



Minutes

Council Meeting held at 12.30 PM on Monday 4 March 2024 in the Perry Room, St Arnaud Town Hall.

Present

Cr Rob Haswell (Mayor)
Cr Lauren Dempsey
Cr Murray Emerson
Cr Kevin Erwin
Cr Trevor Gready
Cr Karen Hyslop
Cr Eddy Ostarcevic PhD

Mr Brent McAllister, Chief Executive Officer
Mr Vaughan Williams, Director Corporate and Community Services
Mr Trenton Fithall, Director Infrastructure and Amenity
Ms Justine Kingan, Director Strategy, Prosperity and Engagement

Affirmation

We recognise the traditional owners of the land.
We are inspired by the early pioneers and by those who gave their lives for our country.
We now ask God's blessing on our deliberations
and on our commitment to build a better lifestyle and environment.

Confirmed at the meeting of Council on Monday 1 April 2024.

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1. Apologies

Nil

2. Confirmation of Minutes

Council Meeting held on Monday, 5 February 2024.

RESOLUTION

That the minutes as listed, copies of which have been circulated, be confirmed and adopted.

Moved: Cr Murray Emerson

Seconded: Cr Karen Hyslop

Carried

3. Matters Arising from the Minutes

Nil

4. Presentations/Awards

Nil

5. Presentation of Petitions and Joint Letters

Nil

6. Disclosure of a Conflict of Interest at a Council Meeting

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

- (i) 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**
- (ii) 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-**

- **advising of the conflict of interest;**
- **explaining the nature of the conflict of interest; and**
- **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 on 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.

The Councillor must, in either event, exclude themselves from the decision-making process, including any discussion or vote on the matter and any action in relation to the matter and 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.

Members of Staff

A member of Council staff must disclose any conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a report for a Council meeting. They must immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer disclosing the conflict of interest and explaining its nature.

Nil

7. Informal Meetings of Councillors

[Brent McAlister, Chief Executive Officer]

Council's Governance Rules require that if there is a meeting of Councillors that-

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- is attended by at least one member of Council staff; and
- 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:

- tabled at the next convenient Council meeting; and
- recorded in the minutes of that Council meeting.

The records for the period since the last Council Meeting are listed below.

19/02/2024	Councillor Briefing	8.1 Discover Northern Grampians Advocates Videos 8.2 10:30am Presentation - Sports and Active Recreation Strategy and Open Space and Active Transport Strategy 8.3 11am Presentation: Signage Strategy 8.4 Director Report - Infrastructure and Amenity 8.5 Objection to all forms of Prayer and Religious Practices 8.6 Local Government Reform Submission 2024 8.7 12:10pm - St Arnaud Integrated Early Years Project	Councillor/Officer Cr Hyslop	Item Number 7	Left Meeting? Yes
12/02/2024	Councillor Briefing Councillor and CEO Meeting	1. Stawell Underground Physics Laboratory (SUPL) update 2. Strategic stocktake briefing sessions	Councillor/Officer Nil	Item Number Nil	Left Meeting? Nil
12/02/2024	Councillor Briefing	9.1 Strategic Discussion - Renewable Energy Stocktake 9.2 Last 3 Years Achievements and 2024 Challenges 9.3 Financial Carry Forward and Capital Update	Councillor/Officer Cr Karen Hyslop	Item Number 9.1	Left Meeting? Yes
05/02/2024	Councillor Briefing	7.1 Stawell Sports and Aquatic Centre Service Overview 7.2 Infrastructure Program Update 8 Council Agenda Review	Councillor/Officer Nil	Item Number Nil	Left Meeting? Nil
29/01/2024	Councillor Briefing Councillor and CEO Meeting	1. Thomas Food Stawell Plant Update 2. Compliance Matter 3. Stawell Train Station 4. Planning Permit Neighbours Notification	Councillor/Officer Nil	Item Number Nil	Left Meeting? Nil
29/01/2024	Councillor Briefing	9.1 10am - Grampians Community Health Presentation 9.2 Community Care Decision 9.3 Victorian Government Funding Streams 9.4 Australia Day Petition 10.1 C2 2021/22 - Provision of Street Cleaning Services	Councillor/Officer Cr Karen Hyslop	Item Number 4.1 Actions from previous Councillor Briefing	Left Meeting? Yes

RESOLUTION

That the report on Informal Meetings of Councillors be approved.

Moved: Cr Kevin Erwin

Seconded: Cr Murray Emerson

Carried

8. Items Brought Forward

Nil

9. Consideration of Reports of Officers

9.1. Enhance Lifestyles and Community

9.1.1. Council Plan Action Report

Author/Position: Vaughan Williams, Director Corporate and Community Services

Purpose

To report on the progress of the Council Action Plan 2023-24 for the period 1 November 2023 to 31 January 2024.

Summary

The Council Plan 2021-25 provides the objectives that Council will undertake throughout the four year period. To achieve the goals set out in the Council Plan, the Council Action Plan 2023-24 was adopted by Council at the 4 September 2023 Council Meeting.

The action plan outlines the major initiatives that are to be carried out in the 2023-24 year of the Council Plan. The attached report provides an update on the progress towards achieving the objectives set out in the Council Action Plan 2023-24 from 1 November 2023 to 31 January 2024.

Recommendation

That Council notes the Council Action Plan Report for the 1 November 2023 to 31 January 2024 period and approves the forecast plan.

RESOLUTION

That Council notes the Council Action Plan Report for the 1 November 2023 to 31 January 2024 period and approves the forecast plan.

Moved: Cr Karen Hyslop

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

Council is required under the *Local Government Act 2020* to prepare a Council Plan containing the strategic objectives of Council, strategies for achieving those objectives and indicators to monitor the achievement of those objectives.

The Council Action Plan 2023-24 supports the Council Plan by providing key actions that Northern Grampians Shire Council is to deliver within the 2023-24 year to accomplish the strategic objectives outlined in the Council Plan. Three progress updates over a 12 month period are provided to Council and the community to give a clear indication as to whether Council's goals and objectives are on track to meet delivery targets.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Option 1

That Council notes the Council Action Plan Report for the 1 November 2023 to 31 January 2024 period and approves the forecast plan. **[recommended]**

Option 2

That Council notes the Quarterly Council Action Plan Report with amendments. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

The Council Action Plan includes the expenditure agreed in Council's adopted budget.

Community Engagement

This report is to provide Council and the community with an update of Council's current projects and initiatives and if they are on track for completion.

Innovation and Continuous Improvement

The Council Action Plan Report aims to improve transparency and provide clear information to the community.

