at Ballarat Train Station, and waste management and waste reduction (with an emphasis on the role a Circular Economy Precinct (CEP) could play in reducing and reusing waste). In October the Victorian Government committed \$50 million toward an accessibility upgrade at the Ballarat Train Station.

In the lead up to the Victorian election the Victorian Liberal Opposition promised \$16 million to 'make a Ballarat Materials Recovery facility (at the CEP) a reality'. 2023 will see the develop of new, targeted campaigns on a range of issues including a review of Ballarat's bus network.

**Develop and regularly update an advocacy pipeline of City of Ballarat projects guided by Council-adopted master plans, strategies and frameworks**

Ongoing

The advocacy pipeline, including all advocacy-related materials were regularly updated ahead of the 26 November Victorian election to reflect changed status and costings and then provided to candidates and MPs ahead of pre-polling. Several priority projects from the advocacy pipeline received funding promises ahead of the Victorian election: Brown Hill Reserve Redevelopment (ALP \$1 million), Major Events Precinct upgrades (ALP \$150 million), Ballarat Railway Station DDA upgrade (ALP \$50 million), Memorial for survivors of sexual violence (ALP \$500,000), Marty Busch Reserve upgrade (ALP\$8.4 million).

A new advocacy pipeline will be developed in 2023 in line Councillor priorities and working in conjunction with the EPMO and ELT.

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



<p><b>Develop and implement strong and targeted advocacy campaigns for upcoming elections</b></p>	<p>Ongoing</p>	<p>Advocacy and lobbying activity increased during this quarter ahead of pre-polling for the 26 November Victorian election. Targeted advocacy campaigns relating to key projects and initiatives were delivered in the lead up to the Victorian election with \$278 million in funding promised by the Liberal Opposition for delivery of Link Road.</p>
<p><b>Develop and implement strong advocacy campaigns for state and federal budgets</b></p>	<p>Ongoing</p>	<p>Ongoing advocacy aimed at securing state and federal budget funding commitments for City of Ballarat projects and initiatives.</p>
<p><b>Actively seek external funding through Grant opportunities</b></p>	<p>Ongoing</p>	<p>A total of 4 funding applications were submitted in the second quarter of 2022-2023. Council successfully attracted \$1.677m worth of funding in the quarter (inclusive of approx. \$930,000 of black spot funding).</p>
<p><b>Take feedback from community and implement such feedback into reviews of policies and procedures and implement improvements accordingly</b></p>	<p>Ongoing</p>	<p>Upon receipt of community feedback, continue to review and adapt process, policies and procedures to make improvements. For example, currently having a QR code sticker designed for parking meters that will enable users to go to the instructions immediately when scanning the code. This came from feedback from a customer.</p>

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



**6.6.4 Communicate and be transparent with our Community**

<p><b>Create considered, authentic and accessible communications for our community</b></p>	<p>Ongoing</p>	<p>The Communications and Design team continues to work closely with business units across the organisation to ensure key messages and Council decisions are communicated in a timely and accessible way to the community via a range of channels including the City of Ballarat Website and social media channels, local media, and community events and opportunities.</p> <p>Key projects communicated over this period include Kerbside Transfer Plan community consultation, successful funding for a Central Victorian Goldfields UNESCO World Heritage listing masterplan, Council’s response to a number of unprecedented rain events and the City of Ballarat’s partnership with Snap, Send Solve.</p>
<p><b>Continue to communicate information on the delivery of Major Projects through a range of different channels</b></p>	<p>Ongoing</p>	<p>Major Projects update was presented to ELT and Councillors in Q1 and due again in Q3. All projects also continue to be communicated through various media forms depending on the specific project milestone. The introduction of CAMMs through the EPMO will also provide an added way to communicate progress of all projects.</p>
<p><b>Continue to release open data and community dashboards</b></p>	<p>Ongoing</p>	<p>The release of open data on the open data platform is ongoing</p>

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



<p><b>Continue to strengthen, monitor and report on Council's community engagement practice</b></p>	<p><b>In Progress</b></p>	<p>Monthly newsletters sent out to MySay subscribers providing full snapshot of current opportunities to engage on Council led projects.</p>
<p><b>Deliver the annual customer satisfaction survey</b></p>	<p><b>In Progress</b></p>	<p>Survey provider has been engaged and will commence surveys January 30th, 2023.</p>
<p><b>Continue to work with the community and keep them well informed of progress on delivery of actions</b></p>	<p><b>Ongoing</b></p>	<p>Work with community members to the goal of achieving compliance for matters raised</p>

**6.6.5 Be innovative and forward thinking**



<p><b>Continuously improve by reviewing how our key software systems service the organisation</b></p>	<p><b>In Progress</b></p>	<p>Currently assisting with the review of Confirm as an asset management platform</p>
<p><b>Implement fit-for-purpose contact centre system to improve efficiency and customer experience</b></p>	<p><b>Completed</b></p>	<p>Complete</p>
<p><b>Complete a Workforce Diversity Profile</b></p>	<p><b>Completed</b></p>	<p>Completed as per pervious update</p>
<p><b>Review and develop the City of Ballarat website to meet the needs of our community</b></p>	<p><b>Ongoing</b></p>	<p>The communications and design team continues to audit all content and ensure usability of the website: assessing data, working with business units, and considering community feedback to improve accessibility of our online information and services.</p> <p>The team continues to work alongside ICT to progress the required update of the Content Management System to ensure our digital offering provides innovative digital solutions for the community. An action plan has been developed and work</p>

**CITY OF BALLARAT**  
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		is underway to improve user experience based on recommendations from an external auditor.
<b>Pilot smart city technologies that will improve services to the community and business operations</b>	<b>In Progress</b>	Monitoring hardware for the Sequoia Monitoring program in the Botanical Gardens has been delivered. This technology will be implemented in 2023
<b>Deliver a Talent Management Framework and Talent Pools</b>	<b>In Progress</b>	Not commenced. Resourcing issue and other more critical priorities have been the focus

**6.6.6 Be accountable with our resources**

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



<p><b>Regularly monitor and report on financial performance compared to budget</b></p>	<p><b>Ongoing</b></p>	<p>Financial Performance compared to Budget is reported regularly to the Executive Management Team and Quarterly to Council.</p>
<p><b>Implement Council's new Partnerships and Grants Policy and Programs 2022</b></p>	<p><b>In Progress</b></p>	<p>\$144,110.45 allocated as part of the first round of Community Impact Grants Program during the quarter.</p>
<p><b>Ensure our team are working within our standard policies and procedures at all times and provide feedback when not</b></p>	<p><b>Ongoing</b></p>	<p>Work with community members to the goal of achieving compliance for matters raised</p>

**6.6.7 Ensure Good Governance and Leadership**

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



<p><b>Complete a 2023 Enterprise Bargaining Agreement</b></p>	<p><b>In Progress</b></p>	<p>Commenced Management briefings                  Commenced review of Agreement</p>
<p><b>Complete tendering and procurement review to ensure Council delivers best practice procurement processes</b></p>	<p><b>Ongoing</b></p>	<p>ArcBlue Consulting completed their review and have submitted a report, the findings of which are currently being considered.</p>
<p><b>Deliver the Annual Compliance Training Program</b></p>	<p><b>Completed</b></p>	<p>Completed as per previous update</p>
<p><b>Deliver the Annual Leadership Development Program</b></p>	<p><b>Completed</b></p>	<p>Completed as per previous update</p>

**CITY OF BALLARAT**  
**Council Plan 2021–2025**



**Continue to deliver operational services in accordance with governance and risk policies**

**Ongoing**

Continue to deliver operational services in accordance with governance and risk policies

## 8.12. 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. This report provides a copy of the minutes of the meetings held on 26 October 2022, 23 November 2022, 7 December 2022 and 21 December 2022, and provides a summary of information in relation to these minutes.

### 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 the Governance Rules. This report advises that minutes of the Contracts Approval Delegated Committee (the Committee) are attached to this report for the meetings held on 26 October 2022, 23 November 2022, 7 December 2022 and 21 December 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

Contract	Award to	Value	Outcome	Local Content
2021/22-902	Fulton Hogan Industries P/L	\$1,138,912.29 (excluding GST)	Ring Road, Gregory Street West – Intersection (roundabout construction)	Yes
2021/22-849	Winslow Infrastructure P/L	\$691,585.46 (excluding GST)	Whitehorse Road former Landfill Construction Works – Landfill Capping/Rehabilitation Works	No
2021/22-844	Masterson Builders Pty Ltd	\$497,900.00 (excluding GST)	Amendment to resolution approved at 28 Sept 2022 Meeting  Badminton Stadium Roof Renewal	Yes

			Was originally approved at \$497,000 and should have been \$497,900	
2022/23-136	Fulton Hogan Industries P/L	\$740,676.43 (excluding GST)	Provision of Coghills Creek Road widening from Pickfords Road for 1.5km towards Glendonald Road	Yes
2022/23-241	A.S. Lodge (Vic) Pty Ltd	\$601,232.00 (excluding GST)	Provision of New Cricket nets and netball lighting at Mount Clear Reserve	No
2022/23-53	CIQ Construction Management Pty Ltd	\$1,402,094.26 (excluding GST)	Rowan View Pre-School Upgrade	Yes

## OFFICER RECOMMENDATION

### 4. That Council:

**4.1 Note, Section 66 of the *Local Government Act 2020* that the material contained in the Contracts Approval Delegated Committee agenda has been designated confidential.**

**4.2 Receive the Contracts Approval Delegated Committee minutes of the meetings held on 26 October 2022, 23 November 2022, 7 December 2022 and 21 December 2022.**

## ATTACHMENTS

1. Signed Contracts Minutes of 26 October 2022 [8.12.1 - 6 pages]
2. Signed Contracts Minutes of 23 November 2022 [8.12.2 - 7 pages]
3. Signed Contracts Minutes of 7 December 2022 [8.12.3 - 5 pages]
4. Signed Contracts Minutes of 21 December 2022 [8.12.4 - 6 pages]

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***CONTRACTS APPROVAL  
DELEGATED COMMITTEE***

***MINUTES***

***26 October 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 26 OCTOBER 2022 AT 1:00PM**

**Evan King  
(Chief Executive Officer)**

**MINUTES**

**ORDER OF BUSINESS:**

PRESENT

Cr Ben Taylor (Chair)  
Cr Mark Harris

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)  
Mr John Hausler (Director Corporate Services)  
Ms Bridget Wetherall (Director Infrastructure and Environment)  
Mr Rod Leith (Manager, Revenue and Procurement)  
Mr Robin Hand (Contract Administrator)  
Ms Lorraine Sendall (Minutes)

APOLOGIES

Cr Tracey Hargreaves

**RESOLUTION:**

**That the apology of Cr Hargreaves be received.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**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 12 October, 2022 as circulated, be confirmed.**

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**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 Ben Taylor

**CARRIED**

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Contracts Special Committee Minutes

26 October, 2022

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<b>6.2 UPDATE ON TENDER STATUS</b> (RO JOHN HAULSER / ROD LEITH)	<b>5</b>

**6.1 TENDER 2021/22 – 902  
RING ROAD AND GREGORY STREET INTERSECTION UPGRADE  
(RO – Bridget Wetherall / Robin Hand)**

**SUMMARY**

1. This report seeks to award a contract for the construction of Intersection Works (roundabout construction) at Ring Road and Gregory Street West –.

**BACKGROUND**

2. The project involves several components of work which were identified during the design stage including the following:
  - Earthworks;
  - Drainage Construction;
  - Kerb and Channel Construction;
  - Road Pavement Construction;
  - Asphalt Road Surfacing;
  - Line Marking;
  - Signage and Ancillary Works.

**KEY MATTERS**

3. Five (5) tender responses were received and evaluated in full.

**RESOLUTION**

4. **That the Contracts Approval Delegated Committee:-**
  - 4.1 **Resolve to enter into Contract 2021/22-902 for the provision of Ring Road, Gregory Street West – Intersection (Roundabout construction) with Fulton Hogan Industries Pty Ltd for the total tendered price of \$1,138,912.29 (excluding GST).**
  - 4.2 **Authorises the Chief Executive Officer to:**
    - a. **finalise the terms of Contract 2021/22-902 with Fulton Hogan Industries Pty Ltd, provided that those contract terms are consistent with this resolution; and**
    - b. **execute Contract 2021/22-902 on behalf of Council.**

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**CARRIED**

**6.2 UPDATE ON TENDER STATUS**  
(RO – John Hausler / Rod Leith)

**SUMMARY**

1. This report is provided for the information of the Contracts Committee.

**BACKGROUND**

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

**KEY MATTERS**

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

**The report was noted.**

**SECTION 66 MATTERS**

**RESOLUTION:**

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

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

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Contracts Special Committee Minutes

26 October, 2022

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**General Business**

Nil

There being no further business, the Chairperson declared the meeting closed at 1:02pm

**Confirmed this 23rd day of November, 2022**

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



***CONTRACTS APPROVAL  
DELEGATED COMMITTEE***

***MINUTES***

***23 November 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 23 NOVEMBER 2022 AT 1:07PM**

**Evan King  
(Chief Executive Officer)**

**MINUTES**

**ORDER OF BUSINESS:**

PRESENT

Cr Ben Taylor (Chair)  
Cr Mark Harris

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)  
Mr John Hausler (Director Corporate Services)  
Ms Bridget Wetherall (Director Infrastructure and Environment)  
Ms Aileen Douglas (Executive Manager Business Services)  
Mr Rod Leith (Manager, Revenue and Procurement)  
Ms Judi Bird (Procurement Co-ordinator)  
Ms Lya Assef (Landfill Manager)  
Ms Lorraine Sendall (Minutes)

APOLOGIES

Cr Tracey Hargreaves

**RESOLUTION:**

**That the apology of Cr Hargreaves be received.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**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 26 October, 2022 as circulated, be confirmed.**

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**CARRIED**

**SECTION 66 MATTERS**

**RESOLUTION:**

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

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

DocuSign Envelope ID: 1CD36F34-2665-467E-A814-BE568770A56A

Contracts Special Committee Minutes

23 November, 2022

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<b>6.2 AMENDMENT TO RESOLUTION (RO JOHN HAUSLER / LORRAINE SENDALL)</b>	<b>5</b>
<b>6.3 UPDATE ON TENDER STATUS (RO JOHN HAUSLER / ROD LEITH)</b>	<b>6</b>

**6.1 CONTRACT 2021/22 – 849  
WHITEHORSE FORMER LANDFILL CONSTRUCTION WORKS  
- LANDFILL CAPPING/REHABILITATION  
(RO – Bridget Wetherall / Les Stokes)**

**SUMMARY**

1. This report seeks to award a contract for the provision of landfill capping/rehabilitation works at the former Whitehorse Road Landfill.

