



Ararat Rural City

# MINUTES

## COUNCIL MEETING

**Tuesday 30 August 2022**

To be held in the Council Chambers, Shire Offices  
(Livestreamed)

Commenced at 6.04pm

Council:

Cr Jo Armstrong (Mayor)

Cr Gwenda Allgood

Cr Rob Armstrong

Cr Peter Beales

Cr Henry Burridge

Cr Bob Sanders

Cr Bill Waterston

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](http://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 Rob Armstrong, Cr Peter Beales, Cr Henry Burridge, Cr Bob Sanders, Cr Bill Waterston,  
Mr Tim Harrison, Chief Executive Officer and 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 WATERSTON*

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 R ARMSTRONG*

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 Council Meetings held on 26 July 2022 be confirmed.*

**MOVED CR SANDERS**

**SECONDED CR WATERSTON**

**That the Minutes of the Council Meetings held on 26 July 2022 be confirmed.**

**CARRIED 4687/22**

## 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.

There were no Conflict of Interests received.

## 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.

There were no Petitions or Joint Letters received.

## SECTION 3 – REPORTS REQUIRING COUNCIL DECISION

### 3.1 2022/2023 CAPITAL WORKS FIRST STAGE ROLLOUT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6198

#### 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

Council adopted its 2022/2023 Capital Works Program as a key element of the 2022/2023 Budget. The program is significantly different to previous years in that it is not predominantly made up of larger road and bridge renewal. The 2022/2023 Program is composed of a series of smaller projects, including a focus on renewal and upgrade of community infrastructure.

In order to ensure transparent reporting around the development and implementation of this year's capital works program a process for quarterly reporting, commencing in October 2022, and adoption of works programs in each works area is proposed.

#### DISCUSSION

Council's 2022/2023 Capital Works Program is substantially different to the last few years. The program does not have a number of major road or bridge projects. Council believes that during the period of pricing instability being experienced currently, that it was better to undertake a "small target" capital works program in 2022/2023. The emphasis this year will continue to be on renewal and updating Council assets, undertaking a larger number of smaller projects of lower value in order to avoid the impacts of price volatility in the market. It is hoped that this approach will also provide opportunities to support local employment and engagement of local contractors. The capital works program will also have an emphasis on improvements to urban drainage and support the renewal of community assets.

The 2022/2023 Capital Works Program will consist of the following elements:

Capital Works Program Element	Budget
Helendoite Road bridge replacement	\$ 800,000
Community infrastructure	\$1,500,000
Gravel road resheeting and widening	\$2,100,000
Road reseal program	\$2,100,000
Major patching	\$ 400,000
Urban drainage	\$ 700,000
Footpaths and cycleways	\$ 300,000
Plant and equipment	\$ 810,000
<b>Total</b>	<b>\$8,710,000</b>

Given that the program is made up of a range of smaller projects in 2022/2023, it is important that roll out of the program is reported to Council and community in a clear and transparent way. Detailed programs of works are being developed and will form the basis of progress reporting on a quarterly basis. The programs will be endorsed by Council under a rolling program over the next three months. The preliminary elements of the community infrastructure, urban drainage and gravel road resheeting and widening programs are as follows:

The first tranche of the community infrastructure program is outlined below:

Community Infrastructure Element	Budget
Replacement of existing community BBQs with DDA compliant units	\$ 90,000
Living local regional grant – community playgrounds, Alexandra Gardens and Lake Bolac. Alexandra gardens will be all abilities playgrounds including a liberty swing (co-funded through the Ararat Lions Club). Grant funding sought is \$180,000	\$466,000
Other Playground works, including new playground at Warrak Hall	\$120,000
Senior Citizens hall kitchen renewal	\$ 60,000
Installation of digital scoreboard at Gordon St Recreation Reserve	\$ 65,000
Landscaping on eastern side of Alexandra Oval and renovation of old toilet block	\$175,000
<b>TOTAL</b>	<b>\$976,000</b>
Council Contribution if successful in the Living Local Regional Grant	\$786,000
Council Contribution if <u>not</u> successful in the Living Local Regional Grant	\$966,000
Ararat Lions Club contribution	\$ 10,000

The urban drainage program elements and cost estimates are as follows:

Urban Drainage Program element	Budget
Golf Links Road drainage study*	\$ 50,000
Golf Links Road drainage works*	\$200,000
Downstream drainage improvement works	\$350,000
Works on Council assets to assist in alleviating ongoing inundation of local properties	\$100,000
<b>TOTAL</b>	<b>\$700,000</b>

\*this program was endorsed by Council at the June 2022 meeting.

The preliminary program for the unsealed roads resheeting and widening program are as follows:

Urban Drainage Program element	Budget
Development of three “demonstration” unsealed roads that have been resheeted with suitable materials, widened, gravel reclaimed, vegetation works, and drainage improved. The first of these will be Langi Logan Rd between Tatyoon and Cornhill Rds.	\$300,000
Resheeting works in the “Elmhurst Blitz” project	\$200,000
<b>TOTAL</b>	<b>\$500,000</b>

The remainder of the roads to be resheeted and widened will be identified through engagement with the Rural Roads Group and reference to current asset condition.



## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

The key financial drivers align strongly with the thrust of the Council Plan 2021-2025, particularly the following:

- 4.1 Ensure that asset development and renewal during the planning period matches that identified in Council's Asset Plan 2021-2031.
- 4.2 Work directly with asset users to manage and develop new and existing assets.
- 4.3 Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety and align with Council's financial sustainability.
- 6.1 Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation, and rating fairness.

### *Budget Implications*

The 2022/2023 Capital Works Program represents a significant element of Council's 2022/2023 Budget. In the current volatile civil construction market, it is essential that Council manages capital works expenditure carefully to ensure budget outcomes are met.

### *Policy/Relevant Law*

The 2022/2023 Capital Works Program complies with the program funded in the 2022/2023 Budget.

### *Sustainability Implications*

There are no environmental sustainability implications.

### *Risk Assessment*

The 2022/2023 Capital Works Program was developed as a mitigation of the financial risks associated with market volatility currently being experienced in the civil and building construction sectors.

### *Innovation and Continuous Improvement*

Development of the 2022/2023 Capital Works Program represented an agile response to market conditions. A capacity to rework strategy based on a changing environment is a critical element in developing an innovative organisation.

### *Stakeholder Collaboration and Community Engagement*

The 2022/2023 Capital Works Program was developed as an element of the 2022/2023 Budget. There was extensive community engagement undertaken prior to adoption.

## RECOMMENDATION

*That Council:*

1. *Endorses the first tranche of the Community Infrastructure Program, the Urban Drainage Program and the preliminary elements of the Unsealed Roads Resheeting and Widening Program for 2022/2023.*

## MOVED CR R ARMSTRONG SECONDED CR SANDERS

*That Council:*

- 1 Endorses the first tranche of the Community Infrastructure Program, the Urban Drainage Program and the preliminary elements of the Unsealed Roads Resheeting and Widening Program for 2022/2023.

CARRIED 4688/22

**ATTACHMENTS**

The full roads reseal program for 2022/2023 is provided as Attachment 3.1.