Collaboration

Any opportunities for collaboration with other councils or public bodies will be considered with each initiative.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Brent McAlister, Chief Executive Officer

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Council Plan Action List **[9.1.1.1 - 8 pages]**

Council Action Plan 2023-24



	Off track
	Monitor
	On track
*	Projects carried forward

Enhance Lifestyles and Community				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Wellness and Welfare				
Deliver Central Park Football Changerooms *	Jun-23	Mar-24		On track.
Design Central Park Netball Courts	Jun-24	Jun-24		Currently awaiting SRV decision of Country Football and Netball Grant for \$250K towards the project. Initial planning works have commenced.
Upgrade Central Park Netball Changerooms	Jun-25	Jun-25		On track.
Improve pedestrian safety in the St Arnaud Civic Precinct Market Square Carpark	Jun-24	Jun-24		Pre Prep Modular no longer to be installed in the Market Square carpark which requires the scope of the pedestrian safety treatments to be reviewed.
Deliver design for Navarre Recreation Reserve Facility Upgrades *	Jun-23	Nov-25		Tender for D+C closing 14 February).
SSAC Concept Design and Schematic	Jun-23	May-24		Draft aquatic design concept design and costings to be presented to Council in April.
Resurface the North Park Precinct Tennis Courts	Jun-24	Jun-24		Complete.
Enhance the Lord Nelson Park Sporting Club*	Jun-23	Oct-23		Complete.
Design the Great Western Football & Netball Clubrooms and Lighting*	Jun-23	Jun-24		Complete.
Develop a new Stuart Mill Community Plan*	Jun-24	Jun-24		Due to resources deployed to community flood recovery efforts, Stuart Mill Community Plan is on hold.

Renew Heritage Trail signage*	Jun-23	Nov-23		Complete.
Investigate St Arnaud Integrated Early Learning Centre	Jun-23	Aug-24		Project commenced and the advisory group is being formed.
Undertake a Community Care Service Review*	Jun-23	Oct-23		Complete.
Deliver a Sport and Active Recreation Strategy*	Jun-23	Apr-24		Council Decision on 8 April 2024.
Protect key heritage buildings and precincts*	Jun-23	Jun-24		Council decision on the Heritage Study and authorisation to prepare the amendment 2 September 2024.
Conduct Heritage Study Review*	Jun-23	Apr-24		Council decision on the Heritage Study and authorisation to prepare the amendment 2 September 2024.
Deliver the North Park Precinct Skate Park*	Mar-23	Sep-23		Complete.
Cultural Awareness training and develop a protocol*	Jun-23	Jun-24		On track.
Improving Connectivity				
Support Schools to create their own Transport Safety Management Plans	Jun-24	Jun-24		Plans under review due to the changes in supervised crossing management.
Undertake a Footpath Improvement Program	Jun-24	Jun-24		On track.
Undertake a Major Rural Roads Improvement Program	Jun-24	Jun-24		On track.
Undertake a Rural Residential Road Improvement Program	Jun-24	Jun-24		On track.
Undertake a Town Road Sealing Improvement Program	Jun-24	Jun-24		On track.
Undertake an Urban Residential Road Improvement Program	Jun-24	Jun-24		On track.
Undertake the Great Western Trail Stage 1 - Trail Delivery*	Dec-22	Dec-23		Complete.
Undertake a Stawell Flood Study*	Jun-24	Jun-24		Initial modelling undertaken. Further refinement underway including survey work.
Undertake a Marnoo Flood Study*	Jun-22	Feb-24		Complete.
Deliver Open Space and Active Transport Plan*	Jun-23	Apr-24		Council Decision on 8 April 2024.
Advocate for new and existing spaces for arts and culture activities*	Jun-23	Jun-24		On track.
Protecting the Natural Environment				
Implement the Walkers Lake Management Plan - Historical Plaque Project	Jun-24	Jun-24		Complete.
Implement the Walkers Lake Management Plan - Access, Tracks and Signage*	Jun-23	Jun-23		On track.
Container Deposit Scheme Implementation*	Jun-24	Jun-24		Complete.

Establish a Transition Plan for a Glass Recycling Collection Service	Jun-24	Jun-24		Planning is ongoing. Council's new waste contract will consider glass collection options and implementation timeframes.
Transfer Station Upgrade - Deliver Glass Bins*	Dec-22	Dec-23		Complete.
Investigate and prepare for a separate Food Organic and Garden Organic (FOGO) waste collection*	Jun-23	Jun-24		Planning is ongoing. FOGO Trial to take place in St Arnaud to better understand the nature of material received through a FOGO kerb side collection and establish a means to manage and process locally.
Undertake Food & Green Organic Waste Composting Trial*	Jun-23	Jun-24		Trial began in August 2023 and FOGO collection service underway in St Arnaud. Trial to conclude in 2024.
Deliver Public Place Recycling in high use areas *	Dec-22	Dec-23		Expect delays due to fabrication timelines and supply issues.
Advancing Education				
Develop a Youth Strategy *	Jun-23	Jun-24		Youth Strategy to be presented to Council in June 2024.

Boost Economic Growth				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Boosting Tourism				
Deliver the Grampians Peaks Trail Halls Gap connection*	Jun-23	Jun-24		Parks Victoria led project. Council endorsed the design and consented to works at the September Council Meeting.
Implement St Arnaud and Stawell Tourism Strategy Action Plans*	Jun-23	Jun-23		On track.
Support Victoria's Goldfields to be given UNESCO World Heritage status*	Jun-23	Jun-25		In progress.
Building more Housing				
Housing Stocktake	Jun-24	Jun-24		In progress.
Deliver Sloane St Trunk Infrastructure, Stawell*	Jun-23	Dec-23		Complete.
Investigate Urban Growth opportunities and constraints to accommodate long term housing supply in Stawell*	Jun-23	Jun-24		Technical work underway.
Develop a St Arnaud Structure Plan*	Jun-23	Sep-23		Complete.
Continue to work with Passive Place on the delivery of the Sloane Street Development*	Jun-23	Jun-24		Satisfactory outline masterplans not yet provided.

Growing Local Businesses				
Advocate for funding the Halls Gap Heath Street Bridge*	Jun-23	Jun-24		In progress.
Determine feasible value-add opportunities to the agriculture sector*	Jun-23	Jun-25		Moved to Year 4.
Advocate for an outer township gateway at the proposed London Road intersection, Stawell*	Jun-23	Jun-25		Western Highway Duplication Section 3 identified as a key advocacy project in preparation for renewed advocacy with the State and Federal Governments.
Upgrade B-Double routes	Jun-24	Jun-24		On track.
Deliver Stawell Airport Runway Lighting Upgrade*	Mar-23	Dec-23		Complete.
Review the Northern Grampians Shire Council Stawell Aerodrome Master Plan*	Dec-22	Dec-23		Complete.
Develop a Priority Investment Prospectus*	Dec-22	Dec-23		Advocate videos done. Draft municipal wide investment prospectus in progress.
Undertake Heath St Bridge detailed design*	Jun-23	Dec-23		Complete.
Advocate to State and Commonwealth Governments for the implementation of key recommendations in the Wimmera Southern Mallee Regional Digital Plan*	Jun-22	Jun-24		In progress.
Explore options for improved wayfinding (incl. signage and local information) along key urban routes	Jun-24	Jun-24		In progress.
Secure funding of the Halls Gap commercial centre Rear Laneway Commercial Expansion	Jun-24	Jun-24		In progress.
Establish land use precincts along the Western Highway, Stawell*	Jun-23	Jun-24		Off track due to resource constraints.
Undertake a Bridges and Major Culvert renewal program	Jun-24	Jun-24		Works near complete on Landsborough Road Bridge. Design work complete to progress the remainder of the program. Projects with successful grants this year will need to be forecast for 2024/25.