**BACKGROUND**

2. The proposed works include the following:
  - Re-profiling of the cap surface to ensure a minimum 1% gradient is maintained across the site to promote surface water run-off.
  - Re-grading with topsoil and plants with shallow rooted vegetation that is endemic to the area to prevent future erosion of the cap.
  - Filling with clay fill material and topsoil/vegetation material where required.
  - Reworking of the existing cover materials to provide a compacted cover with reduced permeability and correspondingly reduced cap infiltration potential.

**KEY MATTERS**

3. Four (4) tender responses were received and evaluated in full.

**RESOLUTION**

4. **That the Contracts Approval Delegated Committee:-**
  - 4.1 **Resolve to enter into Contract 2021/22-849 for the provision of Whitehorse Former Landfill Construction Works – Landfill Capping/Rehabilitation Works 2022 to with Winslow Infrastructure Pty Ltd for the total tendered price of \$691,585.46 (excluding GST).**
  - 4.2 **Authorises the Chief Executive Officer to:**
    - a. **finalise the terms of Contract 2021/22-849 with Winslow Infrastructure Pty Ltd, provided that those contract terms are consistent with this resolution; and**
    - b. **execute Contract 2021/22-849 on behalf of Council.**

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**CARRIED**

**6.2 AMENDMENT TO RESOLUTION**  
(RO – John Hausler / Lorraine Sendall)

**SUMMARY**

1. It has been identified that an administrative error in the Contracts Delegated minutes of 28 September 2022 and this report is seeking the Contracts Committee to rectify the amount that was in the minutes, which was incorrect.

**BACKGROUND**

2. The Contracts Delegated Committee considered Tender 2021/22-844 – Badminton Roof Renewal at its meeting on 28 September 2022 and the recommendation was to award the tender to Masterson Builders Pty Ltd for the total tendered price of \$497,900.00 (excluding GST).
3. When the minutes were circulated and approved, an administrative error occurred which showed the total tender amount as \$497,000.00 (excluding GST).

**KEY MATTERS**

4. It is requested that the Contracts Delegated Committee reaffirm the original total tendered price as \$497,900.00 (excluding GST).

**RESOLUTION**

5. **That the Contracts Approval Delegated Committee:-**
  - 5.1 **Note the minutes of 28 September 2022 at Item 11.1 Tender 2021/22-844 was incorrectly reported as \$497,000.00 (excluding GST) and should have read \$497,900.000 (excluding GST) and seeks Contracts Approval Delegated Committee to amend the record with the following resolution as outlined in 5.2.**
  - 5.2 **Resolves to enter into Contract 2021/22-844 for the provision of Badminton Roof Renewal with Masterson Builders Pty Ltd for the total tendered price of \$497,900.00 (excluding GST).**

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**CARRIED**

**6.3 UPDATE ON TENDER STATUS**  
(RO – John Hausler / Rod Leith)

**SUMMARY**

1. This report is provided for the information of the Contracts Committee.

**BACKGROUND**

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

**KEY MATTERS**

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

**The report was noted.**

**SECTION 66 MATTERS**

**RESOLUTION:**

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

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

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Contracts Special Committee Minutes

23 November, 2022

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**General Business**

Nil

There being no further business, the Chairperson declared the meeting closed at 1.17pm

**Confirmed this 7th day of December, 2022**

*Cr Ben Taylor*

**Cr Ben Taylor  
Chairperson**



***CONTRACTS APPROVAL  
DELEGATED COMMITTEE***

***MINUTES***

***7 December 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 7 DECEMBER 2022 AT 1:00PM**

**Evan King  
(Chief Executive Officer)**

**MINUTES**

**ORDER OF BUSINESS:**

PRESENT

Cr Ben Taylor (Chair)  
Cr Mark Harris

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)  
Mr John Hausler (Director Corporate Services)  
Ms Bridget Wetherall (Director Infrastructure and Environment)  
Ms Aileen Douglas (Executive Manager Business Services)  
Ms Judi Bird (Procurement Co-ordinator)  
Mr Matthew Clark (Contracts Administrator)  
Ms Lorraine Sendall (Minutes)

APOLOGIES

Cr Tracey Hargreaves

**RESOLUTION:**

**That the apology of Cr Hargreaves be received.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**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 23 November, 2022 as circulated, be confirmed.**

Moved Cr Ben Taylor  
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 Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

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Contracts Special Committee Minutes

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**6.1 CONTRACT 2022/23 – 136  
COGHILLS CREEK ROAD WIDENING  
AND ASSOCIATED WORKS FROM PICKFORDS ROAD FOR 1.5KM  
(RO – Bridget Wetherall / Matthew Clark)**

**SUMMARY**

1. This report seeks to award a contract for the provision of Coghills Creek Road widening from Pickfords Road for 1.5km towards Glendonald Road.

**BACKGROUND**

2. This project will see Coghills Creek Road from Pickfords Road for 1.5kms towards Glendonald Road reconstructed and widened with a sealed surface and new open drains formed to channel water. This section of Coghills Creek Road consists of a narrow-sealed pavement that is failing. It has areas of localised ponding and potholing and no formed shoulders.
3. The proposed works involves several components of work which were identified during the design stage including the following:
  - Earthworks;
  - Road pavement construction and sealing;
  - Asphalt road surfacing;
  - Drainage works;
  - Gravel driveway reinstatement;
  - Raised pavement markers;
  - Line marking and ancillary works.

**KEY MATTERS**

4. Four (4) tender responses were received with (2) two being evaluated in full.

**RESOLUTION**

4. **That the Contracts Approval Delegated Committee:-**
  - 4.1 **Resolve to enter into Contract 2022/23-136 for the provision of Coghills Creek Road widening from Pickfords Road for 1.5km towards Glendonald Road with Fulton Hogan Industries Pty Ltd for the total tendered price of \$740,676.43 (excluding GST).**
  - 4.2 **Authorises the Chief Executive Officer to:**
    - a. **finalise the terms of Contract 2022/23-136 with Fulton Hogan Industries Pty Ltd, provided that those contract terms are consistent with this resolution; and**
    - b. **execute Contract 2022/23-136 on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

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Contracts Special Committee Minutes

7 December, 2022

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**SECTION 66 MATTERS**

**RESOLUTION:**

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

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**CARRIED**

**General Business**

Nil

There being no further business, the Chairperson declared the meeting closed at 1.02pm

**Confirmed this 21<sup>st</sup> day of December, 2022**

*Cr Ben Taylor*

**Cr Ben Taylor  
Chairperson**



***CONTRACTS APPROVAL  
DELEGATED COMMITTEE***

***MINUTES***

***21 December 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 21 DECEMBER 2022 AT 1:00PM**

**Evan King  
(Chief Executive Officer)**

**MINUTES**

**ORDER OF BUSINESS:**

PRESENT

Cr Ben Taylor (Chair)  
Cr Mark Harris  
Cr Peter Eddy

IN ATTENDANCE

Mr Evan King (Chief Executive Officer)  
Mr John Hausler (Director Corporate Services)  
Mr Matthew Wilson (Director City Wellbeing)  
Ms Aileen Douglas (Executive Manager Business Services)  
Mr Mark Patterson (Executive Manager Recreation Services)  
Ms Judi Bird (Procurement Co-ordinator)  
Mr Rod Leith (Co-ordinator Revenue and Procurement)  
Mr Jock Maule (Community Infrastructure Project Officer)  
Ms Sharelle Knight (Executive Manager Family, Youth and Childrens Services)  
Mr Tim Goddard (Project Manager)  
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 7 December, 2022 as circulated, be confirmed.**

Moved Cr Mark Harris  
Seconded Cr Ben Taylor

**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 Peter Eddy

**CARRIED**

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Contracts Special Committee Minutes

21 December, 2022

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<b>6.2 TENDER 2022/23 – 53 ROWAN VIEW PRESCHOOL UPGRADE</b> (RO MATTHEW WILSON / JOCK MAULE )	<b>5</b>

**6.1 CONTRACT 2022/23 – 241 - MOUNT CLEAR CRICKET NETS AND NETBALL COURT LIGHTING**  
(RO – Matthew Wilson / Tim Goddard)

**SUMMARY**

1. This report seeks to award a contract for the provision of Mount Clear Cricket Nets and Netball Court Lighting.

**BACKGROUND**

2. This project will deliver five new synthetic surfaced practice cricket wickets. The new structure includes two community access nets and three club use nets. This project also includes an upgrade to the lighting on the adjoining netball courts.
3. Council have received a Sport and Recreation Victoria (SRV) contribution of \$100,000 for the project with Council contributing \$600,000.

**KEY MATTERS**

4. Three (3) tender responses were received with the three being evaluated in full.

**RESOLUTION**

5. **That the Contracts Approval Delegated Committee:-**
  - 5.1 **Resolve to enter into Contract 2022/23-241 with A.S. Lodge (Vic) Pty Ltd for the total tendered price of \$601,232.00 (excluding GST) for the provision of new cricket nets and netball lighting at Mount Clear reserve.**
  - 5.2 **Authorises the Chief Executive Officer to:**
    - a. **finalise the terms of Contract 2022/23-241 with A.S. Lodge (Vic) Pty Ltd, provided that those contract terms are consistent with this resolution; and**
    - b. **execute Contract 2022/23-241 on behalf of Council.**

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**6.2 CONTRACT 2022/23 – 53 - ROWAN VIEW PRESCHOOL UPGRADE**  
(RO – Matthew Wilson / Jock Maule)

**SUMMARY**

1. This report seeks to award a contract for the provision of the Rowan View Pre-school upgrade.

**PURPOSE**

2. The project is set to begin in January 2023 and end in September 2023 with a 12 month defects liability period to follow.
3. To advise the reallocation of funds from three minor community infrastructure projects and rephasing of these projects into future years to enable the delivery of the full scope of capital works for Rowan View Pre-school.

**BACKGROUND**

4. Rowan View Pre-school situated at 400-402 Forest Street, Wendouree was identified as the preferred location to deliver the Safe Haven Early Years Program which is designed to improve outcomes for some of the most vulnerable members of our community.
5. Rowan View Kindergarten is an ageing facility and currently not fit-for-purpose. For example, there are currently bathroom amenities in the building that are locked and not available for use due to the condition of the facilities.
6. A major refurbishment of the existing facility is required to ensure a highly functional, fit for purpose and flexible early childhood educational facility now and well into the future to deliver the Safe Haven program and kindergarten programs.

**KEY MATTERS**

7. Three (3) tender responses were received with the three being evaluated in full.

**RESOLUTION**

8. **That the Contracts Approval Delegated Committee:-**
  - 8.1 **Resolve to enter into Contract 2022/23-53 for the provision of the Rowan View Pre-school Upgrade with CIQ Construction Management Pty Ltd for the total tendered price of \$1,402,094.26 (excluding GST).**
  - 8.2 **Authorises the Chief Executive Officer to:**
    - a. **finalise the terms of Contract 2022/23-53 with CIQ Construction Management Pty Ltd, provided that those contract terms are consistent with this resolution; and**
    - b. **execute Contract 2022/23-53 on behalf of Council.**

Moved Cr Peter Eddy  
Seconded Cr Mark Harris

**CARRIED**

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Contracts Special Committee Minutes

21 December, 2022

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**SECTION 66 MATTERS**

**RESOLUTION:**

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

Moved Cr Ben Taylor  
Seconded Cr Mark Harris

**CARRIED**

**General Business**

A meeting has been scheduled for the Contracts Delegated Committee for the 18<sup>th</sup> January, 2023.

There being no further business, the Chairperson declared the meeting closed at 1.06pm

**Confirmed this 18th day of January, 2022**

*Cr Ben Taylor*

**Cr Ben Taylor  
Chairperson**

### 8.13. AUDIT AND RISK COMMITTEE ASSESSMENT OF COMMITTEE AND COMMITTEE MEMBER PERFORMANCE

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

#### PURPOSE

1. To present Council with the Audit and Risk Committee's Self-Assessment Survey Results for 2021/2022.

#### BACKGROUND

2. In accordance with Section 54, clause 4 of the *Local Government Act 2020*, the Audit and Risk Committee is required to:
  - Undertake an annual assessment of its performance against the Audit and Risk Committee Charter; and,
  - Provide a copy of the annual assessment to the Chief Executive for tabling at the next Council meeting.

#### KEY MATTERS

3. The Audit and Risk Committee Self-Assessment Survey was sent to the Committee members on 18 October 2022 to assess the performance of 2021/2022 and six responses were received.
4. The self-assessment survey results were presented to the Audit and Risk Committee on 7 December 2022.
5. Attachment 2 provides the Audit and Risk Committee Self- Assessment Survey results.

#### OFFICER RECOMMENDATION

**6. That Council:**

**6.1 Receive and note the Audit and Risk Committee Self-Assessment Survey results.**

#### ATTACHMENTS

1. Governance Review [8.13.1 - 2 pages]
2. Audit and Risk Committee Results 2021-2022 [8.13.2 - 45 pages]

## OFFICIAL

**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

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

**COMMUNITY IMPACT**

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

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

3. 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. In accordance with S54(4) of the Act, the Audit and Risk Committee is required to undertake an annual assessment of its performance against the Audit and Risk Committee Charter.
7. The report complies with the Act.