Works to be Undertaken	Road Name	Location	Road Length (m)	Road Width (m)	Road Area (m2)	Reseal Est. Cost	Comments
Reseal	Eurabeen-Streatham Road	Start Segment <-> Glenelg Highway	6940	8.5	58990	\$345,091.50	
Reseal	Moyston-Willaura Road	Banfields Road <-> Willis Hill Road	1673	9.5	15894	\$92,976.98	
Reseal	Moyston-Willaura Road	Willis Hill Road <-> Kirks Hill Road	1665	9.5	15818	\$92,532.38	
Reseal	Moyston-Willaura Road	Kirks Hill Road <-> Burrumbeep Road	1627	8	13016	\$76,143.60	
Reseal	Moyston-Willaura RD (Brook St)	Moyston Creek Road <-> Moyston-Rocky Point Road	228	10.5	2394	\$14,004.90	
Reseal	Moyston-Willaura Road	Lennox Springs Road <-> Bolton Road	966	9.5	9177	\$53,685.45	
Reseal	Moyston-Willaura Road	Moyston-Rocky Point Road <-> Lennox Springs Road	879	9.5	8351	\$48,850.43	
Reseal	Mount William Road	Travellers Rest Road <-> Tatyoon North Road	750	10.2	7650	\$44,752.50	Bend in road only (Previously Marked)
Reseal	Laby Street	Barkly Street <-> High Street	99	8	792	\$4,633.20	
Reseal	Minnera East Road	Rosbridge-Streatham Road <-> Tatyoon Road	510	6	3060	\$17,901.00	
Reseal	Tatyoon Road	Mount William Road <-> Grange Road	2480	10.5	26040	\$152,334.00	
Reseal	Station Street (Willaura)	Willaura-Wickliffe Road <-> Ayrey Street	130	10.2	1326	\$7,757.10	
Reseal	Astons Road	Back Bushy Creek Road <-> Howard Lane	2580	3.8	9804	\$57,353.40	
Reseal	Glenelg Hwy Lake Bolac North Service Roa	Service Road Start <-> Service Road End	240	8.5	2040	\$11,994.00	
Reseal	Glenelg Hwy Lake Bolac South Service Roa	Service Road Start <-> Service Road End	310	8.5	2635	\$15,414.75	West side of Road - Kerb & Channel to be constructed
Reseal	Tatyoon Road	Minnera East Road <-> Rosbridge-Streatham Road	1140	10.5	11970	\$70,024.50	
Reseal	Tatyoon Road	Menieria Road <-> Minnera East Road	1620	10.5	17010	\$99,508.50	
Reseal	Tatyoon Road	Kulkurt Road <-> Delacombe Way	1640	10.5	17220	\$100,737.00	
Reseal	Tatyoon Road	Bibby Road <-> Kulkurt Road	1810	10.6	19186	\$112,238.10	
Reseal	Tatyoon Road	Porters Bridge Road <-> Bibby Road	1970	8.5	16745	\$97,958.25	
Reseal	Tatyoon Road	Porters Bridge Road <-> Porters Bridge Road	90	10.5	945	\$5,528.25	
Reseal	Hucker Street	Kneebone Street <-> Banfield Street	155.44	7.7	1197	\$7,001.79	
Reseal	Hucker Street	Mc Donald Street <-> Kneebone Street	223	7.5	1673	\$9,784.13	
Reseal	Hucker Street	Start segment <-> Mc Donald Street	173	9	1557	\$9,108.45	
Reseal	Maude Street	Mc Gibbonny Court <-> Rundell Street	124	15	1860	\$10,881.00	
Reseal	North Right Of Way (East)	Queen Street <-> King Street	233.04	5.7	1328	\$7,770.72	
				<b>TOTAL</b>	<b>267676</b>	<b>\$1,565,905.86</b>	

Works to be Undertaken	Road Name	Location	Shoulder length (lin m)	Shoulder Widen & Seal Cost	Comments
Shoulder Widen & Seal	Moyston Dunkeld Road	Morass to end of Seal at James Road	6000	\$90,000.00	
Shoulder Widen & Seal	Basham Street	Girdleston to Lowe	2600	\$39,000.00	
Shoulder Widen & Seal	Tatyoon Road	S Bend - Mt. William	400	\$6,000.00	
Shoulder Widen & Seal	Rhymney Road	End of Wide Seal to Moyston Great Western Road	13000	\$195,000.00	
			<b>TOTAL</b>	<b>\$330,000.00</b>	

OTHER		Comments
Line Marking		\$100,000.00
Preparation Works		\$100,000.00
	<b>TOTAL</b>	<b>\$200,000.00</b>

RESEAL PROGRAM TOTAL \$2,095,905.86

### 3.2 FAÇADE IMPROVEMENTS GRANTS SCHEME VARIATION

RESPONSIBLE OFFICER: ECONOMIC DEVELOPMENT COORDINATOR  
DEPARTMENT: ECONOMIC DEVELOPMENT  
REFERENCE: 6199

#### 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.

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#### EXECUTIVE SUMMARY

Successfully delivered over 3 consecutive financial years the Façade Improvements Grants Scheme has provided businesses within the municipality with access to a grant scheme, to improve the façade of their business premises. Variations to the scheme would see the focus shift to supporting new, expanding, or relocating businesses, providing access to a grant of up to \$10,000 at a \$2:\$1 ratio. The total pool of Council funds will be \$78,000 funding from the 2022/23 Council budget.

#### DISCUSSION

First impressions are important and since launching the Façade Improvements Grants Scheme in 2019, Council has supported 47 completed projects with businesses accessing over \$120,000 worth of grant assistance. That is over \$240,000 worth of improvements to our streetscapes with the dollar-for-dollar funding ratio. There are currently existing grants from previous rounds that are still in progress, which will continue to improve our streetscapes.

Recent statistics collected from the Central Business District (CBD) occupancy data indicates a slight increase from 2019 (7.4%) to May 2022 (4.5%). This signifies our CBD is now in a healthy business space which is an amazing accomplishment during battling financial times for many businesses.

Now more vibrant than ever, the streetscape is an attractive destination with many opportunities to continue to attract new and expanding businesses. Local business confidence is increasing and by incentivising investment and creating a nurturing environment for business success, occupancy rates will continue to fall.

SED's 2021 report 'Impacts of COVID-19 on region and regional businesses' recorded that the top 3 issues facing new businesses in our region are; business development, revenue, and cash flow. Focusing Council's support to new and or expanding businesses will enhance the prosperity and sustainability of local business success.

The proposed changes to the Façade Improvements Grants Scheme provide a grant of up to \$10,000 from Council at a \$2:\$1 ratio. For example, a \$15,000 project would be a \$10,000 contribution from Council and \$5,000 from the business. This will continue to improve the retail streetscapes and will encourage and build confidence, encourage tourism, and increase retail spend.

Enhancements to the scheme also see the introduction of extra options such as permanent outdoor heating and cooling, café blinds and awnings, planter boxes and umbrella sleeves that will noticeably improve hospitality and outdoor dining options.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### **1 Growing Our Place**

We will create the settings to support growth across our municipality through an improved planning scheme, actively pursuing new housing options and exploring models for in-migration

- 1.3 Work with other levels of government, business, and not-for-profit to develop programs to increase in-migration to Ararat Rural City to grow our population

#### **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

- 2.3 Engage with Grampians Tourism and local businesses to drive growth in high-yield tourist outcomes

### *Budget Implications*

A total pool of \$78,000 will be provided with grants of up to \$10,000 from Council at a \$2:\$1 ratio. For example, a \$3,000 project would be a Council contribution of \$2,000 and the business \$1,000.

The total pool of Council funds will be \$78,000 budgeted in the 2022/2023 financial year.

### *Policy/Relevant Law*

The following is included in the Façade Improvements Grants Scheme guidelines:

- Description of works to be completed as part of the application form.
- A quote for the proposed works.
- Where the application is proposing the painting of a building, the colour palette will need to be provided for approval by Council.
- Photographs of the building's existing condition will need to be provided including close ups of the affected areas. Photographs will also need to be provided following the completion of the works if the application is successful.
- A planning permit may be required for the proposed works that need to be completed (see application form). The permit process, if required, can run in tandem with this application.
- Council will not grant funds for works where a planning permit is required and has not been granted
- If the building is heritage listed, you will be required to undertake research to provide Council with evidence including photographs or other documentation. Council may be able to assist with this research or provide information on whether the business is located within a heritage building.

### *Application details:*

The scheme provides a grant from Council on a \$2:\$1 basis up to \$10,000 for new or relocating businesses to complete improvements to the building façade.

All new or expanding business establishing or relocating into a commercial area of a town within the Ararat Rural City may be eligible. Eligible businesses that operate from a commercial or industrial premises with street frontage would need to either;

- Provide business plans for expansion
- In the process of relocating to a new commercial premises
- Relocating from a home-based business
- Started a new business after June 30, 2022

### *Risk Assessment*

None identified.

Changes to the Façade Improvements Grants Scheme provides an opportunity for Council to work with proactive businesses to improve the façade of business premises across the municipality. The new \$2:\$1 model will attract new or expanding businesses to our commercial properties giving them a strong foundation to successfully launch into a post-COVID world, while further enhancing the aesthetics of our business centres.

#### RECOMMENDATION

That:

- 1 Council commits to modifying the Façade Improvement Grant Scheme to support only new, expanding, or relocating businesses; and
- 2 The Façade Improvements Grant Scheme funding model to be changed to a \$2:\$1 ratio providing grants up to \$10,000 by Ararat Rural City Council based on the application guidelines

#### MOVED CR BEALES SECONDED CR BURRIDGE

That:

- 1 Council commits to modifying the Façade Improvement Grant Scheme to support only new, expanding, or relocating businesses; and
- 2 The Façade Improvements Grant Scheme funding model to be changed to a \$2:\$1 ratio providing grants up to \$10,000 by Ararat Rural City Council based on the application guidelines

CARRIED 4689/22

#### ATTACHMENTS

Business Façade Improvement Grants - Application Guidelines 22/23 is provided as Attachment 3.2



Ararat Rural City

## BUSINESS FACADE IMPROVEMENT GRANTS

Application Guidelines  
22/23



### INTRODUCTION

The Ararat Rural City Council, New Business Façade Improvement Grants Scheme is part of Council's plan to assist businesses from throughout the Shire to improve the appearance of their building façades and encouraging the filling of existing empty properties.

The scheme provides a grant from Council on a 2:1 basis up to \$10,000 for new or relocating businesses to complete improvements to the building façade.

### SCOPE

All new or expanding business establishing or relocating into a commercial area of a town within the Ararat Rural City may be eligible.