Migration Support	Jun-24	Jun-24		On track.
Advocate for the realignment of the Lake Road level crossing	Jun-24	Jun-24		Not yet started.
Revitalise and reactivate retail opportunities in Stawell and St Arnaud *	Jun-22	Jun-25		On track.
Explore opportunities for long term industrial growth along Gilchrist Rd, Stawell and St Arnaud *	Jun-23	Jun-25		Progress pending amendment to introduce Stawell Framework Plan into the Planning Scheme.

Provide Sustainable Infrastructure				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Being a better Council				
Street lighting LED conversion	Jun-24	Jun-24		Funding sought. Obtaining quotes.
Undertake a Road Resealing Program	Jun-24	Jun-24		On track.
Undertake a Road Resheeting Program	Jun-24	Jun-24		On track.
Review the Footpath Asset Management Plan	Jun-24	Jun-24		On track.
Undertake a Stawell Cemetery Improvement Program*	Dec-22	Jun-24		Earthworks started, has since paused pending native vegetation removal planning permit.
Assess the condition of road & drainage assets*	Jun-23	Jun-24		Tender currently under evaluation.
Undertake a Quarry Resource Material Review*	Jun-23	Jun-24		Work progressing with some minor delay.
Bridge and Major Culvert Condition Assessment*	Mar-23	Dec-23		Level 2 bridge assessment complete. Structures which qualify for further assessment will undergo a Level 3 assessment.
Undertake a Structural Assessment of the St Arnaud Pool*	Sep-22	Oct-23		Complete.

Improve Organisational Effectiveness				
Action	Adopted Due Date	Forecast Due Date	Current Status	Comments
Being a better Council				
Undertake 'Reduce Red Tape Projects' - Building, Planning, Environment review *	Jun-23	Jun-24		Review complete. New system in implementation.
Undertake 'Reduce Red Tape, Referral Advice Review' *	Jun-23	Jun-24		Review complete, working with external referrals.
Undertake 'Reduce Red Tape, Website/Communication Review' *	Dec-22	Jun-24		Review complete. Obtained a grant to undertake work to overhaul the website. Work underway.
Undertake 'Reduce Red Tape, Pre-Application Review' *	Dec-22	Jun-24		Review complete, working with Economic Development to concierge the pre application process and encourage early pre-application sessions with potential developers. Website improvements will provide clear and helpful pre-application advice.
Improve water quality and capacity at Mooney Dams, Stawell *	Jun-23	Jun-24		Grant dependant.
Implement the Library review items	Jun-23	Jun-24		75% of recommended changes from the review have been considered and implemented.
Develop a Victorian Protective Data Security Framework Plan *	Jun-23	Jun-24		Year 3 implementation plan is on track.
Implement a new records management system *	Jun-23	Apr-24		Records implementation will be delayed until later in this financial year.
Plant & Equipment Review *	Dec-22	Jun-24		Planning and preparation underway for later in the year.
Review Naturestrip Management Plan *	Sep-22	Apr-24		Finalising last components before draft is complete. Delays expected to allow for public display and commentary.

9.1.2. Australia Day Petition

Author/Position: Mary Scully, Manager Governance

Purpose

To consider a petition asking that Council leave Australia Day alone and hold community events that celebrate Australia Day, acknowledge Indigenous culture and mark Australia Day with Citizenship Ceremonies.

Summary

At the 5 February 2024 Council Meeting, Council moved that a petition lodged with the Chief Executive Officer on Monday, 22 January 2024, be received and lay on the table until the next Council meeting.

The petition, with in excess of 4900 signatories read:

“ We the undersigned, petition that Council should leave AUSTRALIA DAY ALONE.

Australia Day means different things for many.

It is still a day to be proud and acknowledge the sum of all Australians.

It is also a day to acknowledge those who have served, fought, and died under our flag, defending our freedoms.

For some Australia Day may be painful.

We believe that the debate about Australia Day is NOT THE ROLE OF LOCAL COUNCILS – who should be focused on local issues.

We ask that Council LEAVE AUSTRALIA DAY ALONE and hold community events that:

Celebrate Australia Day

Acknowledge Indigenous Culture

Mark Australia day with Citizenship Ceremonies.”

Recommendation

That Council makes a decision on the petition.

RESOLUTION

That Council continues to hold Australia Day events in Stawell and St Arnaud and informs the lead petitioner that under the current elected Council no changes are intended to be made to Australia Day events held in the shire.

Moved: Cr Trevor Gready

Seconded: Cr Eddy Ostarcevic

Carried

CR DEMPSEY CALLED FOR A DIVISION

FOR THE MOTION - Crs Murray Emerson, Kevin Erwin, Trevor Gready, Rob Haswell, Karen Hyslop and Eddy Ostarcevic PhD

AGAINST THE MOTION - Cr Lauren Dempsey

Background/Rationale

Northern Grampians Shire Council currently holds Australia Day events in both St Arnaud and Stawell annually on the 26 January Australia Day Public Holiday. The Northern Grampians Shire Council embraces Australia Day events as a time to recognise and honour local achievements and celebrate new citizens to the shire.

The events consist of live music, food and drinks, and awards presented to individuals and groups that have gone above and beyond throughout the year to make a significant difference in the community. This is then followed by the welcoming of any new citizens in a Citizenship Ceremony.

The petition asks that Council leave Australia Day alone and requests that community events be held that celebrate Australia Day, acknowledge Indigenous culture and include a Citizenship Ceremony.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Governance Rules 2022

Council Plan 2021-25 – Enhance Lifestyles and Community

Options

Option 1

That Council continues to hold Australia Day events in Stawell and St Arnaud and informs the lead petitioner that under the current elected Council no changes are intended to be made to Australia Day events held in the shire. **[recommended]**

Option 2

That Council makes changes to future events held on Australia Day within the shire. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

No procurement requirements apply for the subject of this report.

Community Engagement

No community engagement was required for the subject of this report.