**HUMAN RIGHTS CONSIDERATIONS**

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

**COMMUNITY CONSULTATION AND ENGAGEMENT**

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

**GENDER EQUALITY ACT 2020**

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

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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)**

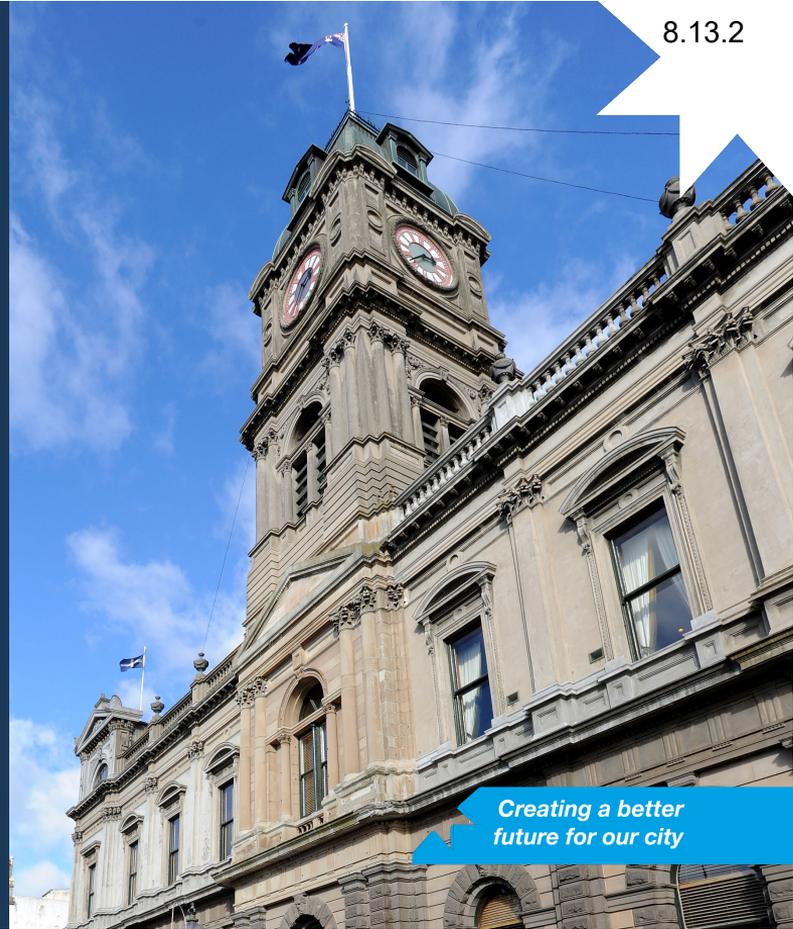
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# Audit and Risk Committee Self-Assessment Survey Results

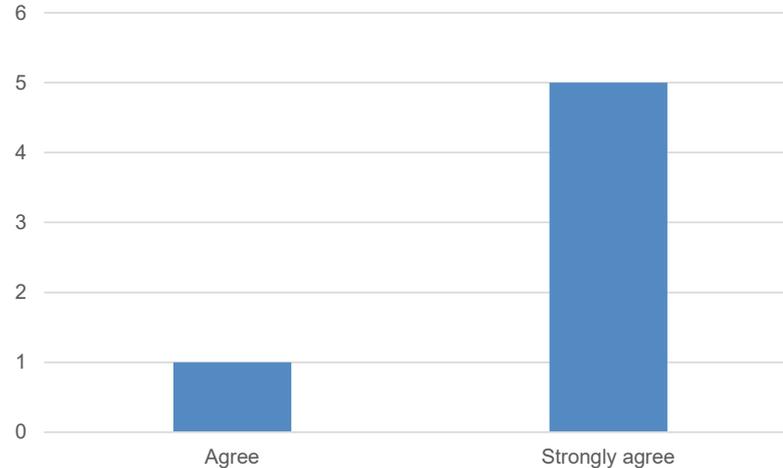
7 December 2022



*Creating a better  
future for our city*

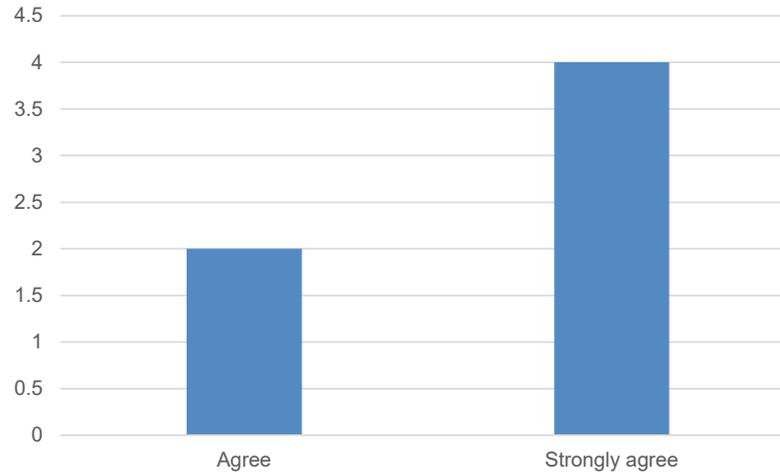
# Audit Committee Charter

The Charter clearly articulates the Committee’s roles and responsibilities and provides it with the necessary authority to discharge them. Results shown below:



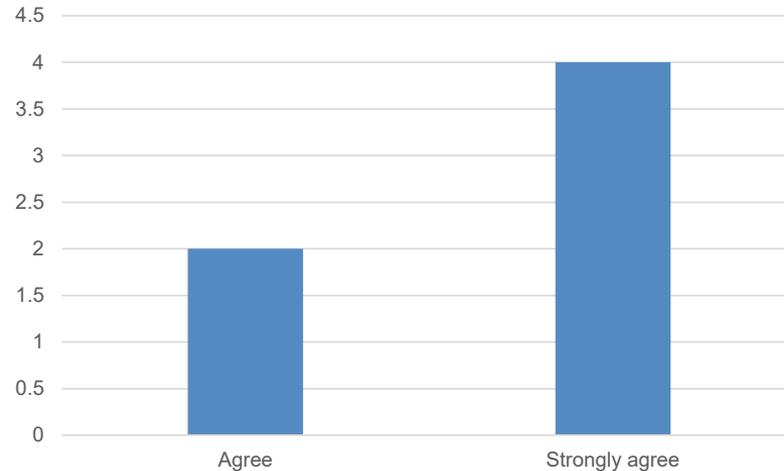
# Audit Committee Charter

The Charter facilitates and supports the effective operation of the Committee.  
Results shown below:



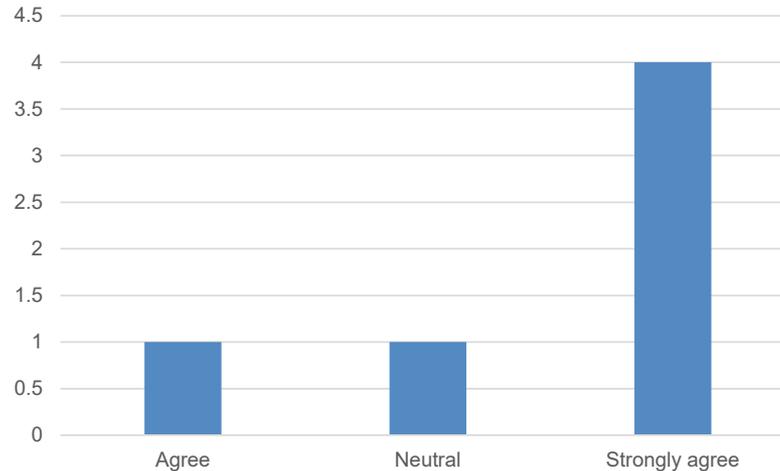
# Audit Committee Charter

During the past year, the Committee has adequately addressed all of its responsibilities as detailed in the Charter. Results shown below:



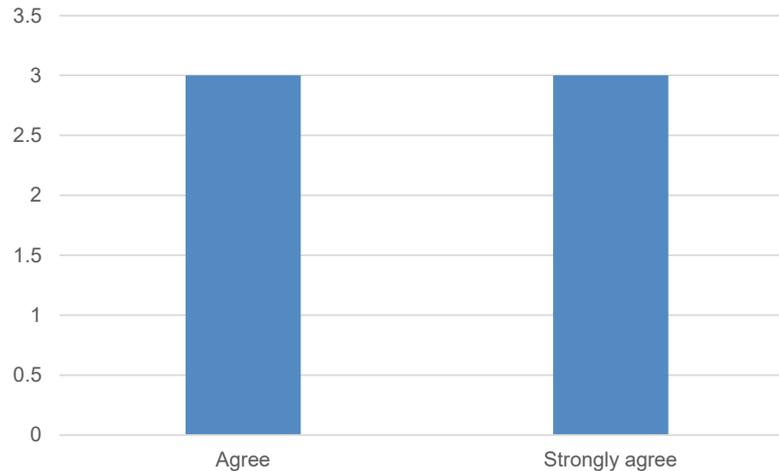
# Audit Committee Charter

The Charter ensures the Committee is sufficiently independent from the management of Council. Results shown below:



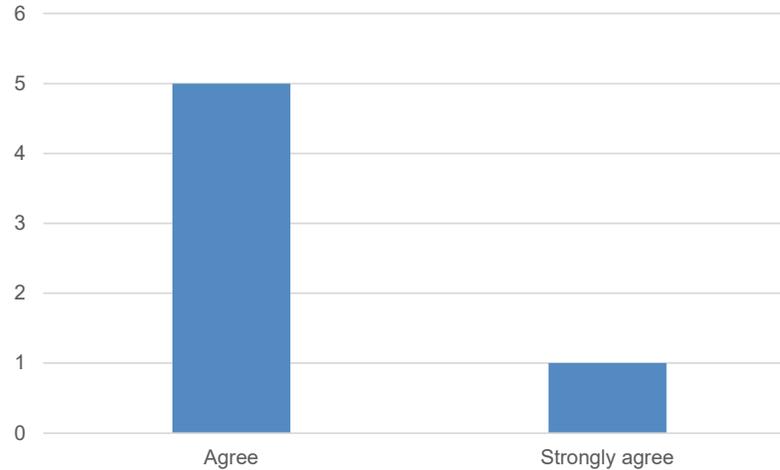
# Skills and Experience

The Committee has the desired mix of skills to allow it to effectively discharge its responsibilities. Results shown below:



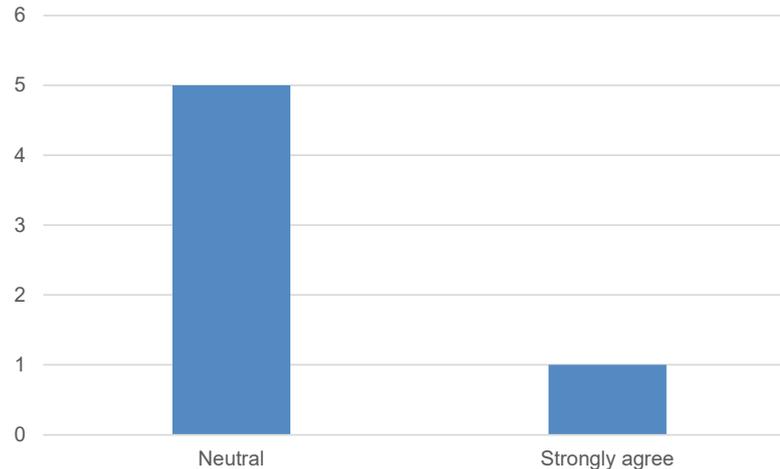
# Skills and Experience

The Committee has been able to analyse and critically evaluate information presented to it by management. Results shown below:



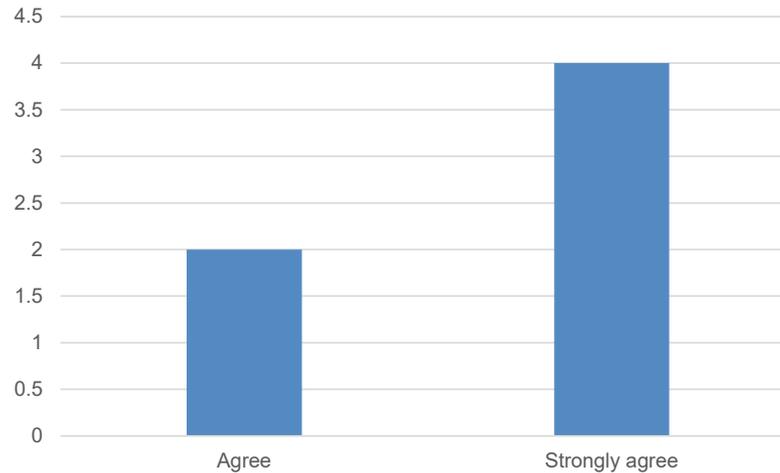
# Skills and Experience

There is a clear process that Committee members can follow to access advice and /or training to improve their skills and knowledge. Results shown below:



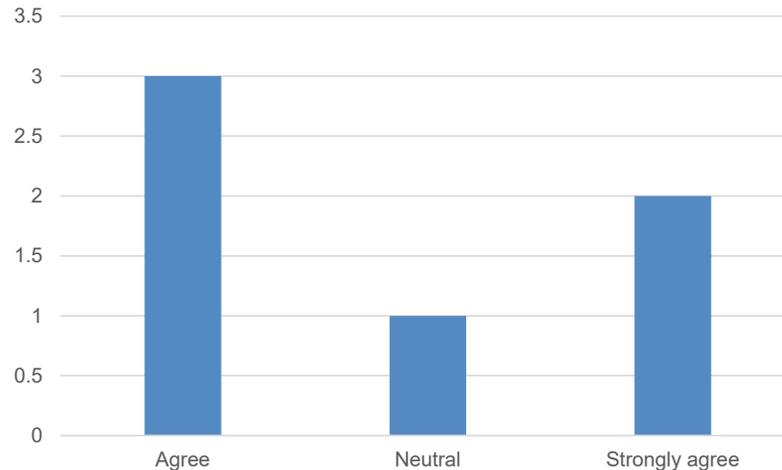
# Skills and Experience

The Committee’s collective skills are adequate in light of its responsibilities.  
Results shown below:



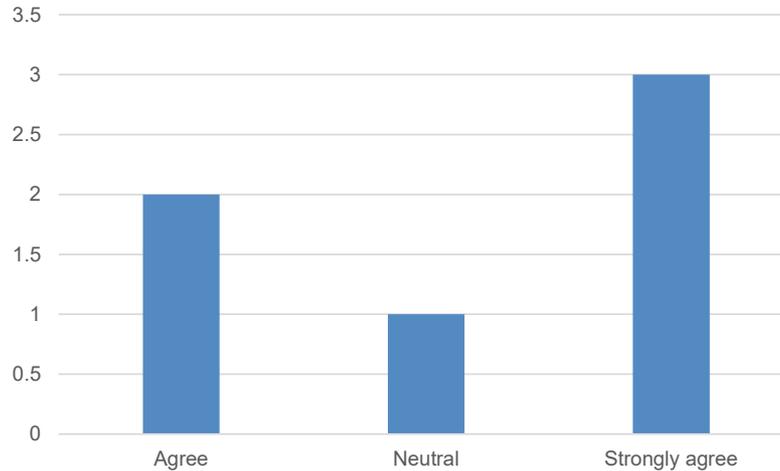
# Skills and Experience

The Committee has responded appropriately where significant risks and/or control breakdowns have been brought to its attention. Results shown below:



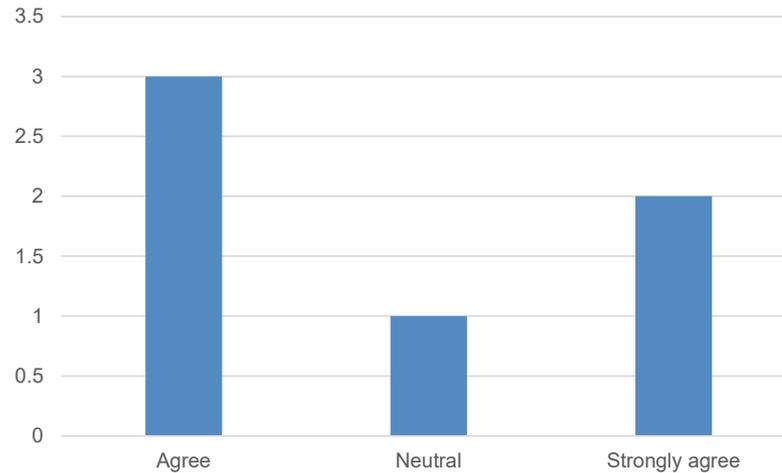
# Skills and Experience

The Committee has shown an openness to new ideas and different views in its deliberations. Results shown below:



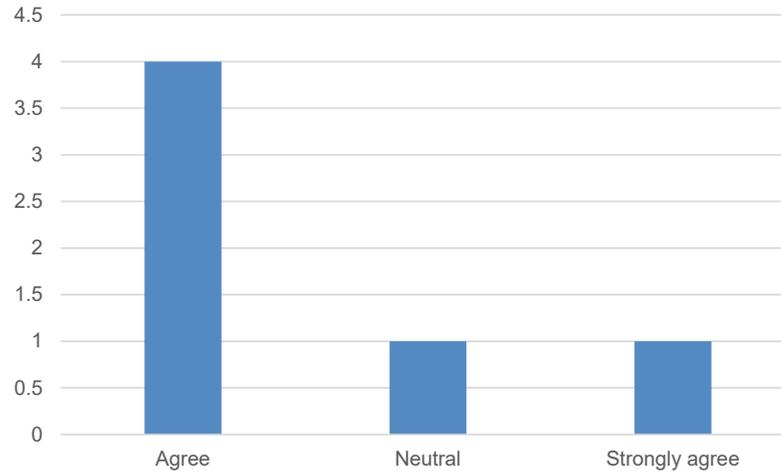
# Skills and Experience

The Committee has been sufficiently probing and challenging in its deliberations. Results shown below:



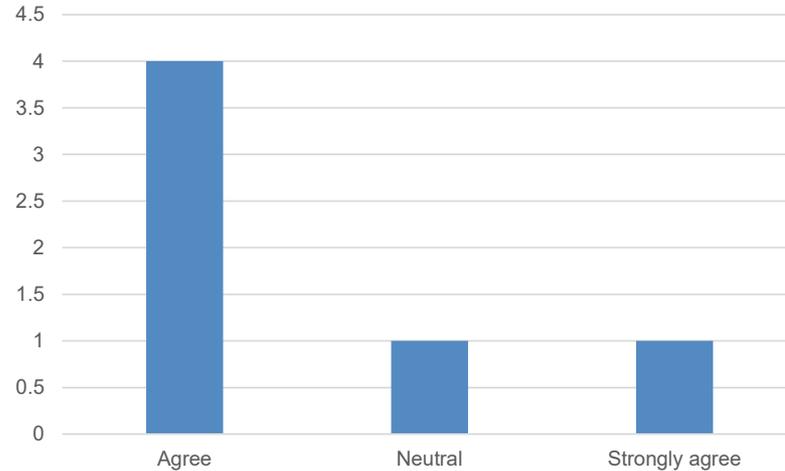
# Understanding the Business

The Committee has an adequate understanding of Council’s risk management framework and risk profile. Results shown below:



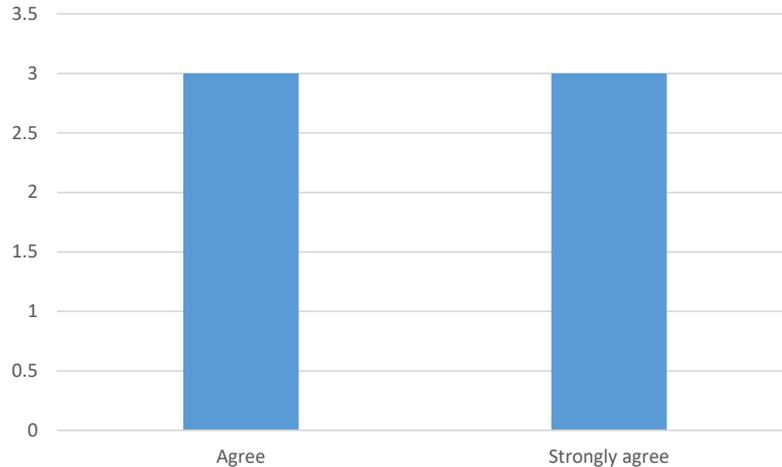
# Understanding the Business

The Committee has an adequate understanding of Council’s Internal control framework to mitigate significant risks. Results shown below:



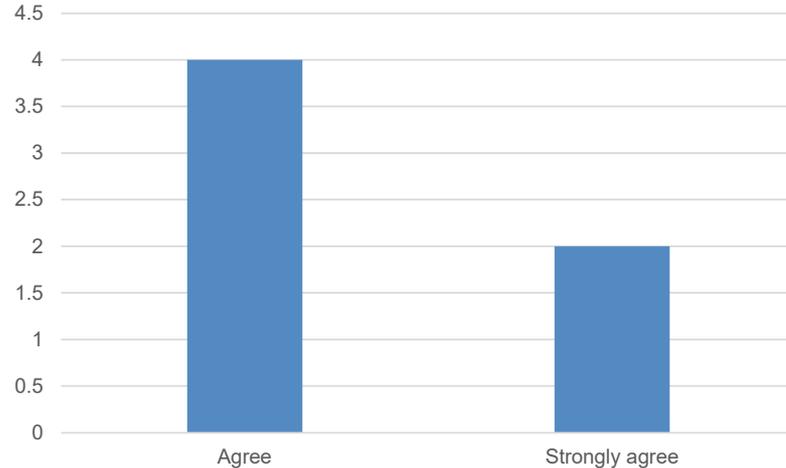
# Understanding the Business

The Committee has an adequate understanding of Council’s financial and statutory reporting requirements. Results shown below:



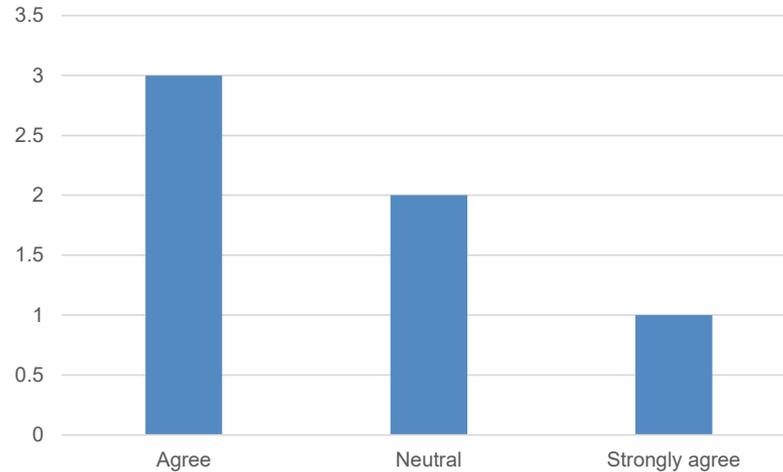
# Understanding the Business

The Committee has an adequate understanding of Council’s legislative compliance requirements. Results shown below:



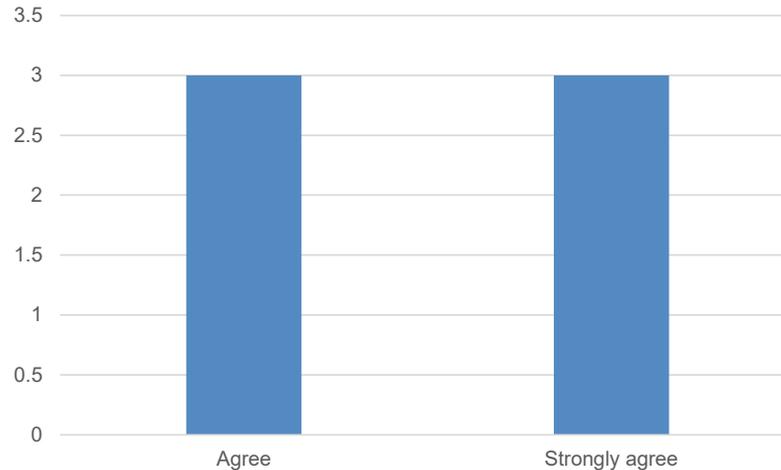
# Understanding the Business

The Committee receives appropriate briefings on current and emerging business risks. Results shown below:



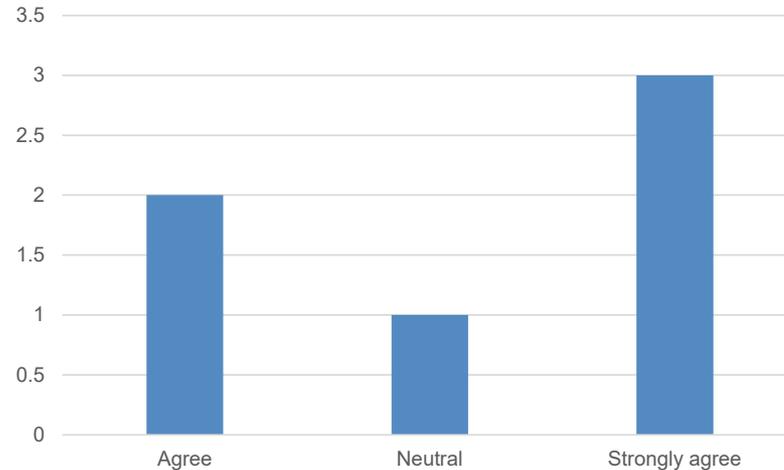
# Understanding the Business

The Committee receives appropriate briefings on changes in financial reporting requirements. Results shown below:



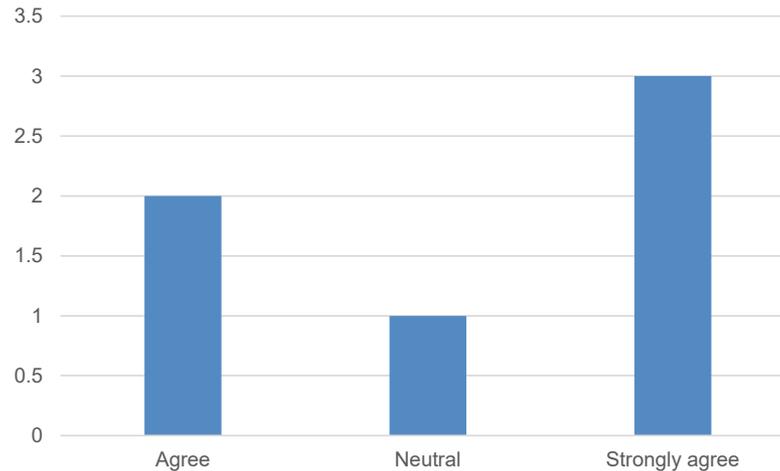
# Understanding the Business

The Committee receives appropriate briefings on changes in performance reporting requirements. Results shown below:



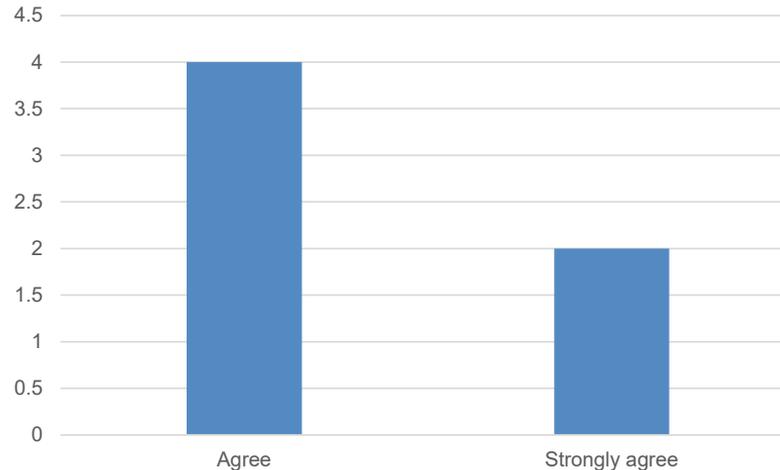
# Understanding the Business

The Committee receives appropriate briefings on Integrity Body reports. Results shown below:



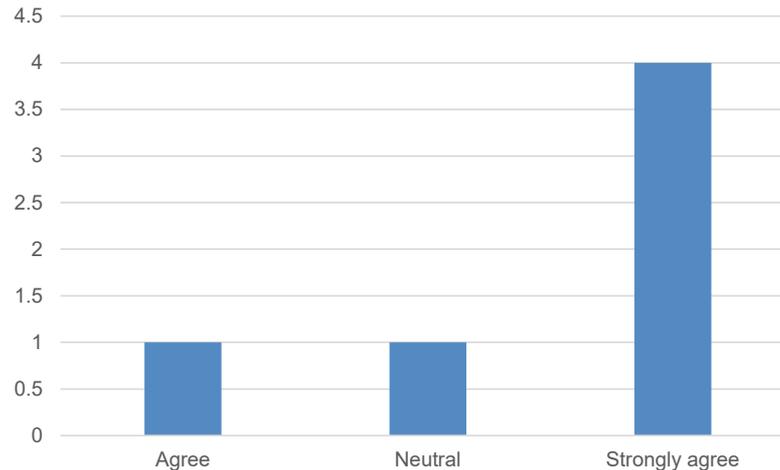
# Understanding the Business

The Committee receives appropriate briefings on changes in the business/regulatory environment. Results shown below:



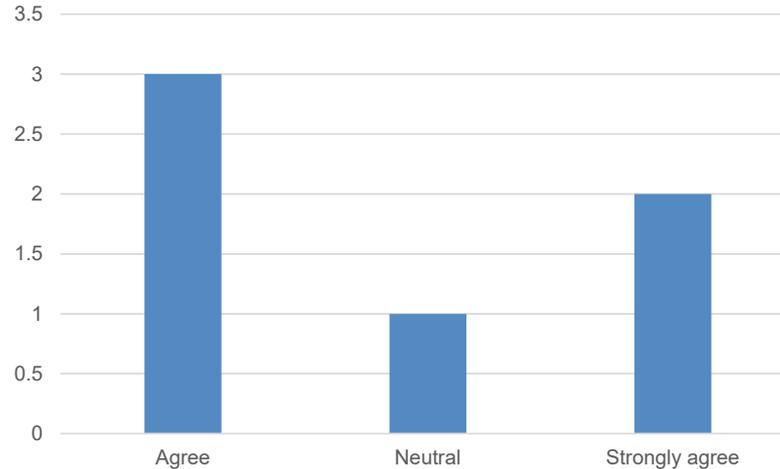
# Meeting Administration and Conduct

The Committee has had an appropriate number of meetings to properly discharge its responsibilities. Results shown below:



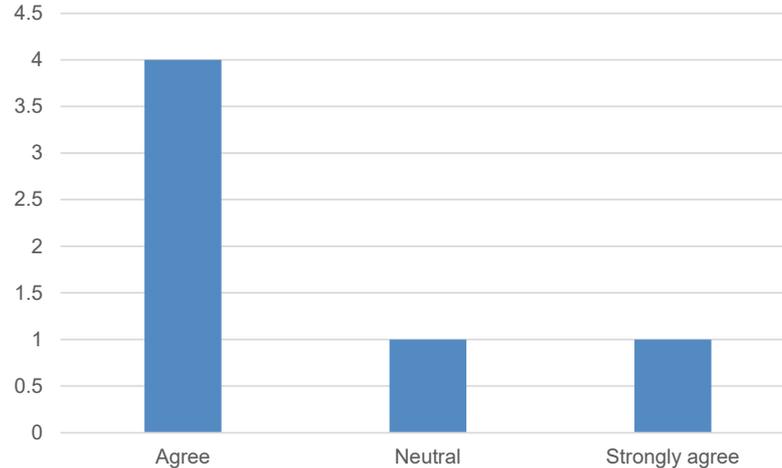
# Meeting Administration and Conduct

Agendas are structured to allow sufficient time to discuss all critical issues.  
Results shown below:



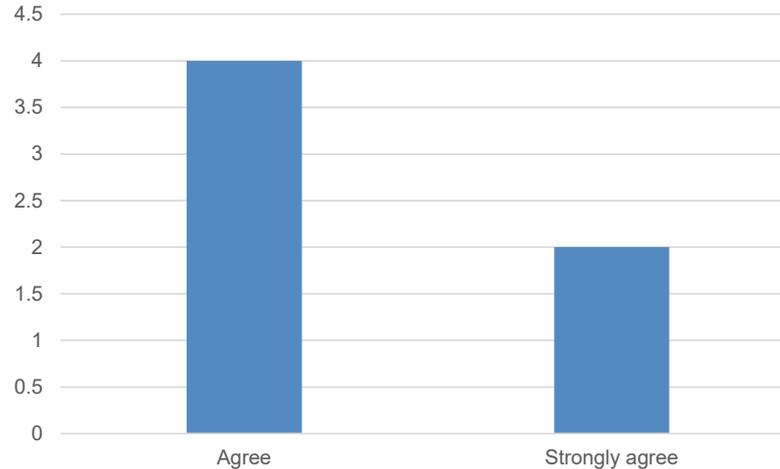
# Meeting Administration and Conduct

The Committee receives agendas and supporting papers in sufficient time prior to meetings. Results shown below:



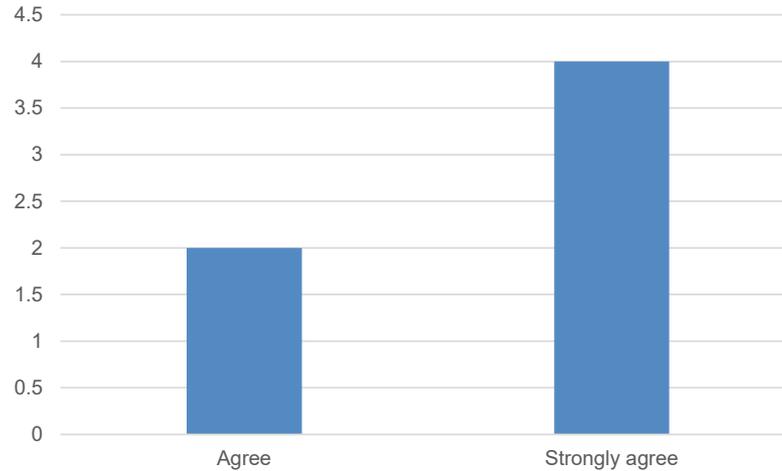
# Meeting Administration and Conduct

Agendas and supporting papers are of sufficient clarity and quality to enable the Committee to make informed decisions. Results shown below:



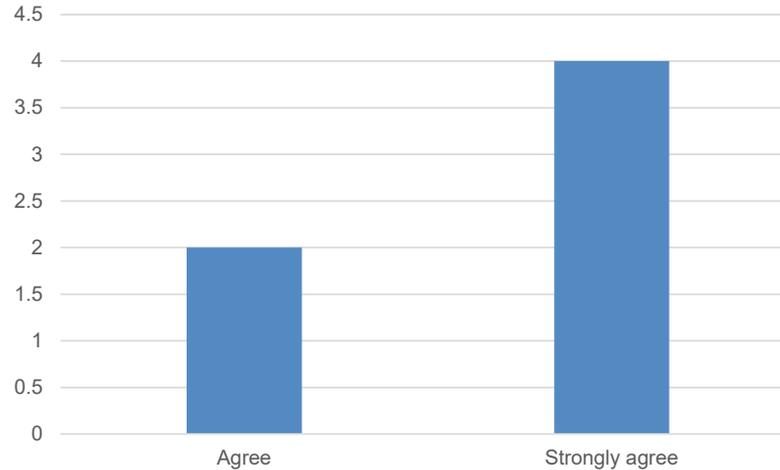
# Meeting Administration and Conduct

Committee meetings are well run and productive. Results shown below:



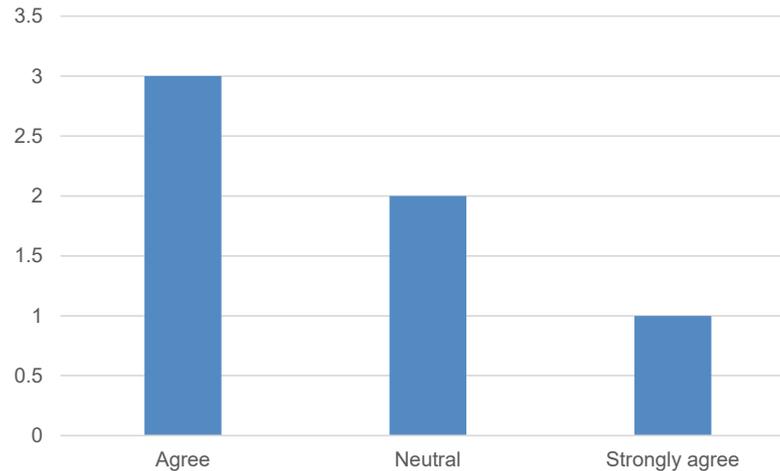
# Meeting Administration and Conduct

Committee minutes are appropriately maintained and provided to Council on a timely basis. Results shown below:



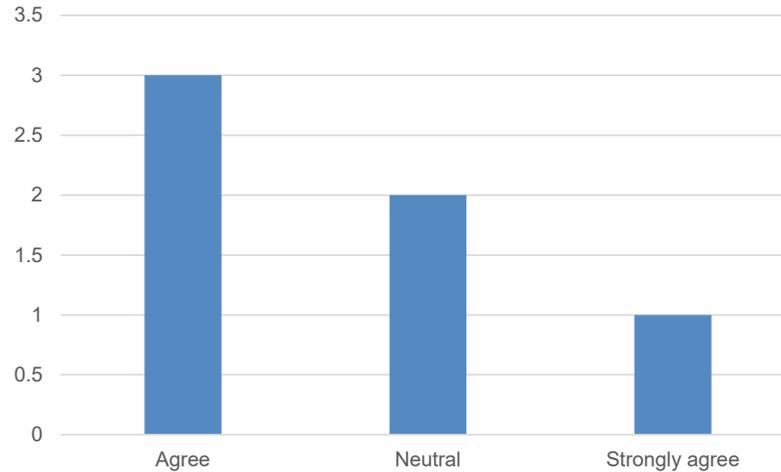
# Communications with Council

Committee communications to Council about its deliberations and decisions are appropriate. Results shown below:



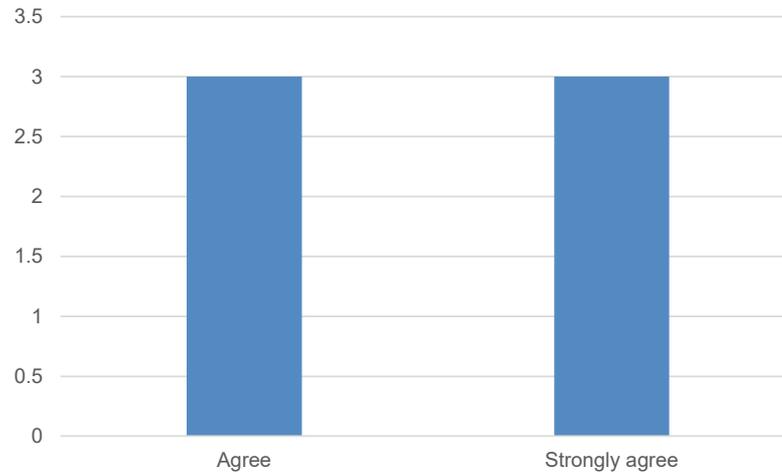
# Communications with Council

Committee reports to Council on its activities are appropriate. Results shown below:



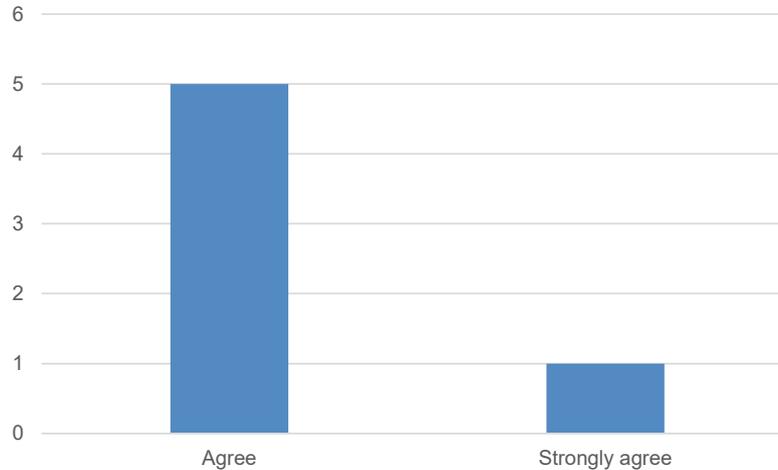
# Management Commitment and Support

Information and briefing papers presented by management meet the Committee’s expectations in respect of Council’s risk profile and mitigating actions for key risks. Results shown below:



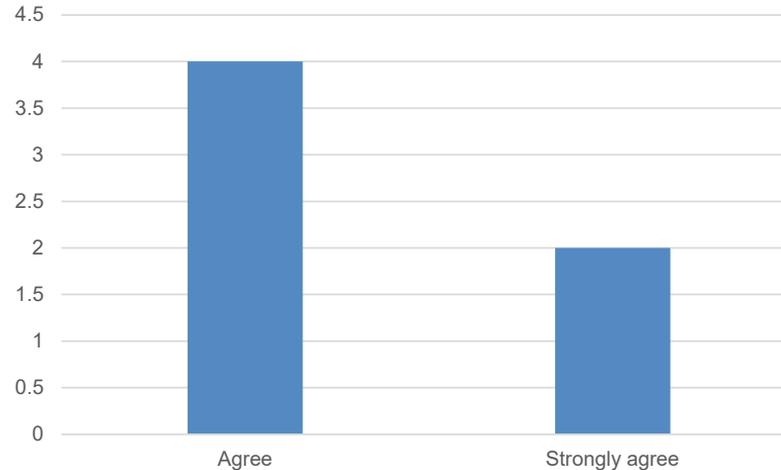
# Management Commitment and Support

Information and briefing papers presented by management meet the Committee's expectations in respect of Maintenance of a strong internal control environment that is effective in mitigating key risks. Results shown below:



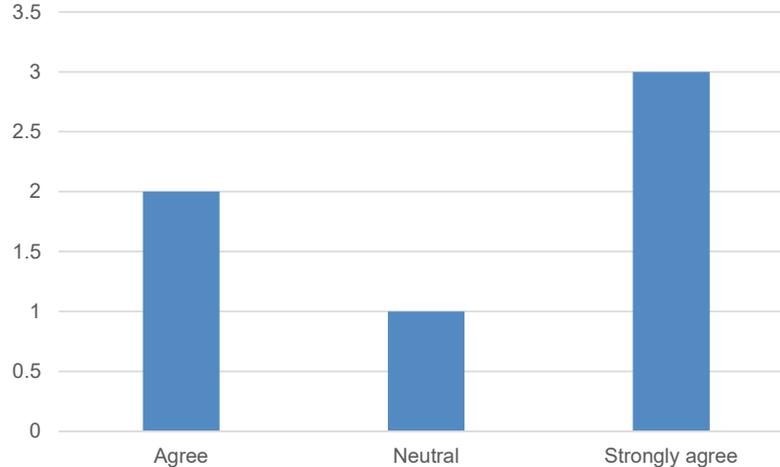
# Management Commitment and Support

Information and briefing papers presented by management meet the Committee’s expectations in respect of management of Council’s compliance and regulatory obligations. Results shown below:



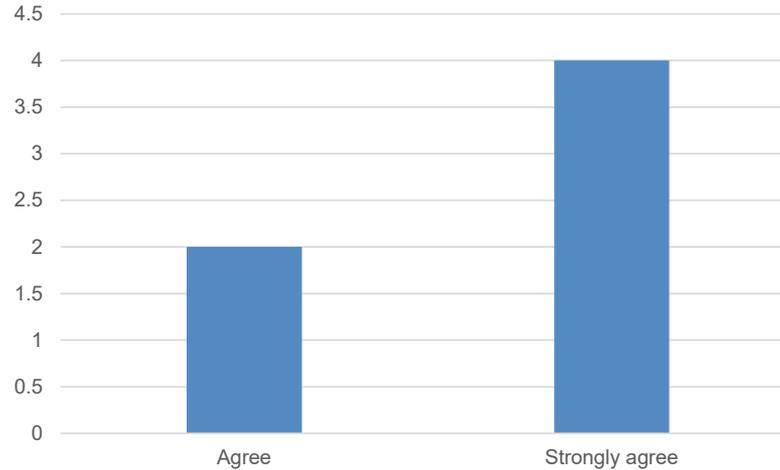
# Management Commitment and Support

Information and briefing papers presented by management meet the Committee’s expectations in respect of Council’s external reporting requirements. Results shown below:



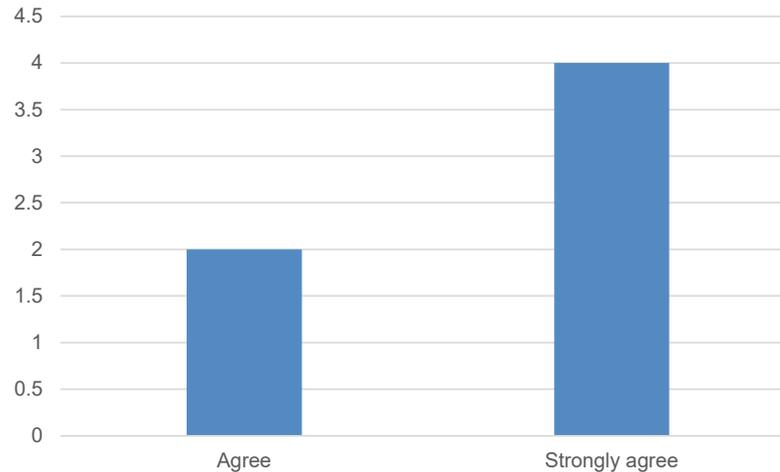
# Management Commitment and Support

The Committee has a positive attitude to continuous improvement in its dealings with management. Results shown below:



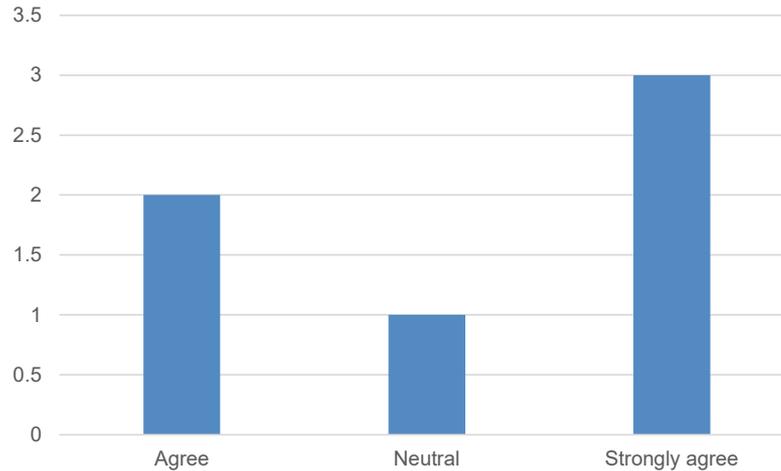
# Internal Audit

The Committee reviewed and approved the internal audit plan. Results shown below:



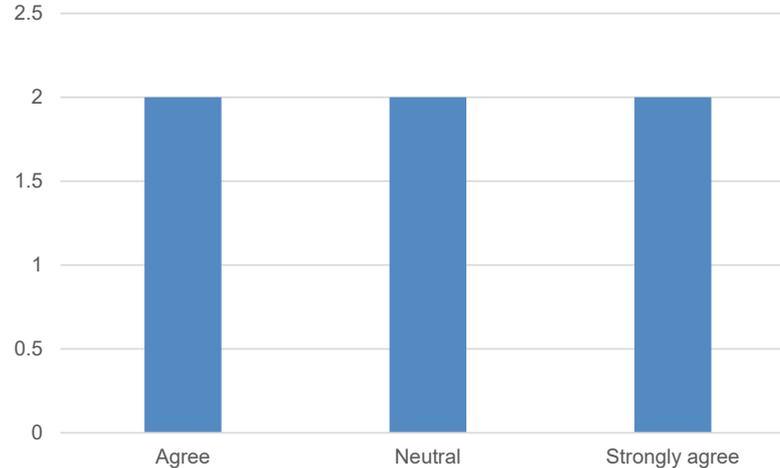
# Internal Audit

The Committee reviewed and approved any significant changes to the internal audit plan. Results shown below:



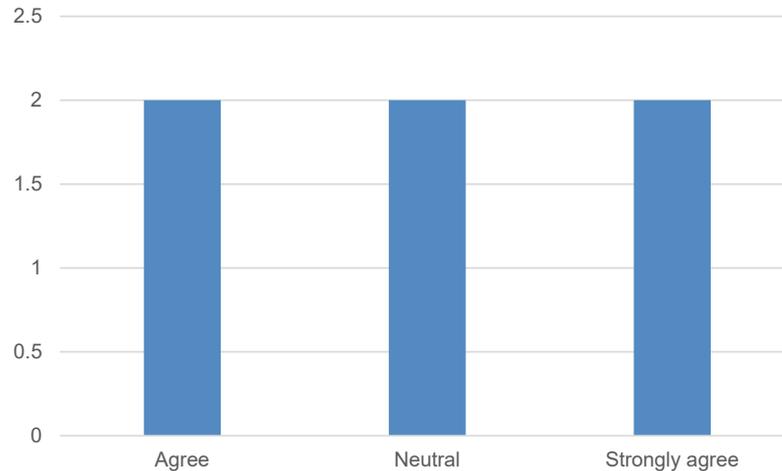
# Internal Audit

The Committee considered the adequacy of internal audit resources. Results shown below:



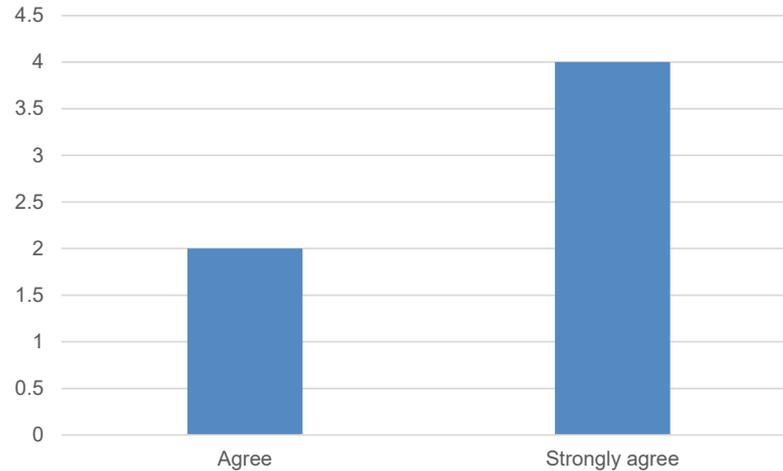
# Internal Audit

The Committee considered the performance of the internal audit function. Results shown below:



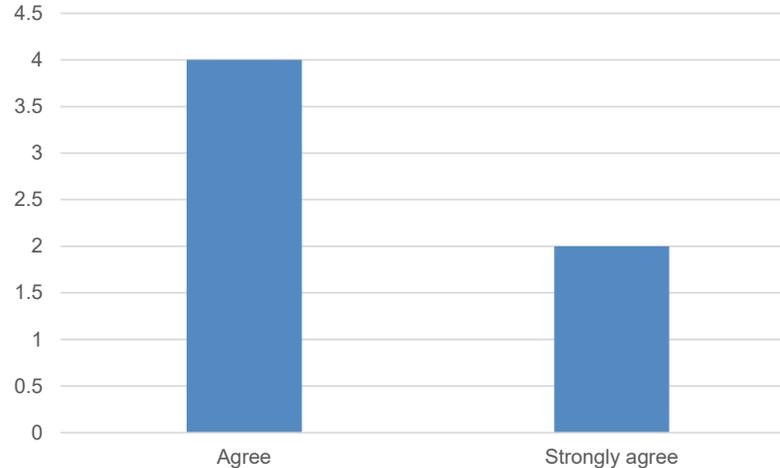
# Internal Audit

The Committee reviewed all internal audit reports and monitored management responses to recommendations. Results shown below:



# Internal Audit

The Committee reviewed the Internal Audit Charter to ensure that appropriate structures, authority, access and reporting arrangements are in place for the internal audit function. Results shown below:



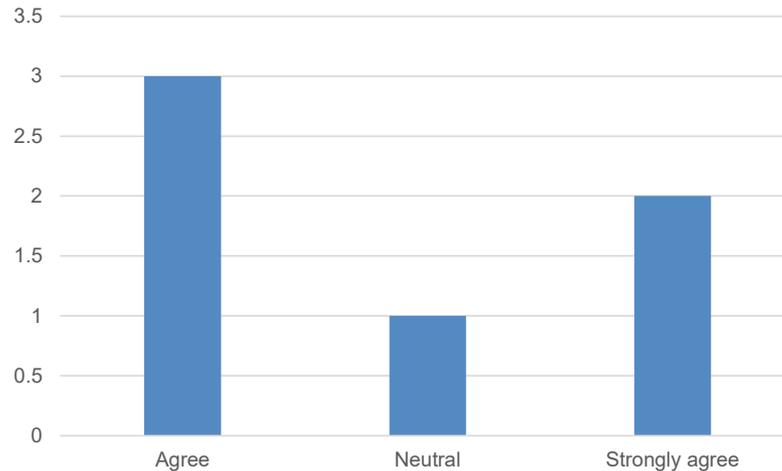
# Internal Audit

**The Committee provided feedback comments/suggestion the performance of internal audit.**

- Internal auditor has only been appointed for approximately one year and so there has not been any specific discussion on their performance since commencement.

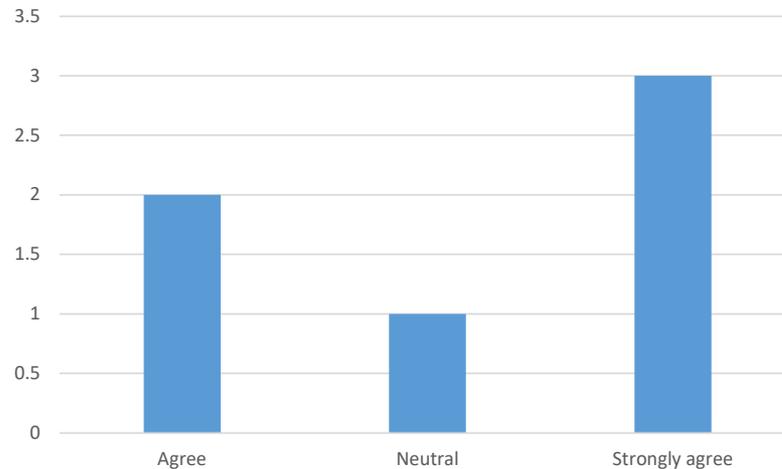
# External Audit

The Committee reviewed and approved the external audit plan. Results shown below:



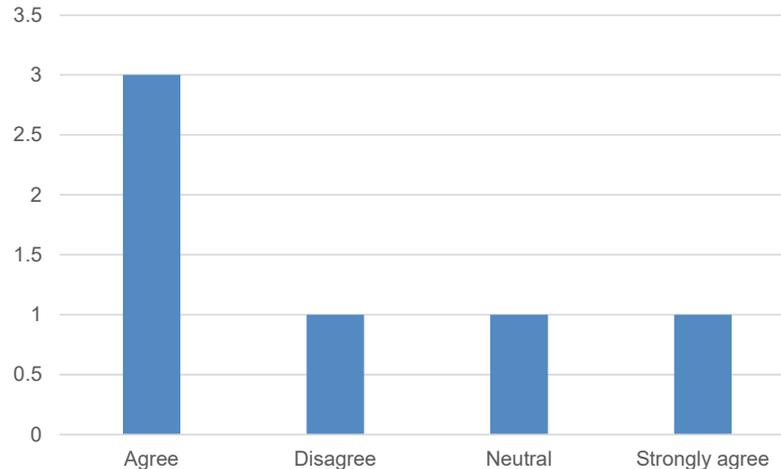
# External Audit

The Committee reviewed external audit reports and management letters and monitored management responses to findings and recommendations made by external audit. Results shown below:



# External Audit

The Committee provided feedback comments/suggestion the performance of external audit. Results shown below:



# External Audit

**The Committee provided feedback comments/suggestion the performance of external audit.**

- The Committee receives the audit strategy from VAGO and it is discussed with the external auditor, but the strategy is not reviewed or approved by the Committee.

## 8.14. 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:
  - Legislative changes to the provisions of the *Planning and Environment Regulations 2005* and the *Cemeteries and Crematoria Act 2003* (Attachment 2).