Eligible businesses that operate from a commercial or industrial premises with street frontage would need to either;

1. Provide business plans for expansion
2. In the process of relocating to a new commercial premises
3. Relocating from a home-based business
4. Started a new business after June 30 2022

Works that can be completed as part of the scheme include:

- Painting of the façade
- Cleaning the existing façade
- Replacement of doors, windows or glasswork to facade
- Removal of redundant signage, air conditioning units and hoardings to the façade
- Minor repair, maintenance or reinstatement of missing elements
- Minor repairs to existing façade tile or stone accents
- Minor repairs to structural façade elements and awnings
- New, repairs and replacements of verandahs
- Installation of new business signage
- Installation of outdoor lighting
- Installation of fixed outdoor heating or cooling
- Installation of retractable café blinds or awnings
- Production and Installation of matching external street dividers/ Planter boxes or umbrella sleeves (hospitality specific)

### INFORMATION TO BE PROVIDED WITH APPLICATION

You will need to provide the following documents as part of your application:

- Description of works to be completed as part of the application form.
- A quote for the proposed works.
- Where the application is proposing the painting of a building, the colour palette may need to be provided for approval by Council.
- Photographs of the building's existing condition will need to be provided including close ups of the affected areas. Photographs will also need to be provided following the completion of the works if the application is successful.
- A planning permit may be required for the proposed works that need to be completed (see application form). The permit process, if required, can run in tandem with this application.
- If your building is heritage listed, you will be required to undertake research to provide Council with evidence including photographs or other documentation. Council may be able to assist with this research or provide information on whether your business is located within a heritage building.

### APPLICATION DETAILS

To apply for funding as part of the Façade Improvement Grants, applicants will need to consider the following:

- Council will not grant funds from the program retrospectively.
- Council will not provide funds for ongoing or administrative costs not directly related to the project.
- Council will not provide funds for equipment purchasing (e.g. ladders, gurneys, scaffolding, and safety barriers). Hiring of equipment is permitted when related directly to the project.
- Council will not grant funds for works where a planning permit is required and has not been granted prior to commencement.
- Quotes supplied with the application are to be used. Any alterations to the application need to be approved by Council.
- Third party quotes are required.



### ASSESSMENT OF APPLICATIONS

Applications will be assessed against a set criteria, judged by an internal panel with the successful applicants receiving written notification from the Chief Executive Officer. Applications will remain open until all funds are exhausted.

### LEVEL OF FUNDING AVAILABLE

Businesses can apply on a \$2:\$1 basis to complete improvements to their façades with the amount capped at \$10,000 per business.

An example of a business applying to the scheme would be:

- Business - \$5,000
- Council - \$10,000

Businesses would be able to contribute over the \$5,000 amount if they wish to complete more significant works but would still only be eligible for \$10,000 from Council.

If a business only wanted to complete minor works they could apply to the fund for an amount under \$10,000.

An example of this would be:

- Business - \$1,000
- Council - \$2,000

### TIMING OF PROJECT

Once Council has made a decision regarding the successful applicants the works will need to be completed by 31 May 2023 so that funding can be provided to the applicant in the 2022-2023 financial year.

### HOW DO I FIND OUT IF MY APPLICATION HAS BEEN SUCCESSFUL?

Applicants will be notified whether their application is successful or unsuccessful over the phone by the Economic Development team and in writing by the CEO.

### HOW DO I RECEIVE FUNDING?

It is preferable that businesses submit all associated documentation including copies of the paid invoices shortly after completion of the works. However, businesses will have until 31 May 2023 at the latest, so that Council can reimburse agreed expenses within the same financial year.

### HOW DO I APPLY?

To apply for the program, simply complete the Retail Area Façade Improvement Program Application form on-line. Please contact the Economic Development team if you need assistance with your application.

[www.ararat.vic.gov.au/figs2022](http://www.ararat.vic.gov.au/figs2022)

### COUNCIL CONTACT

For further information on the Ararat Rural City Council Façade Improvement Grants Scheme please contact the Economic Development team on 5355 0200.





### 3.3 APPOINTMENT AND AUTHORISATIONS (PLANNING AND ENVIRONMENT ACT 1987) S11A

RESPONSIBLE OFFICER: GOVERNANCE AND RISK LEAD  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6200

#### 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.

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#### EXECUTIVE SUMMARY

This report seeks Council's endorsement of the S11A Instrument of Appointment and Authorisation under the *Planning and Environment Act 1987*.

#### DISCUSSION

The Local Government Act 1989 provides for the appointment of Authorised Officers for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of the Council.

The Chief Executive Officer, by authority conferred by instrument of delegation from Council makes these appointments. Under the Planning and Environment Act 1987, however, Authorised Officers can only be appointed by Council resolution as the Act prohibits delegation of the power to appoint Authorised Officers under the Act.

This report identifies changes since the S11A Instrument of Appointment and Authorisation was adopted on 21 September 2021

A review of current delegates to this Instrument of Delegation has been carried out.

#### KEY CONSIDERATIONS

##### *Alignment to Council Plan Strategic Objectives*

6 Strong and Effective Governance

##### *Budget implications*

There are no budget implications arising from the Appointment of Authorised Officers.

##### *Policy/Relevant Law*

Section 224 of the *Local Government Act 1989* is a provision that remains in force and continues to be the authorising provision for the S11A Instrument of Appointment and Authorisation.

The power to commence proceedings - section 313 of the Local Government Act 2020.

##### *Sustainability Implications*

There are no economic, social or environmental implications in relation to appointment of Authorised Officers.

##### *Risk Assessment*

The regular updating of the Instrument of Appointment and Authorisation ensures ongoing legislative compliance for Ararat Rural City Council and that staff members are properly empowered to undertake their roles.

### *Innovation and Continuous Improvement*

The appointment of Authorised Officers is essential to the effective control and policing of the municipal district.

### *Stakeholder Consultation and Communication*

The Instrument of Appointment and Authorisation has been updated by referencing the Maddocks Lawyers Delegations Service.

## RECOMMENDATION

That:

*In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (S11A) (the instrument), Ararat Rural City Council (Council) resolves that -*

- 1 The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument;*
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it; and*
- 3 The instruments be signed under the seal of the Council.*

## MOVED CR SANDERS SECONDED CR BEALES

That:

In the exercise of the powers conferred by section 147(4) of the Planning and Environment Act 1987 (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (S11A) (the instrument), Ararat Rural City Council (Council) resolves that -

- 1 The members of Council staff referred to in the instruments be appointed and authorised as set out in the instrument;
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it; and
- 3 The instruments be signed under the seal of the Council.

CARRIED 4690/22

## ATTACHMENTS

The Instrument of Appointment and Authorisation (Planning and Environment Act 1987) S11A is provided as Attachment 3.3.

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



**Ararat Rural City Council**

**Instrument of Appointment and Authorisation**

***(Planning and Environment Act 1987 only)***

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

In this instrument "**officer**" means -

Lorraine Stupak	Manager Planning, Community and Compliance
Lyndon Turner	Community Safety Officer
Leigh Jeffrey	Community Safety Officer
Danielle Jenkins	Community Safety Officer
India Brown	Planning Officer
Wyatt Griffiths	Planning Officer
Dot Jerram	Planning and Development Officer
Mandy Tucker	Planning and Development Officer
Ainsley Cameron	Planning and Development Officer
Anthony Komives	Environmental Health Officer
Mary Galea	Environmental Health Officer

**By this instrument of appointment and authorisation** Ararat Rural City Council -

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

**It is declared that** this instrument -

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

This instrument is authorised by a resolution of the Ararat Rural City Council on 30 August 2022.

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

Mayor \_\_\_\_\_

Chief Executive Officer \_\_\_\_\_

### 3.4 S18 INSTRUMENT OF SUB-DELEGATION FROM COUNCIL TO MEMBERS OF COUNCIL STAFF

RESPONSIBLE OFFICER: GOVERNANCE AND RISK LEAD  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6201

#### 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.

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#### EXECUTIVE SUMMARY

This report seeks Council's endorsement of the S18 Instrument of Sub-Delegation under the *Environment Protection Act 2017*.

#### DISCUSSION

The Environment Protection Authority (EPA) has given Council the power to appoint officers under the Act and once appointed they can also be delegated some of the EPA's powers.

This report identifies changes since the S18 Instrument of Sub-Delegations was adopted on the 27 July 2021.

A review of current delegates to this Instrument of Delegation has been carried out.

#### 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 S18 Instrument of Sub-delegation – Council to Members of Council Staff.

##### *Policy/Relevant Law*

Section 11(8) of the *Local Government Act 2020* requires that the Council keep a register of delegations. This delegation will be made available to the public.

Section 437 (1) the *Environment Protection Act 2017* states that the Governing Board may be instrument delegate all or any of the Authority's powers and functions under this Act to (b) a Council.