Innovation and Continuous Improvement

The subject matter of this report does not raise any implications regarding innovation or improvements.

Collaboration

No collaboration with other councils, governments or statutory bodies was required for the subject of this report.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

Nil

9.2. Boost Economic Growth

Nil

9.3. Providing Sustainable Infrastructure

9.3.1. Electrical Line Clearance Management Plan 2024-25

Author/Position: Heath Pohl, Acting Manager Operations

Purpose

The purpose of the Electrical Line Clearance Management Plan is to document how the Northern Grampians Shire Council will maintain electrical line vegetation clearances in the declared areas of Stawell and St Arnaud.

Summary

The Electrical Line Clearance Management Plan is to document how the Northern Grampians Shire Council will maintain electrical line vegetation clearances in the declared areas of Stawell and St Arnaud as required by the *Electricity Safety Act 1998*. The Electrical Line Clearance Management Plan is developed by the responsibilities as outlined by the *Energy Safe Victoria Regulations 2020*.

Recommendation

That Council adopts the Electrical Line Clearance Management Plan 2024-25.

RESOLUTION

That Council adopts the Electrical Line Clearance Management Plan 2024-25.

Moved: Cr Kevin Erwin

Seconded: Cr Murray Emerson

Carried

Background/Rationale

Council must ensure a current management plan to maintain electrical line vegetation clearances is prepared as required by the *Electricity Safety Act 1998*, outlined in the *Electricity Safety (Electric Line Clearance) Regulations 2020*. The plan is to be prepared before 31 March 2024.

An annually revised Northern Grampians Shire Council Electrical Line Clearance Management Plan must be adopted and made available for public viewing on Council's website as required by Energy Safe Victoria's *Electricity Safety Regulations 2020* as per Code Part 2 clause 9 (2).

The following are identified as the key objectives of this plan in fulfilling our stated commitment and the duties set out in the *Electricity Safety (Electric Line Clearance) Regulations 2020* for the Northern Grampians Shire Council as Responsible Person under the *Electrical Safety Act 1998*:

- Public Safety
- Compliance with the *Electricity Safety (Electric Line Clearance) Regulations 2020*.
- Protection of areas of important vegetation which may be deemed as such on the basis of those areas containing botanically, historically, or culturally important vegetation or vegetation of outstanding aesthetic or ecological significance, and/or the habitat of rare or endangered species.
- Management of vegetation to maximise the amenity of value of Council's trees.
- Community satisfaction with the manner in which the necessary works are carried out.
- Provide a safe workplace for employees and contractors.

Legislation, Council Plan, Strategy and Policy Implications

Council Plan 2021-25 – Providing Sustainable Infrastructure
Electricity Safety (Electric Line Clearance) Regulations 2020
Electricity Safety Act 1998

Code of Practice of Electrical Safety For Work On or Near High Voltage Electrical Apparatus (Blue Book)

Options

Option 1

That Council adopts the Electrical Line Clearance Management Plan 2024-25. **[recommended]**

Option 2

That Council does not adopt the updated Electrical Line Clearance Management Plan 2024-25. **[not recommended]**

Implications

Any identified sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications have been addressed in this report.

Procurement

No procurement requirements apply for the subject of this report.

Community Engagement

The annually revised Electrical Line Clearance Management Plan must be available for public viewing on council's website as required by Energy Safe Victoria regulations.

Innovation and Continuous Improvement

The subject matter of this report does not raise any implications regarding innovation or improvements.

Collaboration

No collaboration with other councils, governments or statutory bodies was required for the subject of this report.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Heath Pohl, Acting Manager Operations

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Electrical Line Management Plan 2024-25 [9.3.1.1 - 41 pages]



Electrical Line Clearance Management Plan

2024-25







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Version Control

Version	Date Prepared	Approved By	In compliance with
Version 1.0	March 2018	NGS Council	Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic) Electricity Safety Act 1998
Version 2.0	March 2019	NGS Council	Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic) Electricity Safety Act 1998
Version 3.0	March 2020	NGS Council	Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic) Electricity Safety Act 1998
Version 3.1	October 2020		ESV Audit
Version 3.2	December 2020	John Hunt	
Version 3.3	February 2021	John Hunt	
Version 3.4	February 2022	John Hunt	
Version 3.5	February 2023	John Hunt	
Version 3.6	February 2024	Heath Pohl	

Authorisation Table

This document complies with:	<i>Electricity Safety Act 1998</i>	
	<i>Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic)</i>	
	<i>Electrical Safety (General) Regulations 2019</i>	
	Code of Practice on Electrical Safety for the Distribution Business in Victoria Electricity Supply Industry (The Blue Book 2017)	
Reference	Prepared by:	John Hunt
	Preparation date:	December 2020
	Date requested by ESV:	October 2020
	Date submitted to ESV:	6 February 2021
Version 3.6	Amended plan approval date:	4 March 2024
	Date available on website:	5 March 2024

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1. Introduction - r.9(2)

This plan details the Northern Grampians Shire Council's processes in complying with the Electricity Safety Regulations 2020 (Vic) and is relevant to vegetation in the vicinity of overhead powerlines that may encroach on the minimum clearance space of the powerlines, as prescribed in the Electricity Safety Act 1998 and the Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic).

The regulations are in place to prescribe the management of vegetation around electric lines to minimize the risk of overhead electric lines causing fire, disruption to power or other risks to the Community.

Northern Grampians Shire Council's is responsible under the Act for trees in the "DECLARED" areas of the municipality these are predominately street trees in urban areas but also include trees on public land.

This plan details the management responsibilities, procedures and practices to be adopted and observed by the Northern Grampians Shire Council's in managing vegetation in the vicinity of overhead electric lines within the declared areas of Stawell and St Arnaud.

2. Preparation - r.9(2)

The document will be updated annually to ensure it always complies with the relevant Electricity Safety Act 1998 and Electricity Safety (Electric Line Clearance) Regulations or its preceding Documents.

A process has been developed to ensure before 31 March in each year, a responsible person must ensure that a management plan relating to compliance with the Code for the next financial year is prepared.

2.1. Process

- The preparation and authorization of the ELCMP is listed as an action under the responsibilities of the Coordinator of Parks & Facilities.
- The review, amendment and authorisation process will commence in February each year and an electronic task/action reminder is automated to the responsible officer in Councils Document management system Doc Assembler.
- An authorisation table has been included in this document to ensure each component is completed.
- The authorisation table acts as a record of the process.

2.2. References

The annual plan preparation will include a review of associated regulations, standards and other source material including but not limited to those listed below:

- Electricity Safety Act 1998
- Electricity Safety (Electric Line Clearance) Regulations 2020 (VIC)
- Electrical Safety (General) Regulations 2019
- The Blue Book 2017
- Environment Protection and Biodiversity Conservation Act 1999
- Flora and Fauna Guarantee Act 1988 (Vic)
- Aboriginal Heritage Act 1995
- Planning Provisions and Planning Schemes
- Pruning of Amenity Trees AS4373 (current version)

The plan will be reviewed in February each year by the Operations department. The annual review will include verifying current Australian Standards, training codes and that all other documentation is current.