### OFFICER RECOMMENDATION

6. **That Council exercise the powers conferred by the legislation referred to in the attached instrument of delegation at Attachment 3, 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 [8.14.1 - 2 pages]
2. New delegation updates [8.14.2 - 2 pages]
3. S6 Instrument of Delegation - Members of Staff [8.14.3 - 171 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

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

**COMMUNITY IMPACT**

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

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**LEGAL AND RISK CONSIDERATIONS**

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

**HUMAN RIGHTS CONSIDERATIONS**

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

**COMMUNITY CONSULTATION AND ENGAGEMENT**

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

**GENDER EQUALITY ACT 2020**

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

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**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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**NEW PROVISIONS**

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Cemeteries and Crematoria Act 2003	s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	<u>DIE,</u> <u>EMPSFM</u>	

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**CHANGED Provisions**

Delegation Source	Provision	Item Delegated	Delegate	Conditions & Limitations
Planning and Environment Regulations <a href="#">20052015</a>	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) <u>available in accordance with free of public charge availability requirements</u>	SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	where Council is the responsible authority
Planning and Environment Regulations <a href="#">20052015</a>	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 <u>for inspection in accordance with free of the charge public availability requirements</u>	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

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## **BALLARAT CITY COUNCIL**

### **INSTRUMENT OF DELEGATION**

#### **S6 INSTRUMENT OF DELEGATION - MEMBERS OF STAFF**

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## 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

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<b>Abbreviation</b>	<b>Position</b>
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
EMI	Executive Manager Infrastructure

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<b>Abbreviation</b>	<b>Position</b>
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
RMCS	Road Maintenance Contract Supervisor

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<b>Abbreviation</b>	<b>Position</b>
RMS	Road Maintenance Scheduler
SASO	Senior Asset Surveillance Officer
SSTP	Senior Statutory Planner
SSO	Senior Subdivision Officer
SCO	Statutory Compliance Officer
STP	Statutory Planner
SP	Strategic Planner
SASU	Supervisor Asset Surveillance
SPD	Supervisor Pathways and Drainage
SRS	Supervisor Road Safety
SUSR	Supervisor Sealed Roads
SUR	Supervisor Unsealed Roads
SGP	Sustainable Growth Planner
SGPO	Sustainable Growth Project Officer
SGTSO	Sustainable Growth Technical Support Officer
TLCP	Team Leader Compliance and Parking
TLEG	Team Leader Economic Growth

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Abbreviation	Position
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;

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

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

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### **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

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## 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	

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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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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	CPG, EMO, EMPSFM, DIE, CUFOS, CGNR	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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
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

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	EMPSFM, DIE	
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	
s 60(2)	Power to charge fees for providing information	DCS	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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	

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Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 73(2)	Power to impose conditions on the right of interment	CPG, EMO, EMPSFM, DIE, CUFOS, CGNR	
s 74(3)	Duty to offer a perpetual right of interment	EMPSFM, DIE	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	CPG, EMO, EMPSFM, DIE, CUFOS, CGNR	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCS	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	EMPSFM, DIE	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location.	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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	CPG, EMO, EMPSFM, DIE, CUFOS, CGNR	
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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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
s 103(1)	Power to require a person to remove a building for ceremonies	CPG, EMO, EMPSFM, DIE, CUFOS, CGNR	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 109(1)(b)	Power to repair 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	
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	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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	

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<b>Cemeteries and Crematoria Act 2003</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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

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

<b>Domestic Animals Act 1994</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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

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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

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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
s 19E(1)(d)	Power to request a copy of the food safety program	TLEH, EHO, CEH, DDG	Where Council is the registration authority

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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))
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

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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.
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

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Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	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
s 36B	Duty to pay the charge for use of 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 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, TLRSA TS, 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, TLRSA TS, HSO, AORS	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	TLEH, EHO, CEH, DDG	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)(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, CAEO, TOBS, CEH, TLRATS, 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 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
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

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

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

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

Heritage Act 2017			
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

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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	

Planning and Environment Act 1987			
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, MSTP, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	
s 41(2)	Duty to make and copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, 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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(1)	Duty of giving copy amendment to the planning scheme	SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
s 17(2)	Duty of giving copy s 173 agreement	SP, 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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	Until the proposed amendment is approved or lapsed

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	SP, 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.
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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	Until the end of 2 months after the amendment comes into operation or lapses

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21A(4)	Duty to publish notice	SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	SP, 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)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	DDG, EMDF, MSP	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	SP, 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, MSTP, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	During the inspection period

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	MSTP, CSTP, DDG, PSP, EMDF, SSTP, SGP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	MSTP, CSTP, DDG, PSP, EMDF, SSTP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(a)	Duty to say if amendment has lapsed	SP, STP, 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, 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	
s 33(1)	Duty to give more notice of changes to an amendment	SP, MSTP, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSP, EMDF, PSTP, MSP, PP	
s 36(2)	Duty to give notice of approval of amendment	SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
s 38(5)	Duty to give notice of revocation of an amendment	SP, 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	
s 40(1)	Function of lodging copy of approved amendment	SP, MSTP, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, 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	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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 the declared area that is expressed to be binding on the responsible public entity	SP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding	SP, MSTP, CSTP, DDG,	Where Council is a responsible public entity

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	on the public entity when performing a function or duty or exercising a power in relation to the declared area	PSP, EMDF, PSTP, MSP, PP	
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, SGPO, 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	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	MSG, SGPO, DCA, DDG, EMDF, SGTSO	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DDG, EMDF	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, SGPO, 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, SGPO, DCA, DDG, EMDF, SGTSO	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DDG, EMDF	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DDG, EMDF	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	DDG, EMDF	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DDG, EMDF	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	MSG, SGPO, DCA, DDG, EMDF, SGTSO	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	MSG, SGPO, DCA, DDG, EMDF, SGTSO	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, SGPO, 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
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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, SGPO, 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 development agency or agencies specified in the approved infrastructure contributions plan	DDG, EMDF	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	MSG, SGPO, DCA, DCS, DDG, EMDF, SGTSO	Where Council is the collecting agency

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	MSG, SGPO, 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, SGPO, 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, SGPO, DCA, DCS, DDG, EMDF, SGTSO	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan, as responsible for those works, services or facilities	MSG, SGPO, 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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(2)(b)	Function of receiving the monetary component	MSG, SGPO, 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, SGPO, DCA, DCS, DDG, EMDF, SGTSO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	MSG, SGPO, 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, SGPO, DCA, DCS, DDG, EMDF, SGTSO	Where Council is the development agency specified in the approved infrastructure contributions plan

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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZA(1)	Duty to keep proper and separate accounts and records	MSG, SGPO, DCA, DCS, DDG, EMDF, SGTSO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	MSG, SGPO, 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, SGPO, 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, SGPO, 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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, SGPO, DCA, DDG, EMDF, SGTSO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	MSG, SGPO, 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, SGPO, 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, SGPO, 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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	MSG, SGPO, 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 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, SGPO, 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, SGPO, 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, SGPO, 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			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZF(3)	Function of receiving proceeds of sale	MSG, SGPO, DCA, DCS, DDG, EMDF, SGTSO	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	MSG, SGPO, 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, SGPO, 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, SGPO, 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			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	MSG, SGPO, DCA, DDG, EMDF, SGTSO	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	MSG, SGPO, 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, SGPO, DCA, DCS, DDG, EMDF, SGTSO	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	STP, MSG, SGPO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGTSO, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	MSG, SGPO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	MSG, SGPO, 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, SGPO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	MSG, SGPO, 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, SGPO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	MSG, SGPO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(1)	Duty to keep proper accounts of levies paid	MSG, SGPO, 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, SGPO, 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, SGPO, DCA, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP, SGTSO	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	MSG, SGPO, 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, SGPO, 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
s46Q(4)(e)	Duty to expend that amount on other works etc.	MSG, SGPO, DCA, MSTP, CSTP, DDG,	With the consent of, and in the manner approved by, the Minister

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSP, EMDF, PSTP, PP, SGTSO	
s 46QC	Power to recover any amount of levy payable under Part 3B	MSG, SGPO, 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 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	Not Applicable	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	DDG, EMDF, MSP	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	DDG, EMDF, MSP	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	DDG, EMDF, MSP	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CO, POC, MSTP, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSP, EMDF, PSTP, PP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 50(4)	Duty to amend application	SSO, STP, TSODF, MSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CSTP, DDG, PSP, EMDF, PSTP, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, SCO, EMDF, PSTP, AOSC, CP, PP	
s 50A(1)	Power to make amendment to application	SSO, SP, STP, TSODF, MSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	SSO, SP, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	
s 50A(4)	Duty to note amendment to application in register	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP,	

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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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	SSO, 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)	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	

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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CP, PP, PSO, SGP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	SSO, 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,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, CP, PP, PSO, SGP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, CP, PP, PSO, SGP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 57A(5)	Power to refuse to amend application	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 57A(6)	Duty to note amendments to application in register	SSO, STP, TSODF, MSTP, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 57B(1)	Duty to determine whether and to whom notice should be given	SSO, 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	SSO, 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	SSO, STP, TSODF, MSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 58	Duty to consider every application for a permit	SSO, 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,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, CP, PP, SGP	
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	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF,	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006

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

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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, CP, PP, SGP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	SSO, 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	SSO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP	
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	SSO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	SSO, 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)	SSO, 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)	SSO, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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
s 64(5)	Duty to give each objector a copy of an exempt decision	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF,	This provision applies also to a decision to grant an amendment to a permit - see s 75

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, CP, PP, PSO, SGP	
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	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	

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Planning and Environment Act 1987			
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	SSO, 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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Planning and Environment Act 1987			
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	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CP, PP, PSO, SGP	
s 69(2)	Power to extend time	SSO, STP, TSODF, MSTP, CSTP, DDG, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 71(1)	Power to correct certain mistakes	SSO, STP, TSODF, MSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 71(2)	Duty to note corrections in register	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	
s 73	Power to decide to grant amendment subject to conditions	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, PSO, SGP	

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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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
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,	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

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

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Planning and Environment Act 1987			
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	SSO, 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	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 84AB	Power to agree to confining a review by the Tribunal	SSO, MSG, SGPO, TSODF, DCA, DCS, DDG, EMDF, SGTSO	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	SSO, 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	SSO, TSODF, MSTP, CSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		DDG, PSP, EMDF, PSTP, PP	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 91(2)	Duty to comply with the directions of VCAT	SSO, 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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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	SSO, STP, TSODF, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, CP, PP, SGP	
s 93(2)	Duty to give notice of VCAT order to stop development	SSO, 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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	Duty to issue permit as directed by the Minister	MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 96K	Duty to comply with direction of the Minister to give notice of refusal	MSTP, CSTP, DDG, PSP, EMDF, PSTP, PP	
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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, 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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	SSO, 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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, 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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, 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	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	DCS, DDG, EMDF	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	DCS, DDG, EMDF	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	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	MSTP, DCS, CSTP, DDG,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	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	
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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	SP, STP, 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,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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	
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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, 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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	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
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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	SP, STP, 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, 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 application for review to the Tribunal has been determined or withdrawn	SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, 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, MSTP, EMPSFM, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 182	Power to enforce an agreement	MSTP, CSTP, DDG, PSP,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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, 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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	

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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, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	DDG, EMDF, MSP	
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, MSTP, CSTP, DDG, PSP, EMDF,	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		PSTP, SSTP, CP, PP, SGP	
s 201(1)	Function of receiving application for declaration of underlying zoning	STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, 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, SSTP, MSP, CP, PP, SGP	

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Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	MSTP, CSTP, DDG, PSP, EMDF, PSTP, MSP, PP	
	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	

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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	

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<b>Residential Tenancies Act 1997</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
s 526A(3)	Function of receiving report of inspection	TLEH, TOEH, EHO, AOEH, CEH, TLRATS, HSO, AORS	
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	

<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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)

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

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

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

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 15(2)	Duty to include details of arrangement in public roads register	DDG, DIE, CAM, EMDF, EMI	
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

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

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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	
s 40(1)	Duty to inspect, maintain and repair a public road.	SPD, SRS, RMS, EMO, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM	

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<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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
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

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 49	Power to develop and publish 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 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	
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	

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

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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,	

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

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
s 116	Power to cause or carry out inspection	SPD, SRS, RMS, EMO, DDG, DIE, RMCS, SUR, SUSR, EMDF, EMI, CRM	

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

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

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<b>Road Management Act 2004</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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
sch 7 cla 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



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

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

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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 cl 18(1)	Power to enter into an agreement	DDG, DIE, CAM, EMDF, EMI	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DDG, DIE, CAM, EMDF, EMI, SASU	Where Council is the coordinating road authority

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	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
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DDG, DIE, EMDF, EMI	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting - where road is a service road on an arterial road and adjacent areas	DDG, DIE, EMDF, EMI	Where Council is the responsible road authority

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Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	DDG, DIE, EMDF, EMI	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

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

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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 of 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	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	EMPSFM, DIE	

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CPG, EMO, EMPSFM, DIE, CUFOS, CGNR	
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

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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
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

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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
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

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<b>Cemeteries and Crematoria Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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

<b>Planning and Environment Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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.

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Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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) in accordance with the public availability requirements	SP, STP, MSTP, CSTP, DDG, PSP, EMDF, PSTP, SSTP, MSP, CP, PP, SGP	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	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

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Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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.

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	

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Planning and Environment (Fees) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
r 10	Function of receiving application for registration	TLEH, TOEH, EHO, AOBS, AOEH, AOLLT, TOBS, CEH, TLRATS,	

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<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
		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	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EMPSFM, DIE	

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<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	

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<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	TLEH, EHO, CEH, EMPSFM	
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	

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<b>Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	
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 unregistrable movable dwelling or rigid annexe	TLEH, TOEH, EHO, AOBS, AOEH, AOLLT, TOBS, MBS,	

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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
		CEH, EMPSFM, CBS, TLRATS, EMRS, HSO, AORS	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MBS, EMPSFM, DDG, DIE, CBS, EMRS	
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 unregistrable movable dwelling	DDG, DIE, EMRS	

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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	
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

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

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<b>Road Management (General) Regulations 2016</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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	

<b>Road Management (Works and Infrastructure) Regulations 2015</b>			
<b>Provision</b>	<b>Power and Functions Delegated</b>	<b>Delegate</b>	<b>Conditions and Limitations</b>
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

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Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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

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

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

### PURPOSE

1. The report is to endorse the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Kellie Jantzen.
2. The report is to also revoke the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987* for Jennifer Chan Wing Sum.

### BACKGROUND

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

### KEY MATTERS

4. Kellie Jantzen holds the position of Principal Strategic Planner, and the *Planning and Environment Act 1987* requires Council to endorse the authorisation for the officer to undertake duties authorised by Council.
5. At the Council Meeting held on 27 July 2022, Council resolved R103/22 to endorse the authorisation of Jennifer Chan Wing Sum under the *Planning and Environment Act 1987*. Jennifer Chan Wing Sum is no longer in the position of Statutory Planner and the authorisation requires revocation by Council resolution.

### OFFICER RECOMMENDATION

6. That Council:
  - 6.1 Exercise the powers conferred by Section 224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instrument of appointment and authorisation (the instrument), and that;
    - a. Kellie Jantzen be appointed and authorised as set out in the instrument.
    - b. The instrument comes into force immediately upon resolution and remains in force until Council determines to vary or revoke it.
  - 6.2 Revoke the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) for Jennifer Chan Wing Sum (R103/22).