##### *Sustainability Implications*

There are no economic, social or environmental implications in relation to the S18 Instrument of Sub-delegation – Council to Members of Council Staff.

##### *Risk Assessment*

It is essential that the Instruments of Delegation are kept up to date to ensure that the CEO is properly empowered to undertake the role.

##### *Stakeholder Collaboration and Community Engagement*

The *Instrument of Sub-delegation from Council to Members of Council Staff* has been sourced through Council's subscription to the Maddocks Lawyers Delegations Service.

The revocation and consideration of delegations does not require any public consultation; however, Council is required to keep a public register of all delegations.

#### RECOMMENDATION

*That:*

*In the exercise of the powers conferred by the legislation to in the attached Instrument of Sub-delegation, Ararat Rural City Council resolves that -*

- 1. The members of Council staff referred to in the Instrument of sub-delegation under the Environment Protection Act 2017 be appointed and authorised as set out in the instrument;*
- 2. The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it and;*
- 3. The instrument be signed under the seal of the Council.*

#### MOVED CR WATERSTON SECONDED CR R ARMSTRONG

*That:*

*In the exercise of the powers conferred by the legislation to in the attached Instrument of Sub-delegation, Ararat Rural City Council resolves that -*

- 1 The members of Council staff referred to in the Instrument of sub-delegation under the Environment Protection Act 2017 be appointed and authorised as set out in the instrument;*
- 2 The instrument comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it and;*
- 3 The instrument be signed under the seal of the Council.*

**CARRIED 3691/22**

#### ATTACHMENTS

S18 Instrument of Sub-delegation – Council to Members of Council Staff is provided as Attachment 3.4



ARARAT RURAL CITY COUNCIL

INSTRUMENT OF DELEGATION

S18 INSTRUMENT OF SUB-DELEGATION UNDER  
THE ENVIRONMENT PROTECTION ACT 2017

30 AUGUST 2022

## Ararat Rural City Council

### Instrument of Sub-Delegation

By this Instrument of Sub-Delegation, in exercise of the power conferred by s 437(2) of the Environment Protection Act 2017 ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021, 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 in column 3 of the Schedule;
2. record that references in the Schedule are as follows  
"DCEO" means Deputy Chief Executive Officer;  
"EHOs" means All Environmental Health Officers;
3. this Instrument of Sub-Delegation is authorised by a resolution of Council passed on 20 July 2021 pursuant to a power of sub-delegation conferred by the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021;
4. the delegation:
  - 4.1 comes into force immediately the common seal of Council is affixed to this Instrument of Sub-Delegation;
  - 4.2 remains in force until varied or revoked;
  - 4.3 is subject to any conditions and limitations set out in sub-paragraph 5, and the Schedule; and
  - 4.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
5. this Instrument of Sub-Delegation is subject to the following limitations:
  - 5.1 the powers, duties and functions described in column and summarised in column 2 of the Schedule are only delegated for the purpose of regulating:
    - 5.1.1 onsite wastewater management systems with a design or actual flow rate of sewage not exceeding 5000 litres on any day; and
    - 5.1.2 noise from the construction, demolition or removal of residential premises;
6. the delegate must not determine the issue, take the action or do the act or thing:
  - 6.1.1 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;
  - 6.1.2 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;
  - 6.1.3 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



**Ararat Rural City Council**

- 6.1.4 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.

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

Mayor \_\_\_\_\_

Chief Executive Officer \_\_\_\_\_

### Ararat Rural City Council

#### Delegation Sources

- Environment Protection Act 2017

#### Positions

Abbreviation	Position	Name
DCEO	Deputy Chief Executive Officer	Julie Cronin

#### Positions Groups

Positions Group	Position	Positions
EHOs	All Environmental Health Officers	EHO2, EHO4, EHO5, EHO3, EHO1, EHT

**Ararat Rural City Council**

**S18 Instrument of Sub-Delegation under the Environment Protection Act 2017**

Environment Protection Act 2017			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 271	Power to issue improvement notice	DCEO, EHOs	
s 272	Power to issue prohibition notice	DCEO, EHOs	
s 279	Power to amend a notice	DCEO, EHOs	
s 358	Functions of the Environment Protection Authority	DCEO, EHOs	
s 359(1)(b)	Power to do all things that are necessary or convenient to be done for or in connection with the performance of the Environment Protection Authority's functions and duties and to enable the Authority to achieve its objective.	DCEO, EHOs	
s 359(2)	Power to give advice to persons with duties or obligations	DCEO, EHOs	

### 3.5 DELEGATIONS FROM COUNCIL TO MEMBERS OF COUNCIL STAFF S6

RESPONSIBLE OFFICER: GOVERNANCE AND RISK LEAD  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6202

#### 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:

There have been a number of minor changes made to the <i>Cemeteries and Crematoria Act 2003</i> , but these are not applicable to Ararat Rural City Council.
Section 41 of the <i>Planning and Environment Act 1987</i> has been amended to refer to the duty to <u>make a copy</u> of the Victorian Planning Provisions and other documents available in accordance with the public available requirements.
Section 14 of the <i>Planning and Environment Act 1987</i> amendment of a typographical error.
Sections 18, 21(2). 26(2) and 46V(3) of the <i>Planning and Environmental Act 1987</i> have been amended to include a note as to the period the documents must be made available in accordance with the public availability requirements.
Section 22(1) of the <i>Planning and Environment Act 1987</i> has been amended to clarify which submissions must be considered.
Section 22(2) of the <i>Planning and Environment Act 1987</i> has been inserted in two parts, which relate to the power to consider late submissions and the separate duty to consider late submissions.
Section 46V(4), (5) and (6) of the <i>Planning and Environment Act 1987</i> have been included with respect to the Melbourne Airport Environs Strategy Plans but these are not applicable to Ararat Rural City Council.
Section 96J of the <i>Planning and Environment Act 1987</i> has been amended to refer to the duty rather than as a power.
Section 185B of the <i>Planning and Environment Act 1987</i> has been inserted, which related to the duty to comply with a request from the Minister for information.

## 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 BEALES  
SECONDED CR BUDDIGE**

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 4692/22**

**ATTACHMENTS**

The Instrument of Delegation from Council to Members of Council Staff S6 is provided as Attachment 3.5.



Ararat Rural City

ARARAT RURAL CITY COUNCIL

INSTRUMENT OF DELEGATION

S6 INSTRUMENT OF DELEGATION - MEMBERS OF  
STAFF

22 AUGUST 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  
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  
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 30 August 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) strategy

adopted by Council;

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or



3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The COMMON SEAL of the  
ARARAT RURAL CITY COUNCIL  
was affixed hereto in accordance with  
the resolution of Council made on  
30 August 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	

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

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	N/A	Subject to the Minister approving

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	cemetery in accordance with s 37		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(3)	Duty to offer a perpetual right of interment	N/A	
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	
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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 84H(4)	Power to exercise the rights of a holder of a right of interment	N/A	
s 84I(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	

Cemeteries and Crematoria Act 2003			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 100(3)	Power to recover costs of taking action under s 100(2)	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	
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, DCEO	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, DCEO, 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, DCEO, 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, DCEO, 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 premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO, DCEO, EHOs	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	CEO, DCEO, 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, DCEO, EHOs	If s 19(1) applies

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	CEO, DCEO, 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, DCEO, 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, DCEO, EHOs	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, DCEO, EHOs	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO, DCEO, EHOs	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEO, DCEO, 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, DCEO, EHOs	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEO, DCEO, EHOs	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEO, DCEO, 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))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, DCEO, EHOs	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEO, DCEO, PDO3, EHOs	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, DCEO, 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, DCEO, EHOs	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, DCEO, 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	CEO, DCEO,	Where Council is the registration

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	to comply with any requirement under Part IIIB	EHOs	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, DCEO, 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, DCEO, EHOs	Where Council is the registration authority
	Power to register or renew the registration of a food premises	CEO, DCEO, 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, DCEO, EHOs, PDOs	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEO, DCEO, EHOs	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b)	CEO,	Where Council is the registration

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	advise the proprietor that the premises must be registered if the premises are not exempt	DCEO, EHOs	authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEO, DCEO, EHOs	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO, DCEO, 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, DCEO, EHOs	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, DCEO, EHOs	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, DCEO, 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, DCEO, EHOs	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, DCEO,	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		EHOs	
s 38D(3)	Power to request copies of any audit reports	CEO, DCEO, EHOs	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO, DCEO, 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, DCEO, EHOs	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, DCEO, 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, DCEO, 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, DCEO, PDO3, EHOs	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEO, DCEO, EHOs	Where Council is the registration authority

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



Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40E	Duty to comply with direction of the Secretary	CEO, DCEO, EHOs	
s 40F	Power to cancel registration of food premises	CEO, DCEO, EHOs	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEO, DCEO, 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, DCEO, 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 not meet the requirements	CEO, DCEO, EHOs	Where Council is the registration authority
s 45AC	Power to bring proceedings	CEO, DCEO, 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	CEO, DCEO, EHOs	Where Council is the registration authority

Food Act 1984			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	instituted against the person first charged		

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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 availability requirements	CEO, MPCC, POs, PDOs	
s 4I(2)	Duty to make and copy of the 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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 17(2)	Duty of giving copy s 173 agreement	CEO, MPCC, PDOs	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, MPCC	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CEO, MPCC, POs, PDOs	Until the proposed amendment is approved or lapsed
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CEO, MPCC, POs, PDOs	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	CEO, MPCC, POs	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, MPCC, POs	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CEO, MPCC, POs	
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	CEO, MPCC,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	in s 197B of the Act	POs, PDOs	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CEO, MPCC, POs, PDOs	During the inspection period
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,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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	CEO, MPCC, POs,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	after the inspection period ends	PDOs	
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	CEO, MPCC, POs	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Policy for the declared area that is expressed to be binding on the 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 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	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	
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,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, 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)	CEO, DCEO, MPCC, FSC, CSAM,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	are met	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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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	CEO, DCEO, MPCC,	Where Council is the collecting agency under an approved

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	that incurred those costs	FSC, CSAM, POs	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CEO, MPCC, POs	<p>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)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	CEO, DCEO, MPCC, FSC, CSAM, POs	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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
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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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 the steps in s.46GZF(3)(a) and (b)	CEO, DCEO,	Where Council is the development agency under an approved

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		MPCC, FSC, CSAM, POs	infrastructure contributions plan
s 46GZF(3)	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

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	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) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	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
s 46V(3)	Duty to make a copy of the approved	N/A	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period		
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period	N/A	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	N/A	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements	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,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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	CEO, MPCC,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	availability requirements	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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	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	
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



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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 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,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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 business 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	CEO,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	within 3 business days	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	
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 95(4)	Duty to comply with an order or direction	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	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	Planning and Environment (Planning Schemes) Act 1996		
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, MPCC	
s 96J	Duty 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	
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	CEO,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	s 97F available in accordance with the public availability requirements	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,	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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	
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	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	made		
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 171(2)(g)	Power to grant and reserve easements	CEO, MPCC	
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	CEO, MPCC, POs	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	be to the satisfaction of Council or Responsible Authority		
	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 agrees in principle to the proposal under s 178A(1)	CEO, MPCC	
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	CEO,	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	agreement	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	CEO,	If no objections are made under s

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	from the proposal	MPCC	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
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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	memorial to Registrar-General		
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	
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	CEO, MPCC	



Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	end an agreement after an application is made for the review of its failure to end or amend the agreement		
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 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	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	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	
	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	CEO, MPCC	

Planning and Environment Act 1987			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	within municipal district		
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, DCEO, EHOs	
s 522(1)	Power to give a compliance notice to a person	CEO, DCEO, EHOs	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, DCEO, EHOs	
s 525(4)	Duty to issue identity card to authorised officers	CEO, DCEO, EHOs	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEO, DCEO, EHOs	

Residential Tenancies Act 1997			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 526A(3)	Function of receiving report of inspection	CEO, DCEO, EHOs	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DCEO, 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)
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)

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

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, CSAM	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	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	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 16(7)	Power to enter into an arrangement under s 15	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	



Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 40(1)	Duty to inspect, maintain and repair a public road.	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 thereof

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	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	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	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
s 64(1)	Duty to comply with cl 13 of sch 7	CEO, DCEO, CSAM	Where Council is the infrastructure manager or works manager

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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,	
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, RGL,	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		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, Transport for Victoria)	CE2, CEO, DCEO, CE1, 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	

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
s 121(1)	Power to enter into an agreement in respect of works	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	Duty to give notice to relevant coordinating	CEO,	Where Council is the infrastructure

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
7(1)	road authority of proposed installation of non-road infrastructure or related works on a road reserve	CSAM, TOAs	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 condition or appear to need maintenance	CE2, CEO, DCEO, CE1, CSAM, CE3, TOAs	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CE2, CEO, DCEO, CE1, CE3	Where Council is the infrastructure manager or works manager
sch 7 cl	Power to direct infrastructure manager or	CE2, CEO,	Where Council is the coordinating

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
12(2)	works manager to conduct reinstatement works	DCEO, CE1, CSAM, CE3, TOAs	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



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

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
sch7 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

Road Management Act 2004			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
			Council is relevant municipal council (re: operating costs)

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

Cemeteries and Crematoria Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	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 monuments exist	N/A	
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	

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

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

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
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, DCEO, EHOs	
r 10	Function of receiving application for registration	CEO, DCEO, EHOs	
r 11	Function of receiving application for renewal of registration	CEO, DCEO, EHOs	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DCEO, EHOs	



Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCEO, EHOs	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DCEO, EHOs	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCEO, EHOs	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	CEO, DCEO, EHOs	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DCEO, EHOs	
r 14(1)	Function of receiving notice of transfer of ownership	CEO, DCEO, EHOs	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, DCEO, EHOs	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, DCEO, EHOs	
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, DCEO,	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
		EHOs	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, DCEO, EHOs	
r 17	Duty to keep register of caravan parks	CEO, DCEO, EHOs	
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEO, DCEO, EHOs	
r 18(6)	Power to determine where certain information is displayed	CEO, DCEO, EHOs	
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, DCEO, EHOs	
r 22(2)	Duty to consult with relevant emergency services agencies	CEO, DCEO, EHOs	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, DCEO, EHOs	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, DCEO, EHOs	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
r 25(3)	Duty to consult with relevant floodplain management authority	CEO, DCEO, EHOs	
r 26	Duty to have regard to any report of the relevant fire authority	CEO, DCEO, EHOs	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO, DCEO, EHOs	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, DCEO, EHOs	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, DCEO, EHOs	
r 41(4)	Function of receiving installation certificate	CEO, DCEO, EHOs	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO, DCEO, EHOs	
sch 3 cl	Power to approve the removal of wheels and axles	CEO, DCEO,	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
4(3)	from unregistrable movable dwelling	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	

Road Management (General) Regulations 2016			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
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	CEO,	Where Council is the coordinating

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Power and Functions Delegated	Delegate	Conditions and Limitations
	under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CSAM, TOAs	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

### 3.6 ELMHURST BLITZ

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6203

#### 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.

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#### EXECUTIVE SUMMARY

Following formal and informal community consultation with the Elmhurst community it is recommended that Council undertake an intense two-to-three-week period of works aimed at:

- improving gravel roads
- removal of two to three problem trees
- drainage renewal and maintenance
- tree pruning, debris and noxious weed removal
- signage replacement.

This project will be known as the "Elmhurst Blitz" and it proposed that it commences by mid-late September, utilising at least one grader crew, the drainage team and parks and gardens staff as required.

#### DISCUSSION

Discussions with Elmhurst residents over a period of time have identified a range of longstanding issues that require resolution. In response to this it is proposed that Council undertake an "Elmhurst Blitz". Council will deploy resources intensively into Elmhurst over a two-to-three-week period to undertake a substantial amount of work to remediate some of the issues identified. It is proposed that a grader team, the drainage team and parks and gardens team members for the basis of the personnel required for the "blitz". The budget for this work will be drawn from existing budget items, including Council's Capital Works Program for 2022/2023.

A list of tasks, based on those identified by residents, is as follows. The budgets are indicative, remembering that they will be drawn from existing sources.

Capital Works Program Element	Budget
Gravel road resheeting and widening	\$200,000
Removal of two to three problem trees	\$ 20,000
Drainage renewal and maintenance	\$ 40,000
Tree pruning, noxious weed removal (bridal creeper) and roadside debris clearing	\$ 25,000
Signage replacement	\$ 2,500
<b>TOTAL</b>	<b>\$282,500</b>

It is proposed, following Council endorsement, that the program commence by late September.

#### KEY CONSIDERATIONS

##### *Alignment to Council Plan Strategic Objectives*

The project aligns closely to the Council Plan 2021-2025, particularly the following:

- 4.1 Ensure that asset development and renewal during the planning period matches that identified in Council's Asset Plan 2021-2031.

- 4.2 Work directly with asset users to manage and develop new and existing assets.
- 4.3 Deliver infrastructure outcomes that support economic growth, promote community wellbeing and safety and align with Council’s financial sustainability.
- 6.1 Deliver responsible budget outcomes, linked to strategy, that deliver value, innovation, and rating fairness.

**Budget Implications**

The “Elmhurst Blitz” is funded through existing budget sources, including the 2022/2023 Capital Works Program. It represents an intensive period of work focussing of delivering community outcomes in Elmhurst.

**Policy/Relevant Law**

The “Elmhurst Blitz” represents a response to formal and informal community engagement which is required by the Local Government Act 2020.

**Sustainability Implications**

The project will ensure renewal of Council assets in Elmhurst which meets financial sustainability goals. The work on removal of noxious weeds from road reserves and debris clearing will enhance environmental sustainability outcomes.

**Risk Assessment**

Removal of problem trees, asset improvement and drainage management all serve to reduce risk associated with management of Council assets.

**Innovation and Continuous Improvement**

The intensive deployment of multiple work crews to work in a single location is a novel approach for Ararat Rural City Council. It presents an opportunity to enhance community satisfaction with service delivery while making significant headway on asset renewal and maintenance.

**Stakeholder Collaboration and Community Engagement**

The program was developed on the basis of formal and informal engagement with members of the Elmhurst community. It may form the basis for similar approaches across other rural communities moving forward.

**RECOMMENDATION**

That Council endorses the “Elmhurst Blitz” plan including the following elements with indicative costings:

<i>Capital Works Program Element</i>	<i>Budget</i>
<i>Gravel road resheeting and widening</i>	<i>\$200,000</i>
<i>Removal of two to three problem trees</i>	<i>\$ 20,000</i>
<i>Drainage renewal and maintenance</i>	<i>\$ 40,000</i>
<i>Tree pruning, noxious weed removal (bridal creeper) and roadside debris clearing</i>	<i>\$ 25,000</i>
<i>Signage replacement</i>	<i>\$ 2,500</i>
<b>TOTAL</b>	<b>\$287,500</b>



**MOVED CR SANDERS  
SECONDED CR BURRIDGE**

That Council endorses the “Elmhurst Blitz” plan including the following elements with indicative costings:

Capital Works Program Element	Budget
Gravel road resheeting and widening	\$200,000
Removal of two to three problem trees	\$ 20,000
Drainage renewal and maintenance	\$ 40,000
Tree pruning, noxious weed removal (bridal creeper) and roadside debris clearing	\$ 25,000
Signage replacement	\$ 2,500
<b>TOTAL</b>	<b>\$287,500</b>

**CARRIED 4693/22**

**ATTACHMENTS**

There are no attachments in relation to this item.

### 3.7 NOXIOUS AND INVASIVE WEED PROGRAM

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6197

#### 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

Informal engagement with community based environmental groups and individuals over time have indicated significant concern over noxious and invasive weeds in a number of locations. Three such locations are Moyston, Pomonal and Elmhurst. It is proposed that Council endorse a Noxious and Invasive Weed program focussing on a single species in each locality in 2022/2023 from existing budget allocations.

If the program is seen as successful, Council may consider a specific allocation to an expanded program in the 2023/2024 Budget.

#### DISCUSSION

Ararat Rural City Council receives annual funding from the Victorian Department of Environment, Land, Water and Planning to undertake works to control noxious weeds on roadsides within the municipality. This is generally inadequate to undertake substantial works and as a result, there are a range of problem weed infestations which go unmanaged.

Based on informal community engagement several significant weed infestations have been identified across the municipality by community organisations with an interest in the environment. It is proposed that Council work with local communities in three locations to assist in undertaking works that will assist in managing the infestations. Over time this program may be expanded by 2023/2024 where direct budget allocations may be made.

The table below provides details of the proposed projects. Following endorsement by Council, Council officers will then refine the projects in discussion with the relevant community organisations. The program will be managed within existing budgets, no additional funds will be required.

Location	Species	Council activity
Moyston	Chilean Needlegrass ( <i>Nassella neesiana</i> )	Spray out at correct time of year on Council controlled land to control infestation. The areas treated will be based on mapping of existing known locations.
Pomonal	Yarra Burgan ( <i>Kunzea leptospermoides</i> )	Slash and spray known infestations along Wildflower Drive and potentially Cassell Court. Jallukar Landcare members will assist with identification and location as required.
Elmhurst	Bridal Creeper ( <i>Asparagus asparagoides</i> )	Infestations along roadsides will be managed as an element of the "Elmhurst Blitz" program.

#### KEY CONSIDERATIONS

##### **Alignment to Council Plan Strategic Objectives**

The project aligns closely to the Council Plan 2021-2025, particularly the following:

3. We will take pragmatic approaches to ensuring that Ararat Rural City Council takes a regional lead in responsible environmental management and engagement with the circular economy.

***Budget Implications***

The noxious and invasive weed program will have no additional budgetary implications. An expansion of the program into 2023/2024 will require Council to consider a discrete budget allocation.

***Policy/Relevant Law***

Under the Catchment and Land Protection Act 1994 (CaLP Act) Council has a responsibility to manage declared noxious weeds on land that it controls. This program steps beyond the CaLP Act to assist in managing invasive weeds.

***Sustainability Implications***

Managing noxious and invasive weeds serves to increase biodiversity outcomes within our municipality. Commencing this project signals Council’s commitment to positive sustainability outcomes.

***Risk Assessment***

There is a need for Council to increase its engagement with community-based environment organisations such as Landcare to mitigate the risk posed by noxious and invasive weeds to environmental sustainability.

***Innovation and Continuous Improvement***

The Noxious and Invasive Weed Program in 2022/2023 represents a commitment from Council to undertake more work around supporting biodiversity management. It is a starting point for what may become a more extensive program into 2023/2024. .

***Stakeholder Collaboration and Community Engagement***

The program was developed based on informal engagement with environmentally focussed community groups and individuals. Further iterations beyond 2023/2024 will be based on similar community engagement.

**RECOMMENDATION**

That Council:

- 1 Endorses the Noxious and Invasive Weed Program for 2022/2023 based on the following approaches in Moyston, Pomonal and Elmhurst:

Location	Species	Council activity
Moyston	Chilean Needlegrass ( <i>Nassella neesiana</i> )	Spray out at correct time of year on Council controlled land to control infestation. The areas treated will be based on mapping of existing known locations.
Pomonal	Yarra Burgan ( <i>Kunzea leptospermoides</i> )	Slash and spray known infestations along Wildflower Drive and potentially Cassell Court. Jallukar Landcare members will assist with identification and location as required.
Elmhurst	Bridal Creeper ( <i>Asparagus asparagoides</i> )	Infestations along roadsides will be managed as an element of the “Elmhurst Blitz” program.

MOVED CR R ARMSTRONG  
SECONDED CR BURRIDGE

That Council:

- 1 Endorses the Noxious and Invasive Weed Program for 2022/2023 based on the following approaches in Moyston, Pomonal and Elmhurst:

Location	Species	Council activity
Moyston	Chilean Needlegrass ( <i>Nassella neesiana</i> )	Spray out at correct time of year on Council controlled land to control infestation. The areas treated will be based on mapping of existing known locations.
Pomonal	Yarra Burgan ( <i>Kunzea leptospermoides</i> )	Slash and spray known infestations along Wildflower Drive and potentially Cassell Court. Jallukar Landcare members will assist with identification and location as required.
Elmhurst	Bridal Creeper ( <i>Asparagus asparagoides</i> )	Infestations along roadsides will be managed as an element of the "Elmhurst Blitz" program.

CARRIED 4694/22

#### ATTACHMENTS

There are no attachments in relation to this item

### 3.8 MOTION FOR CIRCULAR ECONOMY TRANSITION SUPPORT

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6204

#### 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.

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#### EXECUTIVE SUMMARY

Council is extremely supportive of the Victorian Governments accelerated transition to a circular economy. Whilst Council strongly supports the reforms such as the transformation of the environment protection regulatory regime and the Recycling Victoria policy, the resourcing and financial impact on Council has been significant.

The two-part funding package outlined in the letter received by MAV President, David Clark, would enable Councils to:

- Contribute to the capital costs of implementation of the household recycling reforms as well as construction, upgrades and improvements of council transfer stations, material aggregation sites and resource recovery centres
- Support councils to prepare, review and update waste and recycling policies, strategies and plans; undertake feasibility studies, risk assessments and audits; engage third party expert advice and assistance; training and professional development

Ararat Rural City Council will express their support towards the new funding support package, by submitting a letter to the Hon. Lily D'Ambrosio MP, Minister for Energy & Minister for Environment and Climate Action.

#### DISCUSSION

MAV and Victorian councils have been strong supporters of the Victorian Governments ambitious and far-reaching reform agenda in relation to waste management and recycling. Particularly supporting the State on the transformation of the environment protection regime and the implementation of the Recycling Victoria policy.

However, whilst supporting these reforms, it is having a substantial resource and financial impact on councils, making it a difficult challenge to roll out the mandated new service requirements.

Council recognises the significant strain that households are already facing due to impacts from COVID, inflation and other cost of living pressures. MAV have established a new circular economy funding support package for councils, to assist councils in minimising cost impacts to our households.

A copy of the letter MAV President David Clark sent to The Hon. Lily D'Ambrosio MP, was forwarded to MAV Reps, Sub Reps, CEOs and Cr Support Officers on the 8 August 2022.

The letter outlined the impact state reforms are having on councils, the importance of minimizing cost impacts on households, and outlined a two-stream funding package to assist councils implement the mandatory changes.

MAV have proposed the following funding package, which consists of two streams, as follows:

Fund name	Purpose	Quantum
Local Government Circular Economy Infrastructure Fund	Contribute to the capital costs of implementation of the household recycling reforms as well as construction, upgrades and improvements of council transfer stations, material aggregation sites and resource recovery centres	\$100 million (over 4 years)
Local Government Circular Economy Capability Fund	Support councils to prepare, review and update waste and recycling policies, strategies and plans; undertake feasibility studies, risk assessments and audits; engage third party expert advice and assistance; training and professional development	\$20 million (over 2 years)

Council will submit a support letter to the Hon. Lily D'Ambrosio MP, highlighting our concerns and endorsing the suggestion of the two-part funding package the MAV have established.

Showing our support for this funding package will enable us to work towards a sustainable and thriving circular economy for our council, as well as Victoria as a whole.

## KEY CONSIDERATIONS

### *Alignment to Council Plan Strategic Objectives*

#### *1 Preserving our environment*

*We will take pragmatic approaches to ensuring that Ararat Rural City Council takes a regional lead in responsible environmental management and engagement with the circular economy.*

### *Budget Implications*

A budget allocation is made to the waste reserve each year to fund works associated with waste management.

### *Policy/Relevant Law*

Legislation set by state and federal government agencies related to the delivery of the waste services. These include acts, regulations, policies and guidelines.

### *Sustainability Implications*

This report does not raise any sustainability implications.

### *Risk Assessment*

None identified.

### *Stakeholder Consultation and Communication*

The Mayor, Councillors and CEO have discussed the importance of this forum and concluded that supporting the formalisation of this group will ensure there is an ongoing structure for Councils on a regional and state-wide level to collaborate on waste management.

**RECOMMENDATION**

*That Council submit a letter to the The Hon. Lily D'Ambrosio MP, outlining Councils support for the proposed two-part funding package, which is highlighted in the letter from MAV President, David Clark.*

**MOVED CR BEALES  
SECONDED CR SANDERS**

That Council submit a letter to the The Hon. Lily D'Ambrosio MP, outlining Councils support for the proposed two-part funding package, which is highlighted in the letter from MAV President, David Clark.

**CARRIED 4695/22**

**ATTACHMENTS**

- 1 Letter from MAV President, David Clark, to The Hon. Lily D'Ambrosio MP - Circular economy funding support package for councils; and
- 2 Support letter template to be submitted to The Hon. Lily D'Ambrosio MP are provided as Attachment 3.8.

LEVEL 12, 60 COLLINS STREET MELBOURNE  
GPO Box 4326 MELBOURNE VIC 3001  
T 03] 9667 5555 F 03] 9667 5550  
www.mav.asn.au

**MUNICIPAL ASSOCIATION OF VICTORIA**

8 August 2022

The Hon. Lily D'Ambrosio  
Minister for Energy  
Minister for Environment and Climate Action  
Level 16, 8 Nicholson Street  
East Melbourne VIC 3002

Delivered via email: [lily.dambrosio@parliament.vic.gov.au](mailto:lily.dambrosio@parliament.vic.gov.au)

Dear Minister

**Circular economy funding support package for councils**

Over the last three years, the Victorian Government has progressed an ambitious and far-reaching reform agenda in relation to waste management and recycling. The MAV and Victorian councils have worked closely with the State on many of these reforms, including the transformation of the environment protection regulatory regime and elements of the Recycling Victoria policy.

While we and councils strongly support many of these reforms, the resourcing and financial impact on councils of such a substantial change agenda, has been significant. Mindful of the impacts of COVID-19, inflation and other cost of living pressures, councils have been working hard to minimise cost impacts on households. The cumulative impact of mandated service reforms, ongoing and new capital investment requirements, increased landfill levy rates, and higher service provider fees, however, makes this an extremely difficult challenge.

To assist councils to minimise cost impacts on households, I am writing to request your consideration of a new circular economy funding support package for councils. This should be a non-competitive grants package distributed using a modified version of the Victorian Local Government Grants Commission methodology for General Purpose Grants, utilising the waste management cost adjusters. We believe it would be appropriate for some portion of the fund to be distributed on a flat per-council basis, with the remainder distributed based on the allocation formula. We propose that the funding package comprise two streams as follows:

Fund name	Purpose	Quantum
Local Government Circular Economy Infrastructure Fund	Contribute to the capital costs of implementation of the household recycling reforms as well as construction, upgrades and improvements of council transfer stations, material aggregation sites and resource recovery centres	\$100 million (over 4 years)





- 2 -

Fund name	Purpose	Quantum
Local Government Circular Economy Capability Fund	Support councils to prepare, review and update waste and recycling policies, strategies and plans; undertake feasibility studies, risk assessments and audits; engage third party expert advice and assistance; training and professional development	\$20 million (over 2 years)

#### Infrastructure Support

Mandated new service requirements, strengthened environmental standards, and increasing community expectations have all resulted in significant waste and recycling capital costs for councils.

The requirement for councils to standardise kerbside bin lid colours and to offer households a four-stream service is costing the sector tens of millions of dollars to roll out. Provisional funding offers made by DELWP to councils indicate that at best the State may contribute between 5% and 25% of the capital costs, with many councils offered funding at the lower end. Rural councils that applied for and received funding to upgrade their transfer stations were subsequently advised by DELWP that they would receive less funding support for the household reforms, despite these councils having significant budget constraints.

For many councils, the costs of ensuring council transfer stations, resource recovery centres and landfills meet standards and expectations are prohibitive without securing State funding support.

We are seeking a four-year \$100 million Circular Economy Infrastructure Fund to contribute to the capital costs of implementation of the household recycling reforms as well as upgrades and improvements to council transfer stations, material aggregation sites and resource recovery centres.

#### Capability support

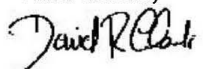
For most, if not all councils, the challenging task of preparing for, and implementing the Victorian Government reforms has been taken on by the same council staff responsible for ensuring the continued successful operation of councils' existing services. Unlike the DELWP waste and recycling team, which appears to have grown significantly over the last three years, the State has provided little, if any, funding support to councils to increase human capital to implement the reforms.

With the passage of the Circular Economy Bill through Parliament and the winding up of the seven waste and resource recovery groups (WRRGs), we are concerned that critical strategic and operational support provided by the WRRGs may not be picked up by Recycling Victoria. Beyond the very important collaborative procurement, regional infrastructure planning, and community education services that we understand will be continued by Recycling Victoria and Sustainability Victoria, the WRRGs also provided councils with highly valued support and advice for day-to-day operational and strategic duties. Without this support, we fear there will be a sizeable capability and capacity gap that will not only impact community waste and recycling services but also hamper Victoria's transition to a circular economy.

We are seeking a two-year \$20 million Circular Economy Capability Fund to help councils ensure their policies, plans and processes are fit for purpose and position councils strongly to support the transition to a circular economy. The funding should also be available to undertake feasibility studies, risk assessments and audits, engage third party expert advice and assistance, and to support the professional development and training of staff.

I would welcome the opportunity to discuss this proposal with you further.

Yours faithfully



CR DAVID CLARK  
President

xx August 2022

The Hon. Lily D'Ambrosio  
Minister for Energy  
Minister for Environment and Climate Action  
PO Box 500  
Melbourne VIC 3002  
[lily.dambrosio@parliament.vic.gov.au](mailto:lily.dambrosio@parliament.vic.gov.au)

Dear Minister

#### Circular economy transition support

I write to seek your support for a new State-funded Local Government Circular Economy Funding Program to help minimise the cost impacts on households of implementing and delivering the Andrews Government's ambitious circular economy reforms.

[council name] supports the Victorian Government's ambition for an accelerated transition to a circular economy. The speed and scale of recent recycling reforms however have created significant resourcing and cost pressures on councils, with the requirement to standardise bin lid colours and reform household services expected to cost [council name] \$xx in capital costs alone.

Recognising the already significant cost pressures on households, we are working hard to minimise the cost impacts of these reforms on our residents. The combination of increased landfill levy rates, new service and infrastructure requirements, population growth, and ballooning capital works costs, however, makes this a very difficult challenge.

The recent winding up of the [insert name] Waste and Resource Recovery Group (WRRG) and uncertainty regarding the ongoing availability of some of the operational and strategic support provided by WRRG staff is only adding to the pressure on council.

I understand the MAV has recently written to you requesting establishment of a new funding support package for local government. [council name] supports the MAV's request for a two-part funding package as described below:

Fund name	Purpose	Amount
Local Government Circular Economy Infrastructure Fund	Contribute to the capital costs of implementation of the household recycling reforms as well as construction, upgrades and improvements of council transfer stations, material aggregation sites and resource recovery centres	\$100 million (over 4 years)
Local Government Circular Economy Capability Fund	Support councils to prepare, review and update waste and recycling policies, strategies and plans; undertake feasibility studies, risk assessments and audits; engage third party expert advice and assistance; training and	\$20 million (over 2 years)

Fund name	Purpose	Amount
	professional development	

To minimise unnecessary administrative costs, we ask that this funding support be made available as a non-competitive grants package. We agree with the MAV's suggestion that allocation could adapt the existing methodology for allocation of Financial Assistance Grants, with a flat per-council component added.

I would welcome the opportunity to discuss this proposal with you further.

Yours faithfully

[AUTHOR]

[Position]

### 3.9 REVIEW OF DISCRETIONARY COUNCIL RESERVES

RESPONSIBLE OFFICER: CHIEF EXECUTIVE OFFICER  
DEPARTMENT: CEO'S OFFICE  
REFERENCE: 6216

#### 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 review of Council's discretionary reserves has been undertaken to evaluate whether funds set aside for specific purposes in previous years are still required.

#### DISCUSSION

Council uses reserves to set aside funds from operating and capital incomes, for specific purposes, to meet future funding of projects. From an accounting perspective the value of reserve funds are included in the equity section in the balance sheet.

Council held the following reserves in the previous financial year, as at 30 June 2021:

Reserves	Purpose of Reserve	Type of Reserve	Balance at 30 June 2021
Capital Works and Projects	to fund carried forward works and projects from the previous year	Discretionary	\$13,768,914.00
Plant Replacement	to replace major items of plant and equipment	Discretionary	\$774,423.00
Vehicle Replacement	to replace vehicles	Discretionary	\$343,584.00
Election	to fund election	Discretionary	\$37,303.00
Aerial Imaging	to fund aerial imaging costs	Discretionary	\$8,011.00
Library	to fund library upgrade works	Discretionary	\$235,000.00
Defined Benefits	to fund defined benefit superannuation calls	Discretionary	\$361,000.00
Essential Services	to fund essential services reports and works	Discretionary	\$194,840.00
Recreational Lands	to fund public open space works	Restricted	\$78,209.50
Pit Restoration	to fund works required to reinstate gravel pits	Discretionary	\$0.00
Building Capital	to fund major building capital works	Discretionary	\$3,081,094.00
Environmental Projects	to fund innovative environmental projects	Discretionary	\$94,709.00
Waste Management	to fund works related to the delivery of waste management services	Discretionary	\$1,889,489.00
Asset Management	to fund asset management works	Discretionary	\$164,943.00

Information Technology	to fund information technology works	Discretionary	\$597,000.00
Loan Repayment	to provide for repayment of loans	Discretionary	\$2,000,000.00
Aerodrome	to fund works required at the Ararat Aerodrome	Discretionary	\$45,627.00
			<b>\$23,674,146.50</b>

It is recommended that the following reserves be closed effective from 30 June 2022, with the reserve balances, totalling \$1,987,308, transferred to the Building Capital Reserve, where Council can allocate funds toward future projects when required:

Reserves	Reason for Closure
Vehicle Replacement Reserve	Fund in the Annual Budget
Election Reserve	Fund in the Budget every 4 years
Aerial Imaging Reserve	Fund in the Budget when required
Library Reserve	There is no longer a specific purpose for the use of these funds
Defined Benefits Reserve	Funds have not been required since the reserve was started in 2012/13. Fund in the Budget when required
Essential Services Reserve	There is no longer a specific purpose for the use of these funds. Fund in the Budget when required
Asset Management Reserve	There is no longer a specific purpose for the use of these funds
Information Technology Reserve	There is no longer a specific purpose for the use of these funds
Loan Repayment Reserve	Interest only loan has been repaid
Aerodrome Reserve	There is no longer a specific purpose for the use of these funds. Fund in the Budget when required

## 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; and implementation of effective community engagement practices.

### *Budget Implications*

Streamlining the number of reserves provides more accurate reporting and gives greater clarity of funds available, that can be allocated to future projects.

### *Policy/Relevant Law*

Council is required under the Local Government Act 2020 and financial reporting standards to disclose all reserves set aside for specific purposes in its annual financial statements. Transfers to and from reserves, and closure of reserves should be by resolution of Council.

### *Sustainability Implications*

Maintaining reserve funds helps Council achieve financial sustainability, with funds set aside to fund future Council projects.

### *Risk Assessment*

Council reserves provide additional funds set aside for specific purposes and by Council resolution can be used to fund Council projects.

### *Innovation and Continuous Improvement*

The review of reserve funds provides greater transparency and improved reporting.

### *Stakeholder Collaboration and Community Engagement*

The purpose of each Council reserve has been reviewed by management, leading to the recommendations of this report.

### RECOMMENDATION

*That the following reserves be closed effective from 30 June 2022, with the total balance of \$1,987,308 transferred to the Building Capital Reserve:*

- *Vehicle Replacement Reserve (\$343,584)*
- *Election Reserve (\$37,303)*
- *Aerial Imaging Reserve (\$8,011)*
- *Library Reserve (\$235,000)*
- *Defined Benefits Reserve (\$361,000)*
- *Essential Services Reserve (\$194,840)*
- *Asset Management Reserve (\$164,943)*
- *Information Technology Reserve (\$597,000)*
- *Loan Repayment Reserve (\$0 – loan repaid in 2021/22)*
- *Aerodrome Reserve (\$45,627)*

### MOVED CR BEALES

### SECONDED CR BURRIDGE

That the following reserves be closed effective from 30 June 2022, with the total balance of \$1,987,308 transferred to the Building Capital Reserve:

- Vehicle Replacement Reserve (\$343,584)
- Election Reserve (\$37,303)
- Aerial Imaging Reserve (\$8,011)
- Library Reserve (\$235,000)
- Defined Benefits Reserve (\$361,000)
- Essential Services Reserve (\$194,840)
- Asset Management Reserve (\$164,943)
- Information Technology Reserve (\$597,000)
- Loan Repayment Reserve (\$0 – loan repaid in 2021/22)
- Aerodrome Reserve (\$45,627)

CARRIED 4696/22

### ATTACHMENTS

There are no attachments in relation to this item.

SECTION 4 – INFORMATION REPORTS

Nil.

## 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.

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#### 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 16 August 2022
Council Briefing held on 22 August 2022

#### Issues discussed at the briefing:

- Guest: Inspector Jo Janes- Community Policing Model
- Buangor Recreation Reserve kitchen project update
- Road Reseal Program
- Community Infrastructure Projects
- Living Regions Grant
- Gordon St update
- Leisure Centre Stage 0 update
- Garden Gully Rd dog attack
- Greenhill Lake- land management
- Elmhurst blitz
- Noxious weeds- Moyston, Elmhurst, Pomonal
- CFA roadside spraying
- Ararat Jobs & Technology Precinct
- Revised Façade Grants program
- Financial reserves review
- Economic Development strategy
- Capital works plan
- Circular economy update



## 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 SANDERS

## SECONDED CR R ARMSTRONG

**That the Informal Meetings of Councillors Report be received.**

**CARRIED 4697/22**

## ATTACHMENTS

The Summary of Council Briefings are provided as Attachment 5.1.

## Councillor Briefing

**Date: Tuesday 16 August 2022**  
**Commencement: 5.00 pm**  
**Location: Council Chamber, Shire Offices**

### Present

**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	Guest: Inspector Jo Janes – community policing model
3	Buangor Recreation Reserve kitchen project update
4	Road Reseal Program – full detail
5	Economic Development Strategy
6	Community Infrastructure Projects – first half of program
7	Living Regions Grant - playgrounds
8	Gordon St update
9	Leisure Centre Stage 0 update
10	Garden Gully Rd dog attack update
11	Next week's briefing

**Briefing Closed: PM**

Dr Tim Harrison

# Councillor Briefing

Date: Monday 22 August, 2022  
Commencement: 5.00 pm  
Location: Council Chamber, Shire Offices

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## 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

## Apologies:

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## 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	Greenhill Lake- review of Council's land management role
3	Elmhurst blitz
4	Noxious weeds- Moyston, Elmhurst, Pomonal
5	CFA roadside spraying
6	Ararat Jobs and Technology Precinct
7	Revised Façade Grants program
8	Financial reserves review
9	Economic development strategy
10	Capital works plan
11	Circular economy update

**Assembly Closed: PM**  
**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*.

### (113) NOTICE OF MOTION: CR PETER BEALES

It is my intention at the ordinary meeting of the Ararat Rural City Council to be held on 30 August 2022, to move the following motion: "That Council commences negotiations with the State Government to return Council's role in the management of Green Hill Lake Reserve to the State Government"

CR PETER BEALES

MOVED CR BEALES  
SECONDED CR R ARMSTRONG

CARRIED 4698/22

## 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.

Meeting closed at 6:57pm

I HEREBY CERTIFY THAT PAGES 5487 TO 5633 ARE CONFIRMED AND ARE A TRUE AND CORRECT RECORD.

MAYOR – CR JO ARMSTRONG