



Ararat Rural City

MINUTES

COUNCIL MEETING

Tuesday 22 February 2022

Held in the Alexandra Oval Community Centre
1 Waratah Avenue, Ararat
(Livestreamed)

Which commenced at 6.01pm

Council:

Cr Jo Armstrong (Mayor)

Cr Gwenda Allgood

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bob Sanders

Cr Bill Waterston



Ararat Rural City

A recording of this meeting is being made for the purpose of verifying the accuracy of the minutes of the Council Meeting.

The recording is being streamed live via Facebook, to improve transparency between council and the community and give more people the opportunity to view what decisions are being made. You do not require a Facebook account to watch the live broadcast, simply enter www.facebook.com/aratruralcitycouncil into your address bar.

Recordings of Council Meetings (excluding closed sessions) are made available on Council's website.

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PRESENT:

Cr Jo Armstrong (Mayor), Cr Gwenda Allgood, Cr Rob Armstrong, Cr Peter Beales, Cr Henry Burridge, Cr Bob Sanders, Cr Bill Waterston,
Dr Tim Harrison, Chief Executive Officer,
Josie Frawley, Executive Assistant.

SECTION 1 – PROCEDURAL MATTERS

1.1 LIVE STREAMING

Council is keen to engage with members of the community and live streams the formal Council Meetings to make them accessible. The stream is available to view on Council's Facebook page from 6pm and on Council's website following the Council Meeting.

1.2 TRADITIONAL ACKNOWLEDGEMENT/OPENING PRAYER/COUNCILLORS PLEDGE

Traditional acknowledgement- CR BEALES

We acknowledge the traditional owners of the land on which we meet today, and pay our respects to their elders, past, present and emerging.

Opening Prayer- CR WATERSTON

Almighty God, we humbly ask you to help us, as elected Councillors of the Ararat Rural City Council. Guide our deliberations. Prosper what is your will for us, to your honour and glory and for the welfare and benefit of the people whom we serve in the Ararat Rural City.

Councillors Pledge- CR BURRIDGE

We will faithfully and impartially carry out and exercise the functions, powers, authorities and discretions invested in us under the *Local Government Act 2020* and any other Act to the best of our skill and judgement.

1.3 APOLOGIES

There were no apologies.

1.4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the;

- 1 Council Meeting held on 25 January 2022; and*
- 2 Unscheduled Council Meeting held on 15 February 2022,*
be confirmed.

**MOVED CR R ARMSTRONG
SECONDED CR SANDERS**

That the Minutes of the;

- 1 Council Meeting held on 25 January 2022; and**
- 2 Unscheduled Council Meeting held on 15 February 2022,**
be confirmed.

CARRIED 4568/22

1.5 DECLARATION OF CONFLICT OF INTEREST

A Councillor who has a conflict of interest in a matter being considered at a *Council meeting* at which he or she:

- 1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or
- 2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
 - (a) advising of the conflict of interest;
 - (b) explaining the nature of the conflict of interest; and
 - (c) detailing, if the nature of the conflict of interest involves a Councillor's relationship with or a gift from another person, the:
 - name of the other person;
 - nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - nature of that other person's interest in the matter,and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

The Councillor must, in either event, leave the *Council meeting* immediately after giving the explanation or making the announcement (as the case may be) and not return to the meeting until after the matter has been disposed of.

Cr Gwenda Allgood advised that she had a conflict of interest to Confidential Session- Item 8.2 - Commonwealth Home Support Program.

SECTION 2 – PUBLIC PARTICIPATION

2.1 PETITIONS AND JOINT LETTERS

- 1 Unless *Council* determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next *Council meeting* after that at which it has been presented.
- 2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint himself or herself with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to *Council*.
- 3 Every Councillor presenting a petition or joint letter to *Council* must:
 - write or otherwise record his or her name at the beginning of the petition or joint letter; and
 - confine himself or herself to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the prayer or request.
- 4 Every petition or joint letter presented to *Council* must be in *writing* (other than pencil), typing or printing, contain the request of the petitioners or signatories and be signed by at least 12 people.
- 5 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 6 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.
- 7 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.
- 8 If a petition, joint letter, memorial or other like application relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* for consideration.

2.1.1 JOINT LETTER FROM WESTERN HIGHWAY RESIDENTS

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 4725

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

EXECUTIVE SUMMARY

A petition regarding the eastern side of the Western Highway between Kennel Road and Pollard Lane and the western side between Morella Road and McLoughlin Road Ararat was presented to the 25 January 2022 Council Meeting, where it was resolved that the petition lay on the table until being presented for consideration at the 22 February 2021 Council Meeting.

Residents of the Western Highway between Kennel Road and Pollard Lane and the western side between Morella Road and McLoughlin Road submitted a joint letter to Council expressing concerns about this section off the Western Highway, due to the safety issues. The letter suggested the inclusion of service roads would allow for a safer place for walkers, cyclists and in particular children using this section of road to ride to school.

Following consultation with the residents, Council will meet with Regional Roads Victoria to discuss possible approaches to improving safety of road users along this section of the Western Highway.

DISCUSSION

The joint letter from residents indicated safety concerns for motorists, cyclists, those using mobility devices and pedestrians accessing the Western Highway from the identified locations. The Chief Executive Officer met a group of residents on site on 14 February 2022 to discuss their concerns and possible solutions. The residents reiterated their desire for creation of service roads along the subject stretch of highway to facilitate safer access. This is the model applied along sections of the Western Highway closer to Ararat.

There is little doubt that the inclusion of service roads would improve safety of road users along this section of the Western Highway. This solution would require a significant capital investment by Council, requiring careful consideration of the cost benefit. There are a number of other practical considerations including removal of native vegetation, possible cultural heritage impacts and potentially significant water crossing / drainage works. Providing service lanes would potentially cost in excess of \$1.5mill.

As the Western Highway is the responsibility of Regional Roads Victoria (RRV), it is critical that RRV is included in efforts to resolve the road safety concerns of residents. Heavy vehicle transport along that route is a key safety concern. Completion of the Ararat Bypass project would alleviate a significant proportion of the traffic using that section of the Western Highway. Give the likelihood of lengthy delays in completion of the Ararat Bypass it is important to explore, cost effective, alternative safety improvements for residents in this section of the Western Highway with RRV.

It is proposed that Council meet with RRV to discuss approaches to improve the safety of road users along this section of the Western Highway. Once these discussions have been held, Council and RRV will meet with the residents to discuss options moving forward. High value options would need to attract significant external funding and be considered within the context of Council's 2022/2023 Budget and 10-year Asset Plan.



KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

4 *Developing and Maintaining Key Enabling Infrastructure*

We will ensure that we plan, fund and develop new infrastructure in ways that delivers strong public value. Existing infrastructure will be managed, renewed, and maintained to ensure that it continues to serve identified public needs

Budget Implications

The solution proposed by residents would have a significant impact on budget as the likely cost is in excess of \$1.5mill. The cost benefit of such an approach would need to be carefully considered within the context of future year budgets and the 10-year Asset Plan.

Policy/Relevant Law

The relevant legislation applying to this situation is section 92 Asset Plan, of the Local Government Act 2020:

- (1) Subject to subsection (6), a Council must develop, adopt and keep in force an Asset Plan in accordance with its deliberative engagement practices.
- (2) The scope of an Asset Plan is a period of at least the next 10 financial years.
- (3) An Asset Plan must include the following—
 - (a) information about maintenance, renewal, acquisition, expansion, upgrade, disposal and decommissioning in relation to each class of infrastructure asset under the control of the Council;
 - (b) any other matters prescribed by the regulations.



Sustainability Implications

The proposal to create service roads down either side of the Western Highway may have significant impacts on native vegetation, cultural heritage and catchment management. Each of these will require appropriate investigation.

Risk Assessment

This report is based on community concern around a perceived risk to road users on a section of the Western Highway. There is a need to mitigate this risk in a cost-effective manner – which remains the underlying challenge in resolving this issue for residents. Council will work with RRV to seek approaches to reduce risk.

Innovation and Continuous Improvement

N/A

Stakeholder Collaboration and Community Engagement

This report has been generated based on the joint letter from the residents of this section of the Western Highway in Ararat.

On Monday 14 February 2022 the Chief Executive Officer met with residents, who signed the joint letter, to inspect the area in question and further discuss their wants for this section of road.

RECOMMENDATION

That:

- 1. The CEO work with Regional Roads Victoria (RRV) to seek cost effective solutions to the road safety concerns of residents between Morella Road and McLoughlin Road and Kennel Road and Pollard Lane on the Western Highway on the Western side of Ararat;*
- 2. Council and RRV meet with residents to consult on approaches identified; and*
- 3. The CEO report to the April 2022 Council Meeting on progress.*

MOVED CR BEALES SECONDED CR ALLGOOD

That:

- 1. The CEO work with Regional Roads Victoria (RRV) to seek cost effective solutions to the road safety concerns of residents between Morella Road and McLoughlin Road and Kennel Road and Pollard Lane on the Western Highway on the Western side of Ararat;**
- 2. Council and RRV meet with residents to consult on approaches identified; and**
- 3. The CEO report to the April 2022 Council Meeting on progress.**

CARRIED 4569/22

ATTACHMENTS

There are no attachments relating to this item.

SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

3.1 QUARTERLY PERFORMANCE REPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER
DEPARTMENT: CEO'S OFFICE
REFERENCE: 3561

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

EXECUTIVE SUMMARY

The financial statements and performance indicators have been prepared for the period ended 31 December 2021.

Based on the information provided by responsible officers and managers Council's overall financial performance is in line with budget. It has been determined that a revised budget is not required at this stage

DISCUSSION

Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management.

Key Financial information:

Income Statement (Attachment 1)

The Income Statement measures how well Council has performed from an operating nature. It reports revenues and expenditure from the activities and functions undertaken, with the net effect being a surplus or deficit. Capital expenditure is excluded from this statement, as it is reflected in the Balance Sheet.

Attachment 1 shows that Council generated \$21.363 million in revenue and \$14.191 million in expenses to 31 December 2021. This has resulted in an operating surplus of \$7.172 million for the six months ended 31 December 2021.

Income

Rates and charges account for 47% of the total budgeted income for 2021/22. Rates and charges are recognised when the rates have been raised, not when the income has been received. An amount of \$17.183 million has been recognised as income for the six months ended 31 December 2021.

User fees account for 4% of the total budgeted income for 2021/22 and \$0.419 million has been received to 31 December 2021. The majority of this relates to home care services, transfer station fees and fitness centre income. Income has been lower than budgeted due to several Council facilities being closed at times and decreased service levels due to COVID-19, including the Town Hall, Ararat Fitness Centre, Gum San and the Alexandra Oval Community Centre.

Recurrent Operating Grants total \$2.664 million to 31 December 2021, including \$1.000 million from the Victorian Local Government Grants Commission for general purpose grants and \$0.613 million for the local roads grants.

Non-recurrent Operating Grants total \$0.380 million to 31 December 2021. Council has been successful in obtaining several grants that had not been budgeted for, including COVID Safe Outdoor Activation funding of \$0.200 million and New Arrivals Settlement program funding of \$0.065 million.

Non-recurrent Capital Grants total \$0.260 million to 31 December 2021. Several grants that were budgeted for 2021/2022 were received in advance during 2020/2021 including \$1.227 million for the Local Roads and Community Infrastructure Program and \$0.326 million for Delacombe Way road reconstruction works.

Note

It is important to note the following:

1. The Grants Operating (recurrent) figure in the Original Budget was \$7.817 million and in the Current Budget is recorded as \$4.543 million, as \$3.274 million was paid to Council in 2020/2021 by the Victorian Local Government Grants Commission (VLGGC) for the 2021/2022 financial year. Council has still received the expected VLGGC income, to be spent in 2021/2022, however it will be reported over two financial years.
2. This change in the budget, plus the note reported under expenses, create a change in the reported surplus position from a projected surplus of \$8.865 million to a surplus of \$5.222 million for 2021/22. The year to date variance is a deficit of \$1.506 million when the actual year to date expenses are compared to the year to date budget.

Expenses

Employee Costs account for approximately 40% of the total budgeted expenditure for 2021/2022. For the six months ended 31 December 2021 Council has incurred \$5.829 million in employee costs.

Materials and Services account for approximately 33% of the total budgeted expenditure for 2021/2022. For the six months ended 31 December 2021, Council has incurred \$4.640 million in materials and services costs. There are a number of projects, including those carried forward from 2020/2021 that are expected to be completed before the end of the financial year.

Note

It is important to note the following:

There has been an increase in expenditure on materials and services from \$9.319 million in the Original Budget to \$12.972 million in the Current Budget for 2021/2022. This has resulted from a carry forward amount of \$3.653 million from the 2020/2021 financial year surplus and unspent grant funds which will be used for additional activity in 2021/2022.

Balance Sheet (Attachment 2)

The Balance Sheet is one of the main financial statements and reports Council's assets, liabilities and equity at a given date, in this case 31 December 2021. Comparative figures have been provided as at 30 June 2021.

Council's current assets have decreased by \$0.670 million from \$27.406 million as at 30 June 2021 to \$26.736 million as at 31 December 2021. Cash and cash equivalents have decreased by \$10.270 million from \$23.049 million to \$12.779 million. Trade and other receivables have increased by \$9.630 million from \$4.233 million as at 30 June 2021 to \$13.863 million as at 31 December 2021, which can be attributed to the rates & charges being recognised as income in the quarter ended 30 September 2021.

Total liabilities have increased from \$14.390 million in 2020/2021 to \$12.410 million in 2021/2022, with an increase of \$0.320 million in trade and other payables. The trust funds and deposits have decreased by \$0.231 million from \$0.455 million in 2020/2021 to \$0.224 million in 2021/2022.

Statement of Cash Flows (Attachment 3)

The Statement of Cash Flows shows how changes in the Statement of Financial Position and Income Statement affect Cash and Cash Equivalents, and breaks down the analysis to operating activities, investing activities and financing activities.

The Cash and Cash Equivalents at the beginning of the financial year of \$23.049 million have decreased by \$10.270 million to \$12.779 million as at 31 December 2021.

Net cash provided by operating activities was \$1.118 million and \$9.279 million was used in investing activities.

Investing activities includes payments for property, plant and equipment, and infrastructure totalling \$9.448 million. This included capital building works and capital road works.

Based on the information provided by responsible officers and managers the forecast year end result for cash and cash equivalents are in line with budget.

Financial Performance Indicators (Attachment 4)

The Local Government Performance Reporting Framework requires Councils to report various performance indicators at the end of each financial year.

A full list of financial performance indicators is included as Attachment 4.

Indicator	30/6/2021	30/9/2021	31/12/2021
<p>Working capital <i>Measure - Current assets compared to current liabilities.</i> Expected values in accordance with the Local Government Performance Reporting Framework 100% to 400% Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity</p>	202%	276%	231%
<p>Loans and borrowings <i>Measure - Loans and borrowings compared to rates.</i> Expected values in accordance with the Local Government Performance Reporting Framework – 0% to 70% Indicator of the broad objective that the level of interest-bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations</p>	15.43%	15.86%	3.88%
<p>Indebtedness <i>Measure - Non-current liabilities compared to own source revenue</i> Expected values in accordance with the Local Government Performance Reporting Framework – 2% to 70% Indicator of the broad objective that the level of long-term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long-term liabilities suggests an improvement in the capacity to meet long term obligations</p>	4.29%	4.74%	4.61%
<p>Rates concentration <i>Measure - Rates compared to adjusted underlying revenue</i> Expected values in accordance with the Local Government Performance Reporting Framework – 30% to 80% Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability</p>	55.31%	89.86%	81.47%
<p>Expenditure level <i>Measure - Expenses per property assessment</i> Expected values in accordance with the Local Government Performance Reporting Framework \$2,000 to \$10,000 Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of expenditure suggests an improvement in organisational efficiency</p>	\$4,049	\$3,971	\$3,943

Indicator	30/6/2021	30/9/2021	31/12/2021
<p>Indicator - Revenue level <i>Measure - Average residential rate per residential property assessment</i> Expected values in accordance with the Local Government Performance Reporting Framework - \$700 to \$2,000 Indicator of the broad objective that resources should be used efficiently in the delivery of services. Low or decreasing level of rates suggests an improvement in organisational efficiency</p>	\$2,061	\$1,862	\$1,827
<p>Indicator – Percentage of total rates collected The internal audit conducted in 2019 on Rates Revenue and Rate Debtor Management found no routine or regular reporting of large and long outstanding rates debtors. The outstanding Rates Debtors is reported in the Annual Financial report. As at 31 December 2021 the outstanding Rates Debtors totalled \$12.181 million compared to \$1.860 million as at 30 June 2021, an increase of \$10.321 million. In percentage terms 18.3% of the rates raised have been collected at 31 December 2021 compared to 20.0% up to 31 December 2020. Council issues approximately 7,500 rate notices. Last year there were 2,601 assessments paying by instalments compared with 2,606 assessments in 2020/21. Outstanding rates are currently charged 10% interest.</p>	86.9%	13.1%	18.3%
<p>Indicator – Asset Renewal & Upgrade <i>Measure - Asset renewal & Upgrade compared to depreciation</i> Expected range in accordance with the Local Government Performance Reporting Framework – 40% to 130% Assessment of whether council assets are being renewed or upgraded as planned. It compares the rate of spending on existing assets through renewing, restoring, replacing or upgrading existing assets with depreciation. Ratios higher than 1.0 indicate there is a lesser risk of insufficient spending on Council’s asset base.</p>	164.30%	63.25%	251.83%

The Local Government Performance Reporting Framework provides “Expected ranges” for each indicator. The framework has been developed to consider results at the end of the financial year so some results during the year are outside the expected range due to the timing of receipts and payments.

Explanations are provided in Attachment 4 for those indicators that are outside the “expected ranges”.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

6 Strong and effective governance

We will work hard to build models of governance that place delivering public value at the centre through effective financial management; well measured risk management; and implementation of effective community engagement practices.

6.1 *Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation and rating fairness.*

6.2 *Ensure appropriate risk management is applied to Council and organisational decisions. Council’s internal function is applied to areas of perceived risk.*

Budget Implications

Council’s financial performance is in line with expectations. Council’s cash position was expected to reduce in the first half of the year to pay for the outstanding accounts at year end and the capital works program. Lump sum payment of rates are due on 15 February 2022.

Policy/Relevant Law

Section 97 – Quarterly Budget Report of the Local Government Act 2020 states:

- 1 As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer must ensure that a quarterly budget report is presented to the Council at a Council meeting which is open to the public.
- 2 A quarterly budget report must include—
 - (a) a comparison of the actual and budgeted results to date; and
 - (b) an explanation of any material variations; and
 - (c) any other matters prescribed by the regulations.
- 3 In addition, 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.

Sustainability Implications

This report does not raise any sustainability implications.

Risk Assessment

Council is required to establish and maintain a budgeting and reporting framework that is consistent with the principles of sound management and this report assists Council in meeting that requirement.

Innovation and Continuous Improvement

The content of the Quarterly report is continually reviewed to ensure meaningful data is provided.

Stakeholder Collaboration and Community Engagement

Council's financial performance reports are published quarterly.

RECOMMENDATION

That the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 31 December 2021 be received and adopted.

**MOVED CR BEALES
SECONDED CR SANDERS**

That the Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators for the period ended 31 December 2021 be received and adopted.

CARRIED 4570/21

ATTACHMENTS

Comprehensive Income Statement, Balance Sheet, Statement of Cash Flows and Financial Performance Indicators are provided as Attachment 3.1.

Attachment 1

Comprehensive Income Statement for the six months ended 31 December 2021

	Original Budget \$'000	Current Budget \$'000	YTD Budget \$'000	YTD Actual \$'000	YTD Variance \$'000	Variance
Income						
Rates and charges	17,467	17,467	17,164	17,183	19	0%
Statutory fees and fines	199	199	99	128	29	29%
User fees	1,367	1,367	679	419	(260)	-38%
Contributions - cash capital	-	-	-	11	11	0%
Contributions - cash operating	97	97	48	81	33	69%
Contributions - non-monetary assets	-	-	-	-	-	0%
Grants - Operating (recurrent)	7,817	4,543	2,456	2,664	208	8%
Grants - Operating (non-recurrent)	147	2,278	74	380	306	414%
Grants - Capital (recurrent)	1,461	1,461	-	-	-	0%
Grants - Capital (non-recurrent)	8,190	9,343	2,171	260	(1,911)	-88%
Net gain/(loss) on disposal of property, plant and equipment, infrastructure	41	41	104	130	26	25%
Other income	173	173	86	107	21	24%
Fair value adjustments for investment property	-	-	-	-	-	0%
Share of net profits/(losses) of associates and joint ventures accounted for by the equity method	-	-	-	-	-	0%
Total income	36,959	36,969	22,881	21,363	(1,518)	
Expenses						
Employee costs	11,277	11,277	5,782	5,829	47	1%
Materials and services	9,319	12,972	4,660	4,640	(20)	0%
Bad and doubtful debts	-	-	-	-	-	0%
Depreciation and amortisation	7,095	7,095	3,548	3,548	-	0%
Borrowing costs	55	55	40	40	-	0%
Other expenses	348	348	174	134	(40)	-23%
Total expenses	28,094	31,747	14,204	14,191	(13)	0%
Surplus for the year	8,865	5,222	8,678	7,172	(1,506)	-17%
Other comprehensive income						
Other	-	-	-	-	-	
Total comprehensive result	8,865	5,222	8,678	7,172	(1,506)	

Attachment 2

Balance Sheet as at 31 December 2021

	31/12/2021 \$'000	30/06/2021 \$'000
Assets		
Current assets		
Cash and cash equivalents	12,779	23,049
Trade and other receivables	13,863	4,233
Financial assets	-	-
Inventories	94	69
Non-current assets classified as held for sale	-	-
Other assets	-	55
Total current assets	<u>26,736</u>	<u>27,406</u>
Non-current assets		
Trade and other receivables	12	12
Investments in regional library corporation	-	-
Property, plant and equipment, infrastructure	247,962	242,101
Investment property	1,362	1,362
Intangible assets	-	-
Total non-current assets	<u>249,336</u>	<u>243,475</u>
Total assets	<u>276,072</u>	<u>270,881</u>
Liabilities		
Current liabilities		
Trade and other payables	1,623	1,303
Trust funds and deposits	224	455
Unearned Income	7,191	7,191
Provisions	2,475	2,475
Interest-bearing loans and borrowings	69	2,138
Total current liabilities	<u>11,582</u>	<u>13,562</u>
Non-current liabilities		
Provisions	231	231
Interest-bearing loans and borrowings	597	597
Total non-current liabilities	<u>828</u>	<u>828</u>
Total liabilities	<u>12,410</u>	<u>14,390</u>
Net Assets	<u>263,662</u>	<u>256,491</u>
Equity		
Accumulated surplus	84,062	76,891
Reserves	179,600	179,600
Total Equity	<u>263,662</u>	<u>256,491</u>

Attachment 3

Statement of Cash Flows for the six months ended 31 December 2021

	Six months to 31/12/2021	Forecast Year End to 30/06/2022
	Inflows/ (Outflows) \$'000	Inflows/ (Outflows) \$'000
Cash flows from operating activities		
Rates and charges	3,876	17,467
Statutory fees and fines	128	199
User fees	473	1,504
Grants - operating	3,024	4,630
Grants - capital	1,752	5,803
Contributions - monetary	89	97
Interest received	16	50
Dividends received	-	-
Trust funds and deposits taken	2,950	-
Other receipts	93	123
Net GST refund/payment	608	801
Employee costs	(5,893)	(11,277)
Materials and services	(5,857)	(13,910)
Trust funds and deposits repaid	-	-
Other payments	(141)	(348)
Net cash provided by (used in) operating activities	1,118	5,139
Cash flows from investing activities		
Payments for property, plant and equipment, infrastructure	(9,448)	(19,893)
Proceeds from sale of property, plant and equipment, infrastructure	169	207
Proceeds from investments	-	-
Net cash provided by (used in) investing activities	(9,279)	(19,686)
Cash flows from financing activities		
Finance costs	(40)	(55)
Repayment of borrowings	(2,069)	(2,138)
New borrowings	-	-
Net cash provided by (used in) financing activities	(2,109)	(2,193)
Net increase (decrease) in cash and cash equivalents	(10,270)	(16,740)
Cash and cash equivalents at the beginning of the financial year	23,049	23,049
Cash and cash equivalents at the end of the period	12,779	6,309

Attachment 4

Financial Performance Indicators for the six months ended 31 December 2021

Result

Material Variations

LIQUIDITY

Dimension - Operating position

Indicator - Adjusted underlying result

Measure - Adjusted underlying surplus (or deficit)

[Adjusted underlying surplus (deficit) / Adjusted underlying revenue] x100

32.72%

Outside Expected Range The adjusted underlying result of 32.72% is high because the total amount of rates & charges has been recognised as income and the expenses are only for part of the financial year.

Expected range in accordance with the Local Government Performance Reporting Framework -20% to 20%

Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position

Dimension - Liquidity

Indicator - Working capital

Measure - Current assets compared to current liabilities

[Current assets / Current liabilities] x100

231% No material variation

Expected range in accordance with the Local Government Performance Reporting Framework 100% to 400%

Indicator of the broad objective that sufficient working capital is available to pay bills as and when they fall due. High or increasing level of working capital suggests an improvement in liquidity

Indicator - Unrestricted cash

Unrestricted cash compared to current liabilities

[Unrestricted cash / Current liabilities] x100

35.30% No material variation

Expected range in accordance with the Local Government Performance Reporting Framework 10% to 300%

Indicator of the broad objective that sufficient cash which is free of restrictions is available to pay bills as and when they fall due. High or increasing level of unrestricted cash suggests an improvement in liquidity

OBLIGATIONS

Dimension - Obligations

Indicator - Loans and borrowings

Measure - Loans and borrowings compared to rates

[Interest bearing loans and borrowings / Rate revenue] x100

3.88% No material variation

Expected range in accordance with the Local Government Performance Reporting Framework 0% to 70%

Indicator of the broad objective that the level of interest bearing loans and borrowings should be appropriate to the size and nature of a council's activities. Low or decreasing level of loans and borrowings suggests an improvement in the capacity to meet long term obligations

Loans and borrowings repayments compared to rates

[Interest and principal repayments on interest bearing loans and borrowings / Rate revenue] x100

24.55% No material variation

Outside Expected Range The loan repayment indicator of 24.55% is high due to an interest only loan of \$2 million being repaid during the period.

Expected range in accordance with the Local Government Performance Reporting Framework 0% to 20%

Financial Performance Indicators for the six months ended 31 December 2021	Result	Material Variations
Indicator - Indebtedness		
<i>Measure - Non-current liabilities compared to own source revenue</i> [Non-current liabilities / Own source revenue] x100	4.61%	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	2% to 70%	
Indicator of the broad objective that the level of long term liabilities should be appropriate to the size and nature of a Council's activities. Low or decreasing level of long term liabilities suggests an improvement in the capacity to meet long term obligations		
Indicator - Asset renewal (& Asset Upgrade included now also)		
<i>Measure - Asset renewal & Upgrade compared to depreciation</i> [Asset renewal expenses / Asset depreciation] x100	251.83%	No material variation
	Outside	The asset renewal & upgrade indicator is favourably outside the
	permissible	Range expected range with \$7.430 million
	Range	renewal and \$1.505 million invested in assets to 31 December 2021.
Expected range in accordance with the Local Government Performance Reporting Framework	40% to 130%	
Indicator of the broad objective that assets should be renewed as planned. High or increasing level of planned asset renewal being met suggests an improvement in the capacity to meet long term obligations		
<hr/> STABILITY <hr/>		
Dimension - Stability		
Indicator - Rates concentration		
<i>Measure - Rates compared to adjusted underlying revenue</i> [Rate revenue / Adjusted underlying revenue] x100	81.47%	
	Outside	The rates concentration indicator of
	Expected	81.47% is high because the total
	Range	amount of rates & charges has been recognised as income and the timing of the receipt of government grants varies
Expected range in accordance with the Local Government Performance Reporting Framework	30% to 80%	
Indicator of the broad objective that revenue should be generated from a range of sources. High or increasing range of revenue sources suggests an improvement in stability		
Indicator - Rates effort		
<i>Measure - Rates compared to property values</i> [Rate revenue / Capital improved value of rateable properties in the municipality] x100	0.40%	No material variation
Expected range in accordance with the Local Government Performance Reporting Framework	0.15 to 0.75%	
Indicator of the broad objective that the rating level should be set based on the community's capacity to pay. Low or decreasing level of rates suggests an improvement in the rating burden		

Financial Performance Indicators for the six months ended 31 December 2021 **Result** **Material Variations**

EFFICIENCY

Dimension - Efficiency

Indicator - Expenditure level

Measure - Expenses per property assessment

\$3,943.04 No material variation

[Total expenses / Number of property assessments]

Expected range in accordance with the Local Government Performance Reporting Framework \$2000 to \$5,000

Framework

Indicator of the broad objective that resources should be used efficiently in the delivery of services.

Low or decreasing level of expenditure suggests an improvement in organisational efficiency

Indicator - Revenue level

Measure - Average residential rate per residential property assessment

\$1,827.45 No material variation

[Residential rate revenue / Number of residential property assessments]

Expected range in accordance with the Local Government Performance Reporting Framework \$700 to \$2,000

Framework

Indicator of the broad objective that resources should be used efficiently in the delivery of services.

Low or decreasing level of rates suggests an improvement in organisational efficiency

3.2 DELEGATIONS FROM COUNCIL TO MEMBERS OF COUNCIL STAFF S6

RESPONSIBLE OFFICER: GOVERNANCE AND ADMINISTRATION COORDINATOR
DEPARTMENT: CEO'S OFFICE
REFERENCE: 4639

OFFICERS DECLARATION OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider adoption of the revised Instrument of Delegation from Council to Members of Council Staff.

DISCUSSION

Delegations to Council staff are necessary to enable Council to conduct business efficiently by enabling Council staff to make routine decisions under different Acts.

Various Acts, including the Local Government Act 2020, empower Council to delegate statutory functions, powers and duties. This report recommends that specific functions, powers and duties be delegated to identified staff positions in accordance with the attached *S6 – Instrument of Delegation by Council to Members of Council Staff*.

The Instrument of Delegation has recently been updated by Maddocks Lawyers. The changes made to the S6 Instrument of Delegation – Council to Members of Council Staff are as follows:

A number of changes have been made to the <i>Cemeteries and Crematoria Act 2003</i> , but these are not applicable to Ararat Rural City Council.
Sections 19EA(3), 19N(2), 38G(2), 39(2) and 43 of the <i>Food Act 1984 (Food Act)</i> have been inserted pursuant to the <i>Food Amendment Act 2020</i> . Section 39A has also been amended to reflect the new power to register or renew the registration of a food premises. These provisions are in force.
Sections 19IA(1) and (2), 39A(6), 40(1) and 40E of the <i>Food Act</i> have also been inserted. While they contain duties, rather than powers, it was thought it may assist to have these noted in the instrument.
Section 45AC of the <i>Food Act</i> has been inserted to enable a delegate to authorise a person for the purposes of bringing proceedings.
Section 38G(4) of the <i>Food Act</i> has been amended to reference the correct provision.
Section 12A of the <i>Planning and Environment Act 1987 (P&E Act)</i> has been removed as it has been repealed.
Section 113(2) of the <i>P&E Act</i> has been inserted pursuant to the <i>Planning and Environment Amendment Act 2021</i> .

<p>It relates to the power to request the Minister for a declaration for land to be proposed to be reserved for public purposes.</p>
<p>Sections 91ZU, 91ZZC, 91ZZE, 142D, 142G, 142I, 206AZA, 207ZE, 311A and 317ZDA of the <i>Residential Tenancies Act 1997</i> have been removed from the S6 Instrument of Delegation and inserted in the S7 Instrument of Delegation.</p> <p>This is because the specific power of delegation provided under the <i>Residential Tenancies Act</i> only applies to Part 14 and regulations under this part. Therefore, the delegation of other powers and functions under the <i>Residential Tenancies Act</i> comes from the <i>Local Government Act 2020</i>.</p>
<p>Section 96 of the <i>Road Management Act 2004</i> has been inserted to enable a delegate to authorise a person for the purpose of instituting legal proceedings.</p>
<p>The <i>Residential Tenancies Regulations 2021</i> have been removed from the S6 Instrument of Delegation.</p> <p>Upon review, it was determined that the power to approve any other toilet system is not a power under the <i>Residential Tenancies Regulations 2021</i> but rather a power under other legislation, such as the <i>Environment Protection Regulations 2021</i>.</p>

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

6 Strong and Effective Governance

Budget implications

There are no budget implications arising from the review of the S6 Instrument of Delegation – Council to Members of Council Staff.

Policy/Relevant Legislation

The Council is required to keep a register of delegations and it must be made available for public inspection.

This report is presented to reflect several changes to legislation.

The Council can amend or revoke any delegated power at any time. Council must review all delegations within a period of 12 months after a general election.

Sustainability Implications

There are no economic, social or environmental implications in relation to S6 Instrument of Delegation – Council to Members of Council Staff.

Risk Assessment

The amendment of the *Instrument of Delegation from Council to Members of Council Staff* ensures ongoing legislative compliance for Ararat Rural City Council.

It is essential that the Instruments of Delegation are kept up to date to ensure that the members of staff are properly empowered to undertake their roles.

The formal delegation of legislated powers, duties and functions via instruments of delegation, supported by consistent policies allow Council staff to perform day to day duties and make decisions that may otherwise need to be decided upon by Council.

Stakeholder Collaboration and Community Engagement

The amendment of the *Instrument of Delegation from Council to Members of Council staff* has been updated using the Maddocks Lawyers Delegations Service and RelianSys software.

The delegation service provides two updates per year and mini updates as required when legislation changes.

Chief Executive Officer and relevant officers have reviewed the document.

RECOMMENDATION

That:

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Ararat Rural City Council (Council) resolves that -

- 1 There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation Council to Members of Council Staff (S6), the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;*
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument;*
- 3 On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked;*
- 4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and*
- 5 The instrument be signed under the seal of the Council.*

MOVED CR SANDERS

SECONDED CR R ARMSTRONG

That:

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Ararat Rural City Council (Council) resolves that -

- 1 There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation Council to Members of Council Staff (S6)*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;**
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument;**
- 3 On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked;**
- 4 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt; and**
- 5 The instrument be signed under the seal of the Council.**

CARRIED 4571/22

ATTACHMENTS

The Instrument of Delegation from Council to Members of Council Staff S6 is provided as Attachment 3.2.



ARARAT RURAL CITY COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF
STAFF

22 FEBRUARY 2022

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:

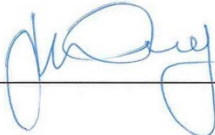
CEO means Chief Executive Officer
CE1 means Civil Engineer1
CE2 means Civil Engineer2
CE3 means Civil Engineer3
CSAM means Coordinator Strategic Asset Management
DCEO means Deputy Chief Executive Officer
EMC means Emergency Management Coordinator
FSC means Financial Services Coordinator
GAC means Governance and Administration Coordinator
HRBP means HR Business Partner
HRO means HR Officer
MPCC means Manager Planning, Community and Compliance
N/A means Not Applicable
NOT means Not Delegated Below CEO
PDO1 means Planning and Development Officer 1
PDO2 means Planning and Development Officer 2
PDO3 means Planning and Development Officer 3
RIPO means Remunerations and Injury Prevention Officer
CSOs means Community Safety Officers
EHOs means All Environmental Health Officers
PDOs means All Planning and Development Officers
POs means All Planning Officers
TOAs means All Technical Officer Assets

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 22 February 2022; 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) strategyadopted by Council;

- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The COMMON SEAL of the
ARARAT RURAL CITY COUNCIL
was affixed hereto in accordance with
the resolution of Council made on
22 February 2022



Mayor 

Chief Executive Officer 

Date:

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	N/A	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	N/A	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	N/A	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	N/A	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) - (e) in exercising its functions	N/A	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	N/A	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	N/A	
s 15(4)	Duty to keep records of delegations	N/A	
s 17(1)	Power to employ any persons necessary	N/A	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	N/A	
s 17(3)	Power to determine the terms and conditions of employment or engagement	N/A	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	N/A	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	N/A	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	N/A	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	N/A	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	N/A	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	N/A	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	N/A	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	N/A	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	N/A	Where Council is a Class A cemetery trust
s.18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	N/A	Where Council is a Class A cemetery trust
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	N/A	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	N/A	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	N/A	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	N/A	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	N/A	The application must include the requirements listed in s 66(2)(a)-(d)
s 72(2)	Duty to comply with request received under s 72	N/A	
s 74	Duty to offer a perpetual right of interment	N/A	Provision commences on 1 March 2022 unless proclaimed earlier
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	N/A	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment	N/A	Reference to 'sole holder' will no longer apply from 1 March

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			2022
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)	N/A	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	N/A	
s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	N/A	
s 84I(6)(a)	Power to remove any memorial on the place of interment	N/A	
s 84I(6)(b)	Power to grant right of interment under s 73	N/A	
s 91(1)	Power to cancel a right of interment in accordance with s 91	N/A	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	N/A	
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	N/A	
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)	N/A	
s 100(3)	Power to recover costs of taking action under s 100(2)	N/A	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	N/A	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	N/A	
s 103(3)	Power to recover costs of taking action under s 103(2)	N/A	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	N/A	
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	N/A	
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	N/A	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary	N/A	Provision commences on 1 March 2022
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	N/A	Subject to s 133(2)
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	N/A	
sch 1 cl 8(8)	Power to regulate own proceedings	N/A	Subject to cl 8
sch 1A cl 8(8)	Power to regulate own proceedings	N/A	Where Council is a Class A cemetery trust Subject to cl 8

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

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	premises, and (ii) inform the public by notice in a published newspaper or otherwise		
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEO, MPCC, EHOs	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	CEO, MPCC, EHOs	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).	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, MPCC, EHOs	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO, MPCC, EHOs	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEO, MPCC, EHOs	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEO, MPCC, EHOs	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, MPCC, EHOs	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEO, MPCC, PDO3, EHOs	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
	Power to register or renew the registration of a food premises	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs, PDOs	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEO, MPCC, EHOs	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO, MPCC, EHOs	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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)	CEO, MPCC, EHOs	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, MPCC, EHOs	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, MPCC, EHOs	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEO, MPCC, EHOs	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	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	CEO, MPCC, PDO3, EHOs	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises	CEO, MPCC,	Where Council is the registration

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to comply with any requirement of the Act	EHOs	authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEO, MPCC, EHOs	
s 39A	Power to register, or renew the registration of a food premises despite minor defects	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEO, MPCC, PDO3, EHOs	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	CEO, MPCC, EHOs	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO, MPCC, EHOs	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, MPCC, EHOs	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEO, MPCC, EHOs	
s 40F	Power to cancel registration of food premises	CEO, MPCC, EHOs	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEO, MPCC, PDO3, EHOs	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	CEO, MPCC, EHOs	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	CEO, MPCC, EHOs	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	not meet the requirements		
s 45AC	Power to bring proceedings	CEO, MPCC, EHOs	
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	CEO, MPCC, EHOs	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	CEO, MPCC	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

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

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	CEO, MPCC	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO, MPCC, POs	
s 4H	Duty to make amendment to Victoria Planning Provisions available in accordance with public	CEO, MPCC, POs, PDOs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	availability requirements		
s 4I	Duty to keep Victorian Planning Provisions and other documents available in accordance with public availability requirements	CEO, MPCC, POs, PDOs	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, MPCC	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, MPCC	
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, MPCC	
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	CEO, MPCC	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, MPCC	
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	CEO, MPCC	
s 12B(1)	Duty to review planning scheme	CEO, MPCC	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, MPCC	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	CEO, MPCC	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, MPCC	
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, MPCC, PDOs	
s 17(2)	Duty of giving copy s 173 agreement	CEO, MPCC, PDOs	
s 17(3)	Duty of giving copy amendment, explanatory report	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	and relevant documents to the Minister within 10 business days		
s 18	Duty to make amendment etc. available in accordance with public availability requirement	CEO, MPCC, POs, PDOs	
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	CEO, MPCC	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CEO, MPCC, POs	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	CEO, MPCC, POs	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CEO, MPCC, POs, PDOs	
s 21A(4)	Duty to publish notice	CEO, MPCC, POs	
s 22	Duty to consider all submissions	CEO, MPCC, POs	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, MPCC, POs	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, MPCC, POs	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO, MPCC, POs	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CEO, MPCC, POs, PDOs	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CEO, MPCC, POs, PDOs	

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	CEO, MPCC	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CEO, MPCC	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	CEO, MPCC, PDO1	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CEO, MPCC, PDO1	
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, MPCC	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, MPCC, POs	
s 32(2)	Duty to give more notice if required	CEO, MPCC, POs	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, MPCC, POs	
s 36(2)	Duty to give notice of approval of amendment	CEO, MPCC, POs	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, MPCC, POs	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, MPCC, POs	
s 40(1)	Function of lodging copy of approved amendment	CEO, MPCC, POs	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CEO, MPCC, POs, PDOs	
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	CEO, MPCC, POs, PDOs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CEO, MPCC, POs	
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	N/A	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	CEO, MPCC, POs	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	CEO, MPCC, POs	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	CEO, MPCC, POs	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CEO, MPCC, POs	Where Council is a responsible public entity
s 46G(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	CEO, MPCC, POs	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	CEO, MPCC, POs	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46GP	Function of receiving a notice under s 46GO	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, DCEO, MPCC, FSC, CSAM, POs	
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	CEO, DCEO, MPCC, FSC, CSAM, POs	
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	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CEO, DCEO, MPCC, FSC, CSAM, POs	
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	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CEO, DCEO, MPCC, FSC,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		CSAM, POs	
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	CEO, DCEO, MPCC, FSC, CSAM, POs	
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	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	CEO, DCEO, MPCC, FSC, CSAM, POs	
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	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, MPCC, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GY(1)	Duty to keep proper and separate accounts and records	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, MPCC, POs	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, MPCC, POs	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, MPCC, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, MPCC, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is a development agency under an approved infrastructure contributions plan

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, MPCC, POs	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, MPCC, CSAM, POs	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	CEO, MPCC, POs	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, DCEO, MPCC, FSC,	Where Council is the development agency under an approved

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	the steps in s.46GZF(3)(a) and (b)	CSAM, POs	infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CEO, MPCC, POs	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	CEO, DCEO, MPCC, FSC, CSAM, POs	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)	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, MPCC, POs	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, MPCC	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, MPCC	
s 46O(1)(a)	Power to ensure that community infrastructure levy	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
& (2)(a)	is paid, or agreement is in place, prior to issuing building permit		
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, MPCC	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, MPCC	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, MPCC	
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, MPCC	
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	CEO, MPCC	
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	CEO, MPCC	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, MPCC	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)	CEO, MPCC	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	CEO, MPCC	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, MPCC	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, MPCC	
s 46QD	Duty to prepare report and give a report to the Minister	CEO, MPCC, POs	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	N/A	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CEO, MPCC	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CEO, MPCC	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CEO, MPCC, POs, PDOs	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	CEO, MPCC, POs, PDOs	
s 50(4)	Duty to amend application	CEO, MPCC, POs, PDOs	
s 50(5)	Power to refuse to amend application	CEO, MPCC	
s 50(6)	Duty to make note of amendment to application in register	CEO, MPCC, POs	
s 50A(1)	Power to make amendment to application	CEO, MPCC	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CEO, MPCC, POs	
s 50A(4)	Duty to note amendment to application in register	CEO, MPCC, POs, PDOs	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CEO, MPCC, POs, PDOs	
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	CEO, MPCC, POs	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CEO, MPCC, POs	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, MPCC, POs	
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	CEO, MPCC, POs	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CEO, MPCC, POs	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, MPCC, POs	
s 52(3)	Power to give any further notice of an application where appropriate	CEO, MPCC, POs	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, MPCC, POs	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO, MPCC, POs	
s 54(1)	Power to require the applicant to provide more information	CEO, MPCC, POs	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, MPCC, POs	
s 54(1B)	Duty to specify the lapse date for an application	CEO, MPCC, POs	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CEO, MPCC, POs	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CEO, MPCC, POs	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, MPCC, POs	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, MPCC, POs, PDOs	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	CEO, MPCC, POs, PDOs	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, MPCC, POs	
s 57A(5)	Power to refuse to amend application	CEO, MPCC	
s 57A(6)	Duty to note amendments to application in register	CEO, MPCC, POs	
s 57B(1)	Duty to determine whether and to whom notice should be given	CEO, MPCC, POs	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CEO, MPCC, POs	
s 57C(1)	Duty to give copy of amended application to referral authority	CEO, MPCC, POs	
s 58	Duty to consider every application for a permit	CEO, MPCC, POs	
s 58A	Power to request advice from the Planning Application Committee	N/A	
s 60	Duty to consider certain matters	CEO, MPCC, POs	
s 60(1A)	Duty to consider certain matters	CEO, MPCC, POs	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, MPCC, POs	
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	CEO, MPCC, POs	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, MPCC	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	N/A	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	N/A	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	N/A	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, MPCC, POs	
s 62(2)	Power to include other conditions	CEO, MPCC, POs	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, MPCC, POs	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO, MPCC, POs	
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	CEO, MPCC, POs	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, MPCC, POs	
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)	CEO, MPCC, POs	
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)	CEO, MPCC, POs	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, MPCC, POs	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	CEO, MPCC, POs	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	CEO, MPCC, POs	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CEO, MPCC, POs	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	CEO, MPCC, POs	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, MPCC, POs, PDOs	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, MPCC, POs	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	CEO, MPCC, POs	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CEO, MPCC, POs	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	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, MPCC, POs	
s 69(2)	Power to extend time	CEO, MPCC, POs	
s 70	Duty to make copy permit available for inspection in accordance with the public availability requirements	CEO, MPCC, POs, PDOs	
s 71(1)	Power to correct certain mistakes	CEO, MPCC, POs	
s 71(2)	Duty to note corrections in register	CEO, MPCC, POs, PDOs	
s 73	Power to decide to grant amendment subject to conditions	CEO, MPCC, POs	
s 74	Duty to issue amended permit to applicant if no objectors	CEO, MPCC, POs	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, MPCC, POs, PDOs	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, MPCC, POs, PDOs	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, MPCC, POs	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	CEO, MPCC, POs	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	CEO, MPCC, POs	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	CEO, MPCC, POs	
s 83	Function of being respondent to an appeal	CEO, MPCC, POs	
s 83B	Duty to give or publish notice of application for review	CEO, MPCC, POs	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, MPCC	
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	CEO, MPCC, POs	
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	CEO, MPCC, POs	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CEO, MPCC, POs, PDOs	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DCEO, MPCC, FSC, CSAM, POs	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CEO, MPCC, POs, PDOs	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, MPCC	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, MPCC, POs	
s 91(2)	Duty to comply with the directions of VCAT	CEO, MPCC, POs, PDOs	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, MPCC, POs, PDOs	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, MPCC, POs	
s 95(3)	Function of referring certain applications to the Minister	CEO, MPCC, POs	
s 95(4)	Duty to comply with an order or direction	CEO, MPCC, POs	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, MPCC, POs	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, MPCC	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, MPCC	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CEO, MPCC	
s 96F	Duty to consider the panel's report under s 96E	CEO, MPCC	
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)	CEO, MPCC, POs	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, MPCC	
s 96J	Power to issue permit as directed by the Minister	CEO, MPCC, POs	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, MPCC, POs	
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	CEO, MPCC	
s 97C	Power to request Minister to decide the application	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, MPCC	
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	CEO, MPCC, POs	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with the public availability requirements	CEO, MPCC, POs, PDOs	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, MPCC, POs, PDOs	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	N/A	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	N/A	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, MPCC, POs	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, MPCC, POs	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, MPCC, POs	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, MPCC, POs	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, MPCC, POs, PDOs	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CEO, MPCC	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, MPCC	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, MPCC	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.107(1)	function of receiving claim for compensation	CEO, MPCC	
s 107(3)	Power to agree to extend time for making claim	CEO, MPCC	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CEO, MPCC	
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, MPCC, POs	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, MPCC, POs	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, MPCC	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, MPCC	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, MPCC	Except Crown Land
s 129	Function of recovering penalties	CEO, MPCC	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, MPCC, POs	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, MPCC, POs	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO, MPCC, POs	
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)	CEO, MPCC	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CEO, MPCC	
s 171(2)(g)	Power to grant and reserve easements	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO, DCEO, MPCC, FSC, CSAM	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	CEO, DCEO, MPCC, FSC, CSAM	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)	CEO, DCEO, MPCC, FSC, CSAM	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	CEO, MPCC	
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	CEO, MPCC	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CEO, MPCC, POs	
	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	CEO, MPCC, POs	
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	CEO, MPCC	
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	CEO, MPCC	
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, MPCC, POs	
s 178A(3)	Function of notifying the owner as to whether it	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	agrees in principle to the proposal under s 178A(1)		
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, MPCC	
s 178A(5)	Power to propose to amend or end an agreement	CEO, MPCC, POs	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CEO, MPCC, POs	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, MPCC, POs	
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	CEO, MPCC, POs	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, MPCC, POs	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, MPCC, POs	
s.178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, MPCC	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, MPCC	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	CEO, MPCC	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	CEO, MPCC	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, MPCC	After considering objections, submissions and matters in s 178B

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, MPCC	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, MPCC	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CEO, MPCC	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, MPCC	
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	CEO, MPCC	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, MPCC	
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	CEO, MPCC	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, MPCC	
s 179(2)	Duty to make copy of each agreement available in accordance with the public availability requirements	CEO, MPCC, POs, PDOs	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CEO, MPCC	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, MPCC	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, MPCC	
s 182	Power to enforce an agreement	CEO, MPCC, POs	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, MPCC	
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	CEO, MPCC	
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	CEO, MPCC	
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	CEO, MPCC	
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, MPCC	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, MPCC	
s 198(1)	Function to receive application for planning certificate	CEO, MPCC, POs, PDOs	
s 199(1)	Duty to give planning certificate to applicant	CEO, MPCC, POs, PDOs	
s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, MPCC, POs	
s 201(3)	Duty to make declaration	CEO, MPCC	
	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	CEO, MPCC, POs	
	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	CEO, MPCC, POs	
	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	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, MPCC, POs	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, MPCC	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CEO, MPCC	

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	CEO, MPCC, EHOs	
s 522(1)	Power to give a compliance notice to a person	CEO, MPCC, EHOs	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, MPCC, EHOs	
s 525(4)	Duty to issue identity card to authorised officers	CEO, MPCC, EHOs	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEO, MPCC, EHOs	
s 526A(3)	Function of receiving report of inspection	CEO, MPCC, EHOs	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, MPCC, EHOs	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, CSAM	Obtain consent in circumstances specified in s 11(2)

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	CEO, CSAM	
s 11(9)(b)	Duty to advise Registrar	CEO, CSAM	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, CSAM	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, CSAM	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, CSAM	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, CSAM	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, DCEO	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	CEO, DCEO	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	CEO, CSAM	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	CEO, CSAM	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing	CEO, CSAM	Power of coordinating road

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	notice in Government Gazette		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	CEO, CSAM	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, CSAM	
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	CEO, CSAM	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, CSAM	
s 15(2)	Duty to include details of arrangement in public roads register	CEO, CSAM	
s 16(7)	Power to enter into an arrangement under s 15	CEO, CSAM	
s 16(8)	Duty to enter details of determination in public roads register	CEO, CSAM	
s 17(2)	Duty to register public road in public roads register	CEO, CSAM	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, CSAM	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	CEO, CSAM	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, CSAM	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	CEO, CSAM	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, CSAM	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 18(3)	Duty to record designation in public roads register	CEO, CSAM, TOAs	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	CEO, CSAM, TOAs	
s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, CSAM, TOAs	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, CSAM, TOAs	
s 21	Function of replying to request for information or advice	CEO, CSAM	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, CSAM	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CEO, CSAM	
s 22(5)	Duty to give effect to a direction under s 22	CEO, CSAM	
s 40(1)	Duty to inspect, maintain and repair a public road.	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CE2, CEO, DCEO, CE1, CSAM, CE3	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	
s 42(1)	Power to declare a public road as a controlled access road	CEO, CSAM	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	CEO, CSAM	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CEO, DCEO, CSAM	Where Council is the coordinating road authority If road is a municipal road or part

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, CSAM	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)	CEO, CSAM	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	CEO, CSAM	
s 49	Power to develop and publish a road management plan	CEO, CSAM	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, CSAM	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, CSAM	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, CSAM	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, CSAM	
s 54(6)	Power to amend road management plan	CEO, CSAM	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, CSAM	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, CSAM	
s 63(1)	Power to consent to conduct of works on road	CEO, CSAM, TOAs	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	CEO, DCEO, CE1, EMC, CSAM, TOAs	Where Council is the infrastructure manager

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	CEO, DCEO, CSAM	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, CSAM, TOAs	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	CEO, CSAM, TOAs	Where Council is the coordinating road authority
s 67(3)	Power to request information	CEO, CSAM, TOAs	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, CSAM, TOAs	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	NOT, CEO	
s 72	Duty to issue an identity card to each authorised officer	HRBP, CEO, RIPO, HRO	
s 85	Function of receiving report from authorised officer	CEO, DCEO, MPCC	
s 86	Duty to keep register re s 85 matters	CEO, CSAM	
s 87(1)	Function of receiving complaints	CEO, GAC, CSAM	
s 87(2)	Duty to investigate complaint and provide report	CEO, DCEO, CE1	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, DCEO, CSAM	
s 112(2)	Power to recover damages in court	CEO, CSAM	
s 116	Power to cause or carry out inspection	CEO, DCEO, CE1, CSAM, TOAs	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, CSAM	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head,	CE2, CEO, DCEO, CE1,	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Transport for Victoria)	CE3	
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)	CE2, CEO, DCEO, CE1, CE3	
s 121(1)	Power to enter into an agreement in respect of works	CEO, CSAM	
s 122(1)	Power to charge and recover fees	CEO, CSAM, TOAs	
s 123(1)	Power to charge for any service	CEO, CSAM	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, CSAM	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, CSAM	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, CSAM	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, CSAM	
sch 2 cl 5	Duty to publish notice of declaration	CEO, CSAM	
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	CEO, CSAM, TOAs	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	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	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	CE2, CEO, DCEO, CE1, CSAM, CE3,	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	condition or appear to need maintenance	TOAs	
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	CE2, CEO, DCEO, CE1, CE3	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	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	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)	CEO, CSAM, TOAs	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, CSAM, TOAs	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)	CEO, CSAM, TOAs	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CEO, CSAM, TOAs	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CEO, CSAM	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CEO, CSAM, TOAs	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CEO, CSAM, TOAs	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CEO, CSAM, TOAs	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	CEO, CSAM	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	NOT, CEO	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, CSAM, TOAs	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, CSAM	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	CEO, CSAM	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, CSAM, TOAs	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	CEO, CSAM	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	CEO, CSAM	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with cls 3(2) and 4	CEO, CSAM	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

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	N/A	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	N/A	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	N/A	
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	N/A	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	N/A	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	N/A	
r 30(2)	Power to release cremated human remains to certain persons	N/A	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	N/A	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	N/A	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	N/A	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	N/A	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	N/A	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	N/A	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	N/A	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	N/A	
r 36	Duty to provide statement that alternative vendors or supplier of	N/A	

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	monuments exist		
r 40	Power to approve a person to play sport within a public cemetery	N/A	
r 41(1)	Power to approve fishing and bathing within a public cemetery	N/A	
r 42(1)	Power to approve hunting within a public cemetery	N/A	
r 43	Power to approve camping within a public cemetery	N/A	
r 45(1)	Power to approve the removal of plants within a public cemetery	N/A	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	N/A	
r 47(3)	Power to approve the use of fire in a public cemetery	N/A	
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	N/A	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	N/A	
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	N/A	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	N/A	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	N/A	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	N/A	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	N/A	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	N/A	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	N/A	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	N/A	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	N/A	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	N/A	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	N/A	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	N/A	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	N/A	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO, MPCC, POs	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CEO, MPCC, POs	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CEO, MPCC, POs	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CEO, MPCC, POs	where Council is not the responsible authority but the relevant land is within Council's municipal district

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	CEO, MPCC, POs	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	CEO, MPCC	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, MPCC	
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	CEO, MPCC	

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	CEO, MPCC, EHOs	
r 10	Function of receiving application for registration	CEO, MPCC, EHOs	
r 11	Function of receiving application for renewal of registration	CEO, MPCC, EHOs	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, MPCC, EHOs	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, MPCC, EHOs	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, MPCC, EHOs	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, MPCC, EHOs	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO, MPCC, EHOs	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, MPCC, EHOs	
r 14(1)	Function of receiving notice of transfer of ownership	CEO, MPCC, EHOs	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, MPCC, EHOs	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, MPCC, EHOs	
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, MPCC, EHOs	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, MPCC, EHOs	
r 17	Duty to keep register of caravan parks	CEO, MPCC, EHOs	
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEO, MPCC, EHOs	
r 18(6)	Power to determine where certain information is displayed	CEO, MPCC, EHOs	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEO, MPCC, EHOs	
r 22(2)	Duty to consult with relevant emergency services agencies	CEO, MPCC, EHOs	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, MPCC, EHOs	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, MPCC, EHOs	
r 25(3)	Duty to consult with relevant floodplain management authority	CEO, MPCC, EHOs	
r 26	Duty to have regard to any report of the relevant fire authority	CEO, MPCC, EHOs	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO, MPCC, EHOs	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, MPCC, EHOs	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, MPCC, EHOs	
r 41(4)	Function of receiving installation certificate	CEO, MPCC, EHOs	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO, MPCC, EHOs	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CEO, MPCC, EHOs	

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	CEO, CSAM	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, DCEO, CSAM	
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)	CEO, CSAM	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	CEO, DCEO, CSAM	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, CSAM	where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CEO, CSAM	
r 16(3)	Power to issue permit	CEO, CSAM, TOAs	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CEO, CSAM, TOAs	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	NOT, CEO	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CEO, CSAM	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	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))	CEO, DCEO, CSAM, CSOs	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, DCEO, CSOs	

Road Management (Works and Infrastructure) Regulations 2015

Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CEO, CSAM, TOAs	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CEO, CSAM, TOAs	Where Council is the coordinating road authority

3.3 APPLICATION FOR PLANNING PERMIT 3048

RESPONSIBLE OFFICER: MANAGER PLANNING, COMMUNITY AND COMPLIANCE
DEPARTMENT: PLANNING, COMMUNITY AND COMPLIANCE
REFERENCE: PPA 3048

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

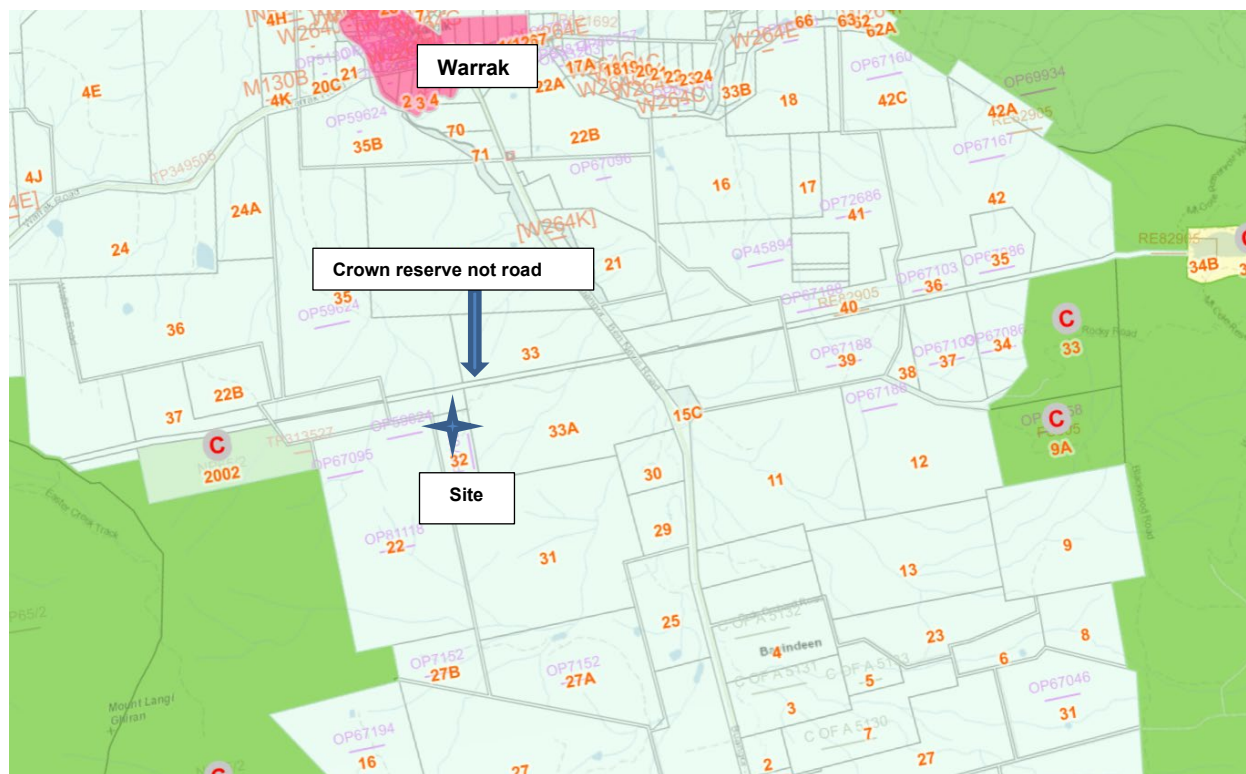
EXECUTIVE SUMMARY

Consideration of a request to convert crown reserve to road reserve to provide practical access to land described as Crown Allotment 32A Section 1, Parish of Warrak.

DISCUSSION

Council approved a dwelling on this lot in 2021. In assessing this development proposal, it was found that the access marked as "Government Road" on the title plan was a Crown land reserved for the Ararat Town Water Pipeline.

This Reserve is 40m wide and has provided practical access to Crown Allotment 32A for many years, linking the land to Buangor- Ben Nevis Road.



Furthermore in 2010, Council approved a planning application PA2117 to remove native application and create an easement over part of adjoining Crown Allotment 33A to link the crown reserve to the land. Following this application works were done to improve the surface of the "roadway". The Plan of this easement is provided below.

Discussions have been held with DELWP, GWM Water and the owners of Crown Allotment CA 32 regarding the use of the reserve. GWM Water has indicated that it is prepared to allow the reserve purpose to be changed to a road. DELWP is able to do this with a resolution of Council supporting the transfer.

The owner of CA 32 would then have maintenance responsibility for the proposed road reserve under Council's *Road Management Plan* unless further development occurred that utilised the roadway.

It is not proposed to name the road reserve or use it for the rural addressing.

The neighbouring landholder objected to the proposed use of this reserve for access in their objection to the proposed dwelling on the land. This matter is now before VCAT. Regardless of whether the dwelling is approved or not, the farmland has no practical access without the conversion of the crown reserve to a road reserve.

Other pathways exist as road reserves on the plan for this area, but these have a number of challenges in being used for access including:

- Terrain being impassable or impractical to use;
- Creation of new roadways leading to native vegetation loss;
- Potential native title and cultural heritage impacts; and
- Road leases and licences to be cancelled to facilitate access.

These costs and efforts are not considered warranted given that the current reserve is trafficable, simple, been in use for more than 10 years and relevant parties are agreeable to the change in designation.

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

2 *Building Robust Local Economies*

We will develop strong relationships to build and strengthen a diverse local economy, focussed on creating jobs and wealth through adding value to existing strengths in agriculture, manufacturing, tourism and hospitality

4 *Developing and Maintaining Key Enabling Infrastructure*

We will ensure that we plan, fund and develop new infrastructure in ways that delivers strong public value. Existing infrastructure will be managed, renewed, and maintained to ensure that it continues to serve identified public needs.

4.2 *Work directly with asset users to manage and develop new and existing assets.*

Financial

If Council agrees to the request, it is considered reasonable that any costs incurred from the State Government to change the designation be passed to the owner of CA 32 given that it is the primary beneficiary for the new roadway.

Costs may include advertising, survey and construction of the laneway to a dust-free standard if the proposal is approved by the State Government. The owner is agreeable to this arrangement.

Policy

Within the Planning Scheme, the proposed land used for grazing purposes consistent with the Farming Zone.

Risk Assessment

Provisions of safe and practical access is essential to the management of the site and the control of pest plants and animals.

Stakeholder Consultation and Communication

It is expected that the process required by the State Government will require community engagement to canvas any views, either for or against the proposal. This will give the objecting neighbour a pathway for a review of their concerns.

CONCLUSION

Actions taken by Council and the owner of CA 32 to date were underpinned by the understanding that this reserve was a road. When it came to light this was not the case the relevant reserve custodian (GWM Water) and the crown land manager, being DELWP were engaged to find a resolution. In the absence of any practical alternative the proposed conversion of the crown land reservation provides the most suitable solution to the provision of access.

RECOMMENDATION

That Council seek approval from the State Government to convert the crown land reserve off Buangor-Ben Nevis Road from water pipeline to roadway and amend the reserve manager accordingly to be Council.

MOVED CR BEALES SECONDED CR BURRIDGE

That Council seek approval from the State Government to convert the crown land reserve off Buangor-Ben Nevis Road from water pipeline to roadway and amend the reserve manager accordingly to be Council.

CARRIED 4572/22

ATTACHMENTS

There are no attachments in relation to this item.

SECTION 4 – INFORMATION REPORTS

4.1 BUILDING APPROVALS

RESPONSIBLE OFFICER: MANAGER PLANNING, COMMUNITY & COMPLIANCE
DEPARTMENT: PLANNING, COMMUNITY & COMPLIANCE
REFERENCE: 3243

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

DISCUSSION

This report outlines the monthly building permit approvals issued by Ararat Rural City Council and by private building surveyors for building works within Ararat Rural City for January 2022.

Approvals by Ararat Rural City Municipal Building Surveyor January 2022

Permit No.	Application Date	Approval Date	Building Address	Description of Building Works or Use of Building
Nil				

TOTAL VALUE \$0

Approvals by private surveyors – January 2022

Permit No.	Date Approved	Notification Received by Council	Building Address	Description of Building Works or Use of Building	Surveyor
3675266539271	10/01/2022	21/12/2021	80 Dodd Drive, Ararat	Construction of Verandah (1a(a))	PROVIC Building Approvals
1383849436663	10/01/2022	17/11/2021	3473 Ararat-Halls Gap Road, Ararat	Construction of Shed (10a)	PROVIC Building Approvals
3087999003540	19/01/2022	19/01/2022	9-29 Girdlestone Street, Ararat	Alteration – Medical Imaging Department	BSA Building Surveyors
9564177710307	20/01/2022	07/10/2021	52-54 Warranooke Street, Willaura	Storage Shed	Wyndham Building Permits
4326580181912	21/01/2021	22/11/2021	Scrub Road, Norval	Construction of a farm shed	DLT Building Surveying
2962101494912	21/01/2021	08/09/2021	44 Maude Street, Ararat	2 x dwellings and attached garage	Coast to Country Building Approvals
7368668174325	25/01/2022	07/12/2021	CA 1F2, Hickmans Creek Road, Glenlogie	Yard cover	Coast to Country Building Approvals
5446930633849	24/01/2022	10/11/2021	1939 Astons Road, Narrapumelap	Dwelling& attached garage	Coast to Country Building Approvals
9520013271316	02/02/2022	25/11/2021	CA7D, SEC 19 Queen Street South, Ararat	Garage/Storage Shed	Coast to Country Building Approvals

TOTAL VALUE \$2,490,180

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

The report supports the strategic objective of the Council Plan 2021-2025:

2 **Building Robust Local Economies -**

We will develop strong relationships to build and strengthen a diverse local economy, focused on creating jobs and wealth through adding value to existing strengths in agriculture, manufacturing, tourism and hospitality.

RECOMMENDATION

That the Building Approvals Report be received.

**MOVED CR ALLGOOD
SECONDED CR WATERSTON**

That the Building Approvals Report be received.

CARRIED 4573/22

ATTACHMENTS

There are no attachments relating to this item.

4.2 PLANNING MATTERS APPROVED UNDER DELEGATION
PLANNING PERMITS AND CERTIFICATION OF SUBDIVISION PLANS

RESPONSIBLE OFFICER: MANAGER PLANNING, COMMUNITY & COMPLIANCE
DEPARTMENT: PLANNING, COMMUNITY & COMPLIANCE
REFERENCE: 3243

OFFICER DIRECT OR INDIRECT CONFLICT OF INTEREST:

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

DISCUSSION

Planning permits, certification of subdivision plans and Statement of Compliances are approved under delegated authority by relevant Council officers each month, where possible. This report outlines the various approvals for Council's information.

Planning permit approvals under delegated authority – January 2022

Application No.	Date Lodged	Date of Delegated Approval / Refusal	Applicant	Location	Proposed Use of Development
1678	06/01/2022	07/01/2022	Lisa Machacek, for Paul Thompson	Evans Park, Western Highway, Ararat	Extension of Time Granted for Subdivision of land into 76 lots (in stages), Removal of Native Vegetation and associated works in accordance with endorsed plans
2932	14/12/2021	07/01/2022	Graeme McKay Earthmoving	Wild Street, Ararat	Secondary Consent issued for Construction of a Storage Shed
3042	02/08/2021	12/01/2022	Inception Planning	137-139 Grano Street, Ararat	Notice of Decision Issued for Construction of forty-six (46) dwellings on a lot, staged multi lot subdivision and an associated reduction in car parking requirements
3077		31/01/2022	A Crick, Action Steel	Queen Street South, Ararat	Use and development for Industry being vehicle storage and servicing

Application No.	Date Lodged	Date of Delegated Approval / Refusal	Applicant	Location	Proposed Use of Development
3086	02/12/2021	05/01/2022	Darren Haygarth	52-54 Warranooke Street, Willaura	Use and Development for a Shed
3088	08/12/2021	31/01/2022	Henry Burrige	Queen Street South, Ararat	Use and development of a shed
3094	22/12/2021	13/01/2022	Spire Australia Pty Ltd	2 Basham Street, Ararat	Building and works to the Ambulance site
3100	12/01/2022	18/01/2022	Geoff Todd	65 Queen Street, Ararat	Buildings and works for the construction of a shed

VCAT				
Application No.	Applicant	Location	Proposed Use or Development	Status
3048	A Lacey for Peatt	Government Road, Warrak	Use and development of a dwelling	Hearing 30 August 2022

Certification of subdivision plans under delegated authority –January 2022

Application No.	Date Lodged	Date of Decision	Applicant	Location	Procedure
S3050	11/08/2021	10/01/2022	Ararat Survey P/L on behalf of A & J Eastick	Ararat-Halls Gap Road, Moyston	Certification & Statement of Compliance Issued in relation to Plan of Subdivision PS900750M
S1207	22/06/2020	07/01/2022	Ararat Survey on behalf of Douglas	10 View Point Street, Ararat	Certification Issued in relation to Plan of Subdivision PS840159A

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

The report supports the strategic objective of the Council Plan 2021-2025:

2 Building Robust Local Economies -

We will develop strong relationships to build and strengthen a diverse local economy, focused on creating jobs and wealth through adding value to existing strengths in agriculture, manufacturing, tourism and hospitality.

RECOMMENDATION

That the report on Planning Matters Approved under Delegation – Planning Permits and Certification of Subdivision Plans and Statement of Compliances be received.

**MOVED CR BEALES
SECONDED CR ALLGOOD**

That the report on Planning Matters Approved under Delegation – Planning Permits and Certification of Subdivision Plans and Statement of Compliances be received.

CARRIED 45754/22

ATTACHMENTS

There are no attachments in relation to this item.

SECTION 5 – INFORMAL MEETINGS

5.1 INFORMAL MEETINGS

AUTHOR'S TITLE: CHIEF EXECUTIVE OFFICER
DEPARTMENT CEO'S OFFICE
REFERENCE: 13039074

OFFICER'S DECLARATION OF INTEREST

Officers providing advice to Council must disclose any conflict of interest.

No person involved in the preparation of this report has a conflict of interest requiring disclosure.

EXECUTIVE SUMMARY

The Governance Rules state that if there is a meeting of Councillors that:

- 1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing Councillors;
- 2 is attended by at least one member of Council staff; and
- 3 is not a *Council meeting*, *Delegated Committee* meeting or *Community Asset Committee* meeting, the *Chief Executive Officer* must ensure that a summary of the matters discussed at the meeting are:
 - a) tabled at the next convenient *Council meeting*; and
 - b) recorded in the minutes of that *Council meeting*.

DISCUSSION

As a requirement of the Governance Rules, a summary of matters discussed at the Council Briefings held since the last Council Meeting are presented to Council and will be recorded in the minutes.

INFORMAL MEETINGS
Council Briefing held on 01 February 2022
Council Briefing held on 08 February 2022
Council Briefing held on 15 February 2022
Unscheduled Council Meeting held on 15 February 2022

Issues discussed at the briefing:

- HACC update
- 2022 Election year
- Murray Basin Railway Project briefing- Alison Saunders
- Update on 1 Blackie Avenue development
- Rural heritage overlay update
- Circular economy implementation
- Economic Development update
- Heart Health project- FedUni and East Grampians Health Service
- Depot update
- Delegations
- Governance refresher
- Capital Works update
- Childcare survey
- 2022/2023 Budget preliminaries

KEY CONSIDERATIONS

Alignment to Council Plan Strategic Objectives

The report supports the strategic objective of the Council Plan 2021-2025:

- 6.3** Continuously improve Council's community engagement process and practices in line with deliberative engagement practices, while acknowledging the need for a range of different techniques to ensure effective engagement.

Financial

There are no financial impacts for the receiving of Informal Meetings of Councillors.

Policy/Relevant Law

Reporting of Informal Meetings is in line with the requirements of the Governance Rules.

Risk Assessment

Following the requirements of the Governance Rules will ensure that Council meets its legislative requirements.

Stakeholder Collaboration and Community Engagement

A summary of matters discussed at the Council Briefings are presented for community information.

RECOMMENDATION

That the Informal Meetings of Councillors Report be received.

**MOVED CR WATERSTON
SECONDED CR SANDERS**

That the Informal Meetings of Councillors Report be received.

CARRIED 4575/22

ATTACHMENTS

The Summary of Council Briefings are provided as Attachment 5.1.

Councillor Briefing

Date: Tuesday 01 February, 2022
Commencement: 5.00 pm
Location: Alexandra Oval Community Centre

Present

Councillors: Cr Jo Armstrong
Cr Gwenda Allgood
Cr Rob Armstrong
Cr Peter Beales
Cr Henry Burridge
Cr Bob Sanders
Cr Bill Waterston

Officers: CEO, Dr Tim Harrison

Attendees:

Apologies:

Disclosure of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
(*Local Government Act 2020 - Section 131 and Chapter 5, Section 6 of the Governance Rules*).

Matters Considered:

1	Mayor's roundup
2	HACC Update
3	2022 Election year
4	Planning update

Assembly Closed: PM
DR TIM HARRISON

Councillor Briefing

Date: Tuesday 08 February 2022
Commencement: 5.00 pm
Location: Alexandra Oval Community Centre

Councillors: Cr Jo Armstrong
Cr Rob Armstrong
Cr Gwenda Allgood
Cr Peter Beales
Cr Henry Burridge
Cr Bob Sanders
Cr Bill Waterston

Officers: CEO, Dr Tim Harrison

Apologies:

Disclosure of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
(*Local Government Act 2020 - Section 131 and Chapter 5, Section 6 of the Governance Rules*).

Absence from Room			
Item No.	Councillor	Before Discussion	During Discussion
		Yes / No	Yes / No

Matters Considered:

1	Mayor's roundup
2	Murray Basin Railway Project briefing – Alison Saunders
3	Update on 1 Blackie Avenue development
4	Rural heritage overlay update
5	Purchase of rubbish trucks
6	Economic Development update
7	Heart health project – FedUni and East Grampians Health Service
8	Very quick depot update
9	Delegations

Dr Tim Harrison

Councillor Briefing



Date: Tuesday 15 February 2022
Commencement: 5.00 pm
Location: Alexandra Oval Community Centre

Councillors: Cr Jo Armstrong
Cr Rob Armstrong
Cr Gwenda Allgood
Cr Peter Beales
Cr Henry Burridge
Cr Bob Sanders
Cr Bill Waterston

Officers: CEO, Dr Tim Harrison

Apologies:

Disclosure of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
(*Local Government Act 2020 - Section 131 and Chapter 5, Section 6 of the Governance Rules*).

Absence from Room			
Item No.	Councillor	Before Discussion	During Discussion
		Yes / No	Yes / No

Matters Considered:

1	Mayor's roundup
2	Governance Refresher
3	Capital Works update
4	Childcare survey
5	2022/2023 budget preliminaries
6	Delegations

Dr Tim Harrison

SECTION 6 – NOTICES OF MOTION

A notice of motion must be in writing signed by a Councillor and be lodged with or sent to the *Chief Executive Officer* no later than 12.00pm (noon) and at least six (6) days prior to the Council Meeting to allow sufficient time for the *Chief Executive Officer* to include the *notice of motion* in agenda papers for a *Council meeting*.

There were no Notices of Motion received.

SECTION 7– URGENT BUSINESS

Items cannot be admitted as urgent business other than by resolution of *Council* and only then if it:

- 1 relates to or arises out of a matter which has arisen since distribution of the *agenda*; and
- 2 cannot safely or conveniently be deferred until the next *Council meeting*.

There were no Urgent Business Items received.

SECTION 8 – CLOSE SESSION (CONFIDENTIAL)

In accordance with section 66(2)(a), 3(1) *Confidential Information* (a) of the Local Government Act 2020, the following agenda items are listed for consideration in the confidential section:

- Item 8.1- Purchase of two secondhand Waste Compactor Trucks
- Item 8.2- Commonwealth home support program

6:18 PM CLOSURE OF COUNCIL MEETING TO THE PUBLIC

The Open Council Meeting will now be closed, but members of the public are welcome to rejoin the Council Meeting following the recommencement of the meeting.

RECOMMENDATION

That the meeting be closed to members of the public pursuant to section 66(2)(a) of the Local Government Act 2020 to consider confidential reports.

MOVED CR SANDERS SECONDED CR BURRIDGE

That the meeting be closed to members of the public pursuant to section 66(2)(a) of the Local Government Act 2020 to consider confidential reports.

CARRIED 4576/22

6:34 PM OPEN COUNCIL MEETING RECOMMENCEMENT

RECOMMENDATION

That the Open Council Meeting recommence.

MOVED CR BEALES SECONDED CR SANDERS

That the Open Council Meeting recommence.

CARRIED 4579/22

Gallery invited to return to Council Chamber.

LIFTING OF CONFIDENTIALITY OF CLOSED SESSION RESOLUTIONS

RECOMMENDATION

That the Confidentiality of the:

- *Decision in relation to Confidential Agenda Item 8.1 be lifted;*
- *Report of Confidential Agenda Item 8.1 not be lifted.*
- *The confidentiality of the report and decision in relation to 8.2 not be lifted on adoption of the motion*

MOVED CR BURRIDGE SECONDED CR BEALES

That the Confidentiality of the:

- Decision in relation to Confidential Agenda Item 8.1 be lifted;
- Report of Confidential Agenda Item 8.1 not be lifted.
- The confidentiality of the report and decision in relation to 8.2 not be lifted on adoption of the motion

CARRIED 4580/22

8.1 PURCHASE OF TWO (2) SECONDHAND WASTE COMPACTOR TRUCKS

MOVED CR SANDERS SECONDED CR WATERSTON

That:

- 1 Council approves the purchase of two (2) second-hand waste compactor trucks from Major Motors Pty Ltd for the delivered price of \$265,428 excluding GST; and
- 2 The confidentiality of the decision be lifted.

CARRIED 4578/22

Meeting closed at 6:35 PM.

I HEREBY CERTIFY THAT PAGES 4248 TO 4342 INCLUDING PAGES 264 TO 295 OF THE CLOSED SESSION ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

MAYOR – CR JO ARMSTRONG