The revised plan will be submitted to Council for approval prior to 31 March each year.

In the event of a request for the plan to be submitted to ESV it must be submitted within 14 days. The plan will be submitted by the Manager Operations.

The following sections are as per the *Electricity Safety (Electric Line Clearance) Regulations 2020*.

A copy of the plan is available on Council's website at <https://www.ngshire.vic.gov.au/Your-Council/Governance-and-transparency/Council-publications/Electrical-Line-Clearance-Management-Plan>.

3. Contacts - r.9(4)(a)

3.1. Name, address and telephone numbers of the responsible person – r.9(4)(a,b,c)

Name of Chief Executive Officer: Brent McAlister
Organisation: Northern Grampians Shire Council
Address: 59-69 Main Street, Stawell 3380
Telephone: 03 5358 8700
Email address: ngshire@ngshire.vic.gov.au

3.2. Name, position, address and telephone number of the individual who was responsible for preparation of the management plan – r.9(4)(a,b,c)

Name: Trenton Fithall
Position: Director Infrastructure and Amenity
Address: 59-69 Main Street, Stawell 3380
Telephone: 03 5358 8700 or 0459 027 636
Email address: trenton.fithall@ngshire.vic.gov.au

3.3. Name, position, address and telephone number of the persons who are responsible for carrying out the management plan – r.9(4)(a,b,c)

Name: John Hunt
Position: Manager Operations
Address: 59-69 Main Street, Stawell 3380
Telephone: 03 5358 8700 or 0492 891 554
Email address: john.hunt@ngshire.vic.gov.au

3.4. The telephone number of a person who can be contacted in an emergency that requires clearance of an electrical line that the responsible person is required to keep clear of trees – r.9(4)(a,b,c)

Name: Heath Pohl
Position: Coordinator Parks & Facilities
Address: 59-69 Main Street, Stawell 3380
Emergency Telephone Number: 03 5358 8700 or 0417 582 261
Email address: heath.pohl@ngshire.vic.gov.au

The After Hours number 03 5358 8700 is the 24/7 contact number.

4. Objectives – r.9(4)(e)

The following are identified as the key objectives of this plan in fulfilling our stated commitment and the duties set out in the *Electricity Safety (Electric Line Clearance) Regulations 2020*:

- To ensure that conflict between Council's managed trees and the electrical lines is minimized to maintain a reliable power supply to Council's residents, visitors and industry and that the fire safety of the declared areas within its townships is not compromised by Council managed trees and electrical line interactions.
- To maintain and enhance the existing tree population for inheritance by future generations by preserving tree health, aesthetic appearance and amenity value.
- To achieve compliance with the Electricity Safety (Electric Line Clearance) Regulations 2020.
- To ensure all tree pruning works are carried out comply with the Australian Standard AS4373 – 2007 Pruning of Amenity Trees.
- Protection of areas of important vegetation, which may be deemed as such on the basis of those areas containing botanically, historically or culturally important vegetation, remnant vegetation or vegetation of outstanding aesthetic or ecological significance, and/or the habitat of rare or endangered species.
- Management of vegetation to maximise the environment, biodiversity and amenity value of Council's trees.
- To achieve community satisfaction with the way the necessary works are carried out.

5. The land to which the management plan applies – r.9(4)(f)

This plan covers all Council managed trees located within road reserves, parks, gardens, facilities surrounds and other public open spaces managed by Council in the declared areas of Stawell and St Arnaud which are located in the Northern Grampians Shire. **See Appendix 1 (Stawell) and Appendix 2 (St Arnaud) for the plans.** The Declared Area map is consistent with the ESV database. The responsible person will ensure that an annual review of the CFA bushfire mapping is undertaken prior to the declared fire season to inform itself of any alterations to the 'High Bushfire Risk Area' boundaries' within NGSC declared areas. Any boundary anomalies found will be relayed to the cutting crews and revised mapping will be provided to the crews.

6. Tree Type and Locations – r.9(4) s.1(10)

Trees that may be included in the ELC program total 1680. **Refer to Appendix 6 (Stawell) and Appendix 5 (St Arnaud)**. The location of trees and tree types under powerlines which may need to be cut or removed to ensure compliance with the code can be identified on Councils mapping system Pozi.

6.1. **Weblink to tree types and locations of trees that may need to be cut or removed to ensure compliance with the code – r.9(4) s.1(10).**

[Northern Grampians Community Map \(pozi.com\)](https://pozi.com)

6.2. **Indigenous Trees – r.9(4)(g)(i)**

For the purpose of this plan, the definition of a 'indigenous tree' is a tree that is indigenous and remnant to the area.

Council managed trees within the declared area townships of Stawell and St Arnaud are a mix of indigenous and exotics.

The location of "Indigenous" trees that fall within the ELC program that may require cutting or removal to ensure compliance with the code can be identified on Councils mapping system Pozi.

6.3. **Weblink to trees that can be identified as "indigenous" that fall within the ELC program that may require cutting or removal to ensure compliance with the code r.9(4)(g)(i)**

[Northern Grampians Community Map \(pozi.com\)](https://pozi.com)

6.4. **Informing ELC Personal – r.9(4)(h)**

All ELC personnel are provided with specific instruction for the relevant cycle of cutting from the Parks & Gardens Supervisor regarding "indigenous" trees (indigenous or non-planted indigenous species) within the declared areas that the ELC program encompasses. Each member of the cutting crew is inducted on the current ELC program (cutting list) and any trees that are identified as significant, indigenous or habitat are identified to ELC crew. Refer to Appendix 12 ELC Induction proforma.

6.5. Informing Significant Trees – r.9(4)(h) & r.9(4)(g)(iii) s.1(11)

Indigenous trees (indigenous or non-planted indigenous trees), trees of ecological, historical or aesthetic significance, or trees of cultural or environmental significance will be identified in a number of ways including:

As identified by Council's Arborist during the ELC program inspection who is a qualified arborist who holds a National Certificate Level III in Horticulture (Arboriculture) or an equivalent qualification; and at least 3 years of field experience in assessing trees.

- As listed on a Council planning scheme overlay.
- Cultural sensitive overlay -Pozi.
- As listed in the Heritage Register within the meaning of the Heritage Act 1995.
- Included in the Victorian Aboriginal Heritage Register established under the Aboriginal Heritage Act 2006.
- Flora or a habitat of fauna listed as threatened in accordance with section 10 of the Flora and Fauna Guarantee Act 1988.
- Flora listed in the Threatened Flora List with a conservation status in Victoria of 'endangered' or 'vulnerable' or 'critically endangered'.
- A habitat of fauna which is listed in the Threatened Invertebrate Fauna List.

6.6. Web Links to source information – r.9(4)(h)

Councils cultural sensitive overlay - Pozi
[Northern Grampians Community Map \(pozi.com\)](http://www.pozicouncil.vic.gov.au/CommunityMap)

Councils planning scheme overlay - Pozi
[Northern Grampians Community Map \(pozi.com\)](http://www.pozicouncil.vic.gov.au/CommunityMap)

The Victorian Heritage Register
<http://vhd.heritagecouncil.vic.gov.au/>

The Victorian Aboriginal Heritage Register
<https://www.aboriginalvictoria.vic.gov.au/>

Department of the Environment, Land, Water and Planning, Flora and Fauna Guarantee Act 1988, Threatened List
<https://www.environment.vic.gov.au/conserving-threatened-species/threatened-list>

The DEPI Biodiversity Interactive Mapping Website
[Biodiversity 2037 \(environment.vic.gov.au\)](http://www.environment.vic.gov.au/biodiversity-2037)

Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), List of threatened flora, List of threatened ecological communities, List of threatened fauna
[Environment Protection and Biodiversity Conservation Act 1999 \(EPBC Act\) Home Page | Department of Agriculture, Water and the Environment, Australian Government](http://www.environment.gov.au/epbc-act)

Protected Matters Search Tool website
<http://www.environment.gov.au/webgis-framework/apps/pmst/pmst.jsf>

Council records, including the relevant zoning and overlay controls in the planning scheme.

6.7. Informing ELC Personnel of significant tree information – r.9(4)(g)(i)

All ELC personnel are provided with specific instruction for the relevant cycle of cutting. The cutting list is reviewed by the Parks and Gardens Team Leader and significant or “indigenous” trees that require cutting are highlighted and the cutting of these trees will be restricted to the minimum extent necessary to ensure compliance with the requirements of this Code or to make an unsafe situation safe. Restrict cutting to AS 4373 – 2007 Pruning of Amenity Trees; and cut frequently if required to maintain clearance space.

6.8. Trees of aesthetic significance – r.9(4)(g)(ii)

A number of trees have been identified as being of aesthetic significance to the Council which are within the ELC program.

- Cato Park, Stawell (Aesthetic)
- Seaby Street, Stawell (Aesthetic)
- Skene Street, Stawell (Aesthetic)
- Queen Mary Gardens, St Arnaud (Aesthetic)

For map locations of trees with aesthetic significance refer to Appendix 3 (Stawell) and Appendix 4 (St Arnaud).

7. The management procedure that the responsible person is required to adopt to ensure compliance with the Code, which must include details of the methods proposed to be adopted for – r9(3)(i)(i)

7.1. Managing Trees

- Two inspections and pruning (where required) of all trees within the declared areas of Northern Grampians Shire. (refer to web link 7.2).
- Cycle one Inspection and clearance - Inspection conducted in April Clearance pruning conducted in May.
- Cycle two Inspection and clearance - Inspection conducted in October clearance pruning conducted in November.
- Council managed trees that are within the Hazardous Bushfire Risk Areas (HBRA) declared area only are inspected and pruned during cycle one and two.
- Council appointed Contractor and or Council staff will carry out the inspections and pruning works.
- Coordinator Parks & Facilities will manage and monitor the inspection and pruning works performed by Council staff or the contractor.
- The use of appropriate plant selection for new and replacement plantings as per the Council's *Urban Tree and Nature Strip Management Plan*.
- Work with power supply authority to achieve better outcomes.
- Maps showing the pruning maintenance zones are shown in Appendix 5 & 6.
- Trees that may need to be cut or removed to ensure compliance with the code can be located on Councils mapping system Pozi.

7.2. Web link to trees located under powerlines in the declared areas of Stawell & St Arnaud

[Northern Grampians Community Map \(pozi.com\)](#)

7.3. Maintaining the minimum clearance space required by the code, between electrical lines trees – Pruning Works – R9(3)(i)(i)

All powerline pruning works are conducted in accordance with AS 4373-2007 “Amenity Tree Pruning” and clearance distances are determined as referenced in the code of practice for electric line clearance, (Schedule 2).

See Appendix 7 – Minimum Clearance Spaces.

All staff engaged in powerline clearance activities are appropriately trained and qualified.

Council has a well-established and open dialogue in place with Powercor’s Council Liaison Officer to ensure both parties have a clear understanding of each organisation’s priorities.

Pruning results are recorded manually identifying the tree’s location and other attributes as per Council’s electronic audit management program ElementORG Tree Cutting list. Refer to Appendix 8 or: [Add tree to cutting list | elementORG](#)

Trees are pruned to ensure foliage will remain free of the prescribed Clearance space until the next pruning cycle, trees that staff consider cannot be successfully pruned as outlined above will be brought to the attention of the Council’s Coordinator Parks and Facilities.

The Coordinator Parks and Facilities will then inspect the tree and if it is determined that the tree cannot be pruned to comply with the Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic), Council will investigate and implement an alternative method to ensure compliance.

Reports of non-compliance from Powercor, residents or other sources will be investigated by Council’s nominated responsible person and works will be carried out to rectify any non-conformances where required.

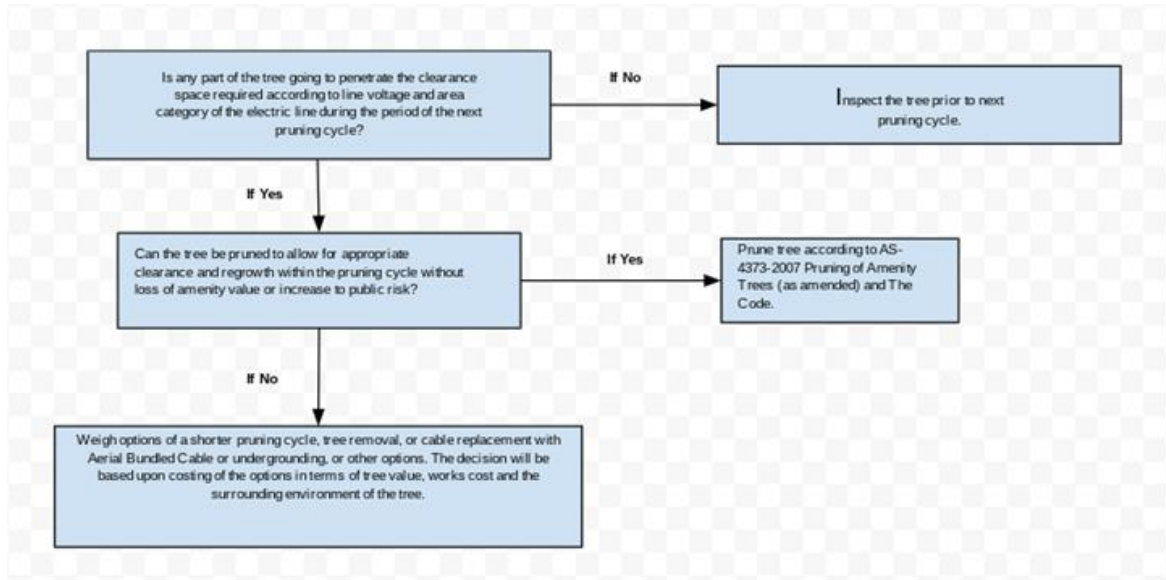
The degree of tree pruning will be adjusted in light of observed growth rates, depending on the significance of the tree, to ensure compliance with the Electricity Safety (Electric Line Clearance) Regulations 2020.

The formula used to calculate the amount of vegetation to be removed is:

- Clearance (m) = regrowth (m/year) X cycle (1 year) in line with schedule.
- The species of any new trees or other vegetation planted in the vicinity of overhead powerlines will be specifically selected to mature well below the powerlines.

Council is also in regular contact with Powercor through Jason Craig, mobile 0402 386 940, email: JCraig@powercor.com.au.

The following diagram broadly outlines the decision-making process with regard to maintaining line Clearance.



7.4. Safety Concerns – S.1(21)

In situations where Council has concerns around safety relating to the cutting or removal of a tree in the declared areas for which Council has responsibility Council will consult with the local distribution company.

8. Allowance for Cable Sag and Sway – r.(9)(3)(ii)13

Unexpected conductor movement may occur under moderate wind, network faults or changes in conductor heating or cooling factors.

The code includes minimum clearance space detail for line spans up to 100m within LBRA and those up to 45m in HBRA. For spans exceeding 100m in LBRA or 45m in HBRA, the minimum clearance space must include an additional allowance for sag and sway.

Appropriate allowance for sway and sag changes must be applied in accordance with advice sought from the electrical asset owner.

Under Council's ELCMP it is the authorized officer's duty to ensure trees are pruned to maintain the Clearance Space free of vegetation for the period of the program.

Previous performance indicates that clearances within the declared areas of Stawell & St Arnaud are able to be maintained without an additional allowance for sag and sway.

If required, Council will determine an additional distance for sag and sway in consultation with Powercor as the relevant Distribution Business in the declared area. There is no electric rail or tramway supply within the area.

Distribution Business:	Powercor
Name of Contact:	Jason Craig
Position:	Vegetation Stakeholder and Improvement Lead
Telephone:	(03) 8846 9709
Mobile:	0402 386 940
Email:	JCraig@powercor.com.au

Should an allowance for sag and sway be determined as necessary under the above process, this will be documented on the inspection records proforma refer to [Add tree to cutting list | elementORG](#)

At completion of the works specific to lines requiring additional pruning to compensate for sag and sway the actual additional pruning distance will also be recorded on the Daily Works Report (Appendix 8) and kept on file for a minimum of 7 years.

9. Procedures – If impractical to Comply – r.9(4)(j)

This section addresses the procedures to be adopted if it is not practicable to comply with the requirements of AS4373 while cutting a tree in accordance with the Code.

In situations where trees cannot be effectively pruned in accordance with AS4373 the Coordinator Parks and Facilities will be notified, the coordinator will then inspect the tree and if it is determined that the tree cannot be pruned to comply with the Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic), Council will investigate and implement an alternative method to ensure compliance.

9.1. Alternate Compliance Mechanisms – r.9(4)(k-l)

At no stage in the past has a situation as described above in Item 9 been encountered and there is no reason to expect this will occur in the short-term future, as such, Council does not propose to request alternative compliance mechanisms.

10. Performance Measures – r.9(4)(m)

The following sets out the key performance indicators and the relevant measure for each item: The records that inform the performance measures of the ELCMP are stored in Councils electronic inspections management system “ElementOrg” ‘Electrical Line Vegetation Clearance’.

Item	KPI	Measure
1	Review of the ELCMP	Must be completed by 31 March each year
2	Completion of inspection cycles according to schedule	Inspections to be completed within the nominated month for that cycle
3	Completion of all pruning according to schedule	All pruning to be completed within the nominated month for that cycle
4	The number of trees in breach of the code between pruning cycles	No trees should be in breach
5	Quality of work (pruning techniques)	All work must be in line with AS4373
6	The number of customer complaints/ requests for pruning	No more than 3 customer requests annually(excluding Powercor non-compliance report)
7	Emergency Clearances	Nil annually

11. Audit Process – RP Compliance – r.9(4)(n)

The Coordinator of Parks & Facilities will ensure random audits are conducted of the contractor and or Council staff performance and pruning works for both cycles of clearance works.

The audit assesses if the pruning works are compliant with Council and Australian Standards and the Electric Line Clearing Code of Practice. The audit results are regularly discussed with the contractor and or Council staff and the records are stored in Council's electronic audits management system "ElementOrg" Any non-compliance issues are discussed with the contractor or Council staff and the contractor or Council staff are required to provide information on remedial measures to rectify the noncompliance.

The Council shall ensure that all trees are pruned according to AS 4373-2007 - Pruning of Amenity Trees as a minimum standard. They further shall ensure that all contractors and employees hold appropriate certificates for both themselves and their equipment that legally entitles them to undertake the work.

11.1. Appendix 13 – ELC Worksite Audit – Example:

11.2. Action in the event of non compliance

Where remedial action can be satisfactorily carried out by Council Staff or Council's contractor this work shall be put in hand at the earliest possible date.

Where assistance is required by others such as the Distribution Company, then the consultation with the necessary authorities shall be used to assist in attending to the non-compliance as soon as possible.

Following investigation of the non-compliance and the establishment of the cause, the importance of compliance with the Management Plan and the Code will be drawn to the attention of the persons concerned.

- On the first occasion they will be given verbal instruction, and the incident recorded on file.
- If a second occasion occurs the notification shall be in writing, and incident recorded on file.
- After a third occasion, the training program will be reviewed, and more serious action considered if it is the same offender.

11.3. Audit Roles & Responsibilities

Responsibility for internal auditing of compliance lies primarily with the Council's Coordinator of Parks & Facilities and is Council's primary liaison officer with Powercor. The Manager of Operations has more than 5 years of involvement with ELVC program and will review the audits to ensure compliance and also if any non - conformance is recorded that they are actioned as per Item 11.2 - Action in event of non-compliance.

Performance measures for the implementation of the Electrical Line Clearance Management Plan are:

- Number of pruning requests from the distribution company. They are recorded on the Merit electronic system.
- Number of pruning requests from the community. They are recorded on the Merit electronic system.
- Two annual clearance inspections completed by the responsible person. The records are stored in Council's electronic audits management system "ElementOrg".
- Number of vegetation clearance breaches to the code being kept to a minimum. The records are stored in Council's electronic audits management system "ElementOrg".
- An audit is completed on the works carried out. The records are stored in Council's electronic audits management system "ElementOrg".
- All pruning and clearing programs are carried out per schedules. The records are stored in Council's electronic audits management system "ElementOrg".
- All emergency clearances carried out by Council are recorded on the Merit electronic system.

12. Qualifications and Experience – r.9(4)(o)

This section details the qualifications and experience that the responsible person must require of the persons who are to carry out the inspection cutting or removal of trees.

Only **qualified persons** can prune or clear the whole or any part of a tree within 2 metres of a low voltage wire or 6 metres of a high voltage wire.

All persons inspecting and pruning trees under this plan must have qualifications, experience, training and assessment to ensure competency in the performance of vegetation management work and have:

- Completed a training course approved by ESV.
- Technical knowledge or sufficient experience to perform the duty concerned.
- Been endorsed in writing by the organisation (e.g. the employer) to perform the work.
- Undertaken formal training.

As well as appropriate knowledge of, and where applicable training in:

- Electricity Safety Act 1998.
- Electricity Safety (Electric Line Clearance) Regulations 2020 (Vic).
- Electrical Safety (General) Regulations 2019.
- Code of Practice on Electrical Safety for the Distribution Business in Victoria Electricity.
- Supply Industry (The Blue Book 2017).

A **qualified person** is defined as a person who holds a current certificate specifying satisfactory completion of a training course in tree clearing, approved by Energy Safe Victoria.

ELC staff have the same training competencies as roles within the team and are not role specific.

The Council shall ensure that suitably trained workers conduct the work on trees with Council authorisation and maintain specified body clearances.

The following certificates appropriate for the individual tasks carried out will be a minimum standard for any workers onsite.

Description	Unit Code	Refresher
Certificate II ESI Vegetation Control	UET20319	Refresher not required
Apply Occupational Health Safety regulations, codes and practices in the workplace	UEENEEE101A	Refresher not required
Comply with sustainability, environmental and incidental response policies and procedures	UETTDREL13A	Refresher not required
Working safely near live electrical apparatus as a non-electrical worker	UETTDREL14A	Refresher not required
Operate and maintain chainsaws	AHCARB205A	Refresher not required
Use elevated platform to cut vegetation above ground level near live electrical apparatus	UETTDRCV25A	Refresher not required
Operate mobile chipper	FWPHAR2206	Refresher not required
Licence to operate boom type EWP	LF WP (High Risk Work) Worksafe	Refresher not required
Perform EWP rescue	UETTDRRF03	Annual
Safe approach distances - vegetation work	UETTDREL14	Refresher not required
Plan the removal of vegetation up to vegetation exclusion zone near live electrical apparatus	UETTDRCV23A	Refresher not required
Monitor safety compliance of vegetation control work in an ESI environment	UETTDRCV27A	Refresher not required
Perform EWP controlled descent escape	UETTDRRF08B	Annual
Apply pruning techniques to vegetation control near live electrical apparatus	UETTDRCV33A	Refresher not required
Control traffic with stop-slow bat	RIIWS205D	Refresher every 5 years
Implement traffic management plan	RIIWS302D	Refresher every 5 years
Provide first aid in an ESI Environment	UETTDRRF10	Annual
Provide cardiopulmonary resuscitation	HLTAID001	Annual

12.1. Monitoring Qualifications and Experience

The following training and authorisation requirements and actions will be applied to ensure acceptable levels of competence required to demonstrate skills, knowledge and experience both upon appointment and ongoing:

- Both initial and refresher training are to be provided
- Skills and competence shall be maintained through regular refresher training
- All training to be provided by a Registered Training Organisation
- A record of the sighting of required certificates and associated documents shall be kept by the Operations Department and shall be updated annually.

Council maintains a training register for all employees including staff engaged in the ELC program to ensure all certifications are up to date. This is an automated system (Elumina) that flags the requirement for any refresher training.

Should any employee be found actively engaged in ELCM work without the appropriate qualification and/or training, they will immediately be removed from the site. Council's disciplinary procedure will be applied, and this can result in termination of employment should the breach be of sufficient magnitude.

12.2. Qualifications for assessment of 'hazard trees' – s.(1)(9)

If a person identifies a tree as likely to fall onto or otherwise come in to contact with an electric line the tree may be cut or removed provided that the tree has been assessed by a suitably qualified arborist and that assessment confirms the likelihood of contact with an electric line having regard to foreseeable local conditions. This assessment must take into consideration local conditions including:

- significant vegetation
- protected flora and fauna
- habitat
- local knowledge
- visual assessment
- environmental conditions
- vegetation regrowth patterns

A 'suitably qualified arborist' must have a National Certificate Level III in Horticulture (Arboriculture) including the "Assess Trees" module, or an equivalent qualification; and at least 3 years of field experience in assessing trees.

13. Notification and Consultation – r.9(4)(p) s.1(16)18

As a minimum resident/owner consultation is required prior to the annual line clearance program and if trees are to be cut or removed or if there is a change of pruning practice.

Resident/owner consultation will be in the form of notification on Northern Grampians Shire Council's website and social media with a minimum of 14 days prior to commencing works with all works being completed within 60 days of the end of the 14 days notification period. (See Appendix 9 - Standard Notice Commencement).

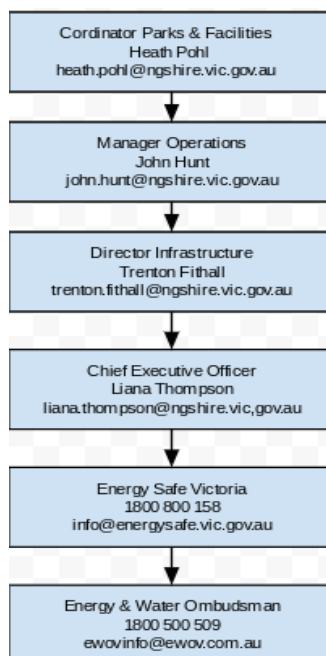
In extenuating circumstances where clearing does not occur within the 60 days period, renotification will occur through Council's social media network and be posted on Council's website.

If a tree is to be removed a letter will be sent to the nearest property address of the street tree and to a minimum of 5 neighbouring properties on either side of the street (i.e. minimum of 10 properties). A copy of notification letter proforma is included in Appendix 11- Vegetation Removal.

13.1. Dispute Resolution – r.9(4)(q)

All enquiries received by Council are recorded on Council's customer enquiry management system (Merit). Each enquiry has a unique identification number that is monitored electronically until the enquiry