**ATTACHMENTS**

1. Governance Review [**8.15.1** - 2 pages]
2. S11A Kellie Jantzen [**8.15.2** - 2 pages]

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**ALIGNMENT WITH COUNCIL VISION, COUNCIL PLAN, STRATEGIES AND POLICIES**

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

**COMMUNITY IMPACT**

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

**CLIMATE EMERGENCY AND ENVIRONMENTAL SUSTAINABILITY IMPLICATIONS**

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

**ECONOMIC SUSTAINABILITY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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

**LEGAL AND RISK CONSIDERATIONS**

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

**HUMAN RIGHTS CONSIDERATIONS**

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

**COMMUNITY CONSULTATION AND ENGAGEMENT**

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

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**GENDER EQUALITY ACT 2020**

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

**CONFLICTS OF INTEREST THAT HAVE ARISEN IN PREPARATION OF THE REPORT**

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

**PROCUREMENT COLLABORATION**

**(For Contracts Only)**

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

**Ballarat City Council**

**Instrument of Appointment and Authorisation**

***(Planning and Environment Act 1987 only)***

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

In this instrument "**officer**" means -

**Kellie Jantzen**

**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]

## 8.16. OUTSTANDING QUESTION TIME ITEMS

**Division:** Corporate Services  
**Director:** John Hausler  
**Author/Position:** Lyndsay Leingang – Administration Officer Statutory Compliance

### 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 [8.16.1 - 1 page]
2. QT89/22 - Linda Zibell [8.16.2 - 1 page]
3. QT91/22 - Joan Brick [8.16.3 - 1 page]
4. QT92/22 - Jennifer Robson [8.16.4 - 1 page]
5. QT93/22 - Stuart Kelly [8.16.5 - 1 page]
6. QT94/22 - Jackson Zaal [8.16.6 - 1 page]
7. QT95/22 - Felicity Driscoll [8.16.7 - 1 page]

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Outstanding Question Time Items					
Meeting	Status	Requested	Question	Officer Responsible	Response
14/12/2022 QT89/22	Closed	Linda Zibell	<p>Seventeen years ago the City of Ballarat permitted Ballarat Gold Mine's construction in Mount Clear. Today 1,330 more people reside there, with the mine now in cooe of 4 schools, a kindergarten, Aged Care and Childcare. The mine's application for a 27 hectare Tailings Dam scarcely addresses environmental risks or community safety, but if Council required an Environmental Effects Statement, BGM's whole situation in the suburb could be reviewed. Why isn't this Council's priority?</p> <p>Is the City of Ballarat aware that in March 2018, Newcrest's Cadia mine tailings dam, near Orange, NSW, failed and since then, the neighbouring farming community has been exposed to repeated toxic dust events that inflame the respiratory tract and are potentially carcinogenic, (cancer causing) and Cadia Holdings has received multiple fines by NSW EPA for failing to conduct continuous air quality monitoring and suppress dust pollution from the dried surface of the failed tailings dam?</p>	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response to Linda Zibell
14/12/2022 QT91/22	Closed	Joan Brick	<p>According to the Earth Resources Department, while a EES may not be required regarding a planning permit application, I was informed that the Council is the body that can initiate and require that an EES be done to help assist with making an informed decision regarding issuing a planning permit. Will the Council, who have been voted into to protect the health and best interests of the residents and ratepayers as well as protect the health, character and landscape of the local area be requiring an EES regarding the Application to build a Second Surface Tailings Dam considering the potential impact that the Tailings Dam may have on the well being of the residents and local landscape of the proposed Tailings Dam?</p> <p>Since the First Tailings Storage Dam is full, where are the present surface tailings from the mines being stored/disposed of as it seems that there is presently truck loads filled with earthen materials being unloaded onto the proposed Second tailings dam site?</p>	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response to Joan Brick
14/12/2022 QT92/22	Closed	Jennifer Robson	<p>Ballarat people are largely unaware of the existence of the Ballarat Gold Mine and its close proximity to residential areas including schools, pre schools and aged care facilities. Considering the health risks and dangers associated with mine tailings storage and that gold mining is one of the most destructive industries in the world, doesn't Ballarat City Council have an obligation to inform the greater Ballarat community as well as the communities that they have allowed to grow ever closer to the mine site?</p>	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response to Jennifer Robson
14/12/2022 QT93/22	Closed	Stuart Kelly	<p>My questions relate to the eating area currently being constructed on the south side of Sturt Street to the east of Albert St, replacing 2 car spaces. When and how was this work and its expenditure approved by the Council?</p> <p>Given that the site is within the Lydiard Street Heritage Precinct, what consultations, including the seeking of the opinion of Council's Heritage Advisor, were carried out prior to the commencement of work?</p>	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response to Stuart Kelly
14/12/2022 QT94/22	Closed	Jackson Zaal	<p>If VPAs High-Level Strategic Review identifies that the west and north-west growth areas are required in the short term due to land shortage, it will be constrained by water supply planning funding only. Understanding that Council meets with CHW regularly, can Council provide CHW with enough support (i.e. further advocate rezoning now, informing VPA of this constraint) to warrant water supply construction funding for the west and north-west under the current 2023-2028 water plan submission?</p>	Natalie Robertson, Director Development and Growth	Natalie Robertson, Director Development and Growth provided a written response to Jackson Zaal
14/12/2022 QT95/22	Closed	Felicity Driscoll	<p>When will you build a footpath on Windsor Avenue so I can walk to school safely?</p>	Bridget Wetherall, Director Infrastructure and Environment	Bridget Wetherall, Director Infrastructure and Environment provided a written response to Felicity Driscoll

OFFICIAL

OFFICIAL

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Linda Zibell

Email: [REDACTED]

Date: 15 December 2022

Our Ref: NR:kr

Your Ref: QT89/22

Enquiries: (61) 03 5320 5500

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

Dear Linda,

**RE: OUTSTANDING QUESTION TIME ITEM – QT89/22**

I refer to your question asked at the 14 December 2022 Council Meeting.

*Seventeen years ago, the City of Ballarat permitted Ballarat Gold Mine's construction in Mount Clear. Today 1,330 more people reside there, with the mine now in cooee of 4 schools, a kindergarten, Aged Care and Childcare. The mine's application for a 27 hectare Tailings Dam scarcely addresses environmental risks or community safety, but if Council required an Environmental Effects Statement, BGM's whole situation in the suburb could be reviewed. Why isn't this Council's priority?*

Prior to the lodgement of a planning application a Work Plan Variation process was required to be undertaken through the Department of Jobs, Precincts and Regions (DJPR). As part of this process the Environment Protection Authority (EPA) assessed the proposed tailings dam along with other agencies such as the Department of Environment, Land, Water and Planning. These authorities did not raise any objections to the proposal and have included conditions that form part of the Work Plan statutory endorsement.

The planning application will be assessed against the requirements of the planning scheme and where necessary technical expertise will be sought on particular matters. Based on the previous review of the Work Plan by relevant agencies we have advice the proposal does not meet the thresholds for requiring an Environmental Effects Statement.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson  
Director Development and Growth

OFFICIAL

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Joan Brick

Email: [REDACTED]

Date: 15 December 2022

Our Ref: NR:kr

Your Ref: QT91/22

Enquiries: (61) 03 5320 5500

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

Dear Joan,

**RE: OUTSTANDING QUESTION TIME ITEM – QT91/22**

I refer to your questions asked at the 14 December 2022 Council Meeting as below:

*According to the Earth Resources Department, while a EES may not be required regarding a planning permit application, I was informed that the Council is the body that can initiate and require that an EES be done to help assist with making an informed decision regarding issuing a planning permit. Will the Council, who have been voted into to protect the health and best interests of the residents and ratepayers as well as protect the health, character and landscape of the local area be requiring an EES regarding the Application to build a Second Surface Tailings Dam considering the potential impact that the Tailings Dam may have on the well being of the residents and local landscape of the proposed Tailings Dam?*

In order to seek an EES from the applicant, a request for such must be made via a formal request for further information. In this case advice from Earth Resource Regulations (ERR) is that an ESS is not required on the basis the proposed facility does not meet identified thresholds. Importantly, whilst Council may request an EES the applicant is not obliged to provide one. In addition, if the applicant did commission an EES the body who would determine if it is suitable is not Council - this expertise lies with ERR who have already determined that an ESS is not required.

*Since the First Tailings Storage Dam is full, where are the present surface tailings from the mines being stored/disposed of as it seems that there is presently truck loads filled with earthen materials being unloaded onto the proposed Second tailings dam site?*

Information provided by the applicant states that the existing site has approximately two years tailings storage at present. As such, all tailings are currently being disposed of on site within approved storage facilities.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson  
Director Development and Growth

OFFICIAL

OFFICIAL

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Jennifer Robson

Email: [REDACTED]

Date: 15 December 2022

Our Ref: NR:kr

Your Ref: QT92/22

Enquiries: (61) 03 5320 5500

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

Dear Jennifer,

**RE: OUTSTANDING QUESTION TIME ITEM – QT92/22**

I refer to your question asked at the 14 December 2022 Council Meeting.

*Ballarat people are largely unaware of the existence of the Ballarat Gold Mine and its close proximity to residential areas including schools, pre-schools and aged care facilities.*

*Considering the health risks and dangers associated with mine tailings storage and that gold mining is one of the most destructive industries in the world, doesn't Ballarat City Council have an obligation to inform the greater Ballarat community as well as the communities that they have allowed to grow ever closer to the mine site?*

The Planning and Environment Act 1987 would only require notice of the current application for expansion of a tailings dam for the established gold mine to be adjoining landowners. However, the Statutory Planning Unit undertook extensive public notice which included:

- Over 1500 individual notices directly to residents
- Five notices placed onsite along Whitegully Road and Tinworth Avenue; and
- Notice in the newspaper

The proposal also remains publicly available on City of Ballarat's website to review under eservices and once public information sessions are scheduled any member of the community is welcome to attend.

Yours sincerely

A handwritten signature in blue ink that reads "N. Robertson".

Natalie Robertson  
Director Development and Growth

OFFICIAL

OFFICIAL

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Stuart Kelly

Email: [REDACTED]

Date: 15 December 2022

Our Ref: NR:kr

Your Ref: QT93/22

Enquiries: (61) 03 5320 5500

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

Dear Stuart,

**RE: OUTSTANDING QUESTION TIME ITEM – QT93/22**

I refer to your questions asked at the 14 December 2022 Council Meeting.

*My questions relate to the eating area currently being constructed on the south side of Sturt Street to the east of Albert St, replacing 2 car spaces.*

*When and how was this work and its expenditure approved by the Council?*

This work is being undertaken with funding allocated by Council in the 2021/22 budget for Outdoor Dining Streetscaping work in the CBD, which supplements work carried out this year in various locations, in conjunction with the State Government's COVID Safe Outdoor Activation Fund.

*Given that the site is within the Lydiard Street Heritage Precinct, what consultations, including the seeking of the opinion of Council's Heritage Advisor, were carried out prior to the commencement of work?*

The project is exempt under the provisions of planning scheme amendment VC53 for planning approval however the final design is informed by comments from Council's Heritage Advisor and other internal referrals such as Traffic and Transport, Civil Design and Regulatory Services together with surrounding and adjoining property occupiers. All works are at ground level, affecting bitumen parking only, preserve existing infrastructure and can be restored to original format should the need at this premises cease.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson  
Director Development and Growth

OFFICIAL

OFFICIAL

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Jackson Zaal

Email: [REDACTED]

Date: 15 December 2022

Our Ref: NR:kr

Your Ref: QT94/22

Enquiries: (61) 03 5320 5500

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

Dear Jackson,

**RE: OUTSTANDING QUESTION TIME ITEM – QT94/22**

I refer to your question asked at the 14 December 2022 Council Meeting.

*If VPAs High-Level Strategic Review identifies that the west and north-west growth areas are required in the short term due to land shortage, it will be constrained by water supply 'planning' funding only. Understanding that Council meets with CHW regularly, can Council provide CHW with enough support (i.e. further advocate rezoning now, informing VPA of this constraint) to warrant water supply 'construction' funding for the west and north-west under the current 2023-2028 water plan submission?*

City of Ballarat and other relevant stakeholders are providing inputs to the VPA's high level strategic planning review. This review commissioned by the Minister for Planning is intended to inform the staging and sequencing for identified greenfield and renewal areas, which will have consideration to all facets of urban growth infrastructure, including the ability to connect and/or upgrade services in the growth areas, the ability to accommodate future populations within existing and/or enhanced transport connections, and the ability to accommodate new community services to meet the demands of growing and changing communities.

Should Council support the officer recommendation for the Growth Areas Update report this evening, Council will shortly write to the new Minister for Planning outlining our February Council resolution and affirming our commitment to this resolution and to continue working collaboratively with all stakeholders to ensure VPA's HLSR not only occurs in a timely fashion but sets out a clear pathway for all our proposed Urban Growth Zones.

Yours sincerely

A handwritten signature in blue ink, appearing to read "N. Robertson".

Natalie Robertson  
Director Development and Growth

OFFICIAL

PO Box 655  
Ballarat Vic 3353  
AUSTRALIA

Telephone: 03 5320 5500  
Facsimile: 03 5333 4061



Felicity Driscoll  
C/- Natasha Driscoll



Date: 15 December 2022  
Our Ref: BW:jh:bk  
Your Ref: QT95/22  
Enquiries: (61) 03 5320 5500  
Direct Email: info@ballarat.vic.gov.au

Dear Felicity

**RE: FOOTPATH REQUEST FOR ALFREDTON**

I refer to your question asked at the Council Meeting held on Wednesday 14 December 2022 as follows:

*"When will you build a footpath on Windsor Avenue so I can walk to school safely?"*

The City of Ballarat currently have in excess of 100 individual sites in which new concrete footpaths have been identified as requiring construction in the future. One of these sites includes Windsor Avenue in Alfredton.

As per the letter sent to you in August 2022, the City of Ballarat advised that it is very costly to retrofit footpaths if they were not installed during development (which is the case in Windsor Avenue, Alfredton).

\$600k is being spent on the construction of new concrete footpaths in 2022/23. A footpath in Windsor Avenue will be considered as part of the 2023/24 budget process however this site will have to compete against many other worthy footpath projects.

Please call John Hartigan, Council's Program Development Officer, on [REDACTED] if you would like to discuss this matter further.

Yours sincerely

A handwritten signature in black ink that reads "Bridget W".

Bridget Wetherall  
Director Infrastructure and Environment

CC: Mayor and Councillors  
Governance  
John Hartigan, Program Development Officer

**9. NOTICE OF MOTION****10. REPORTS FROM COMMITTEES/COUNCILLORS****11. URGENT BUSINESS****12. SECTION 66 (IN CAMERA)****8.4 RESERVE FUNDING REQUEST FOR DRAINAGE INFRASTRUCTURE IN THE BALLARAT WEST PRECINCT STRUCTURE PLAN (BWSP) AREA**

**Divisions:** Development and Growth / Infrastructure and Environment  
**Directors:** Natalie Robertson / Bridget Wetherall  
**Author/Position:** Chris Duckett, Manager Sustainable Development / Vaughn Notting, Executive Manager Infrastructure

(confidential information)

**8.5 TENDER 2022-23-201 ALFREDTON COMMUNITY HUB CONSTRUCTION**

**Division:** Community Wellbeing  
**Director:** Matthew Wilson  
**Author/Position:** Robbie Burns – Project Manager (Major Projects)

(confidential information)

**8.6 BALLARAT AND CLARENDON COLLEGE LAND ACQUISITION**

**Division:** Infrastructure and Environment  
**Director:** Bridget Wetherall  
**Author/Position:** Nicholas Venville – Property Officer

(confidential information)

**8.12 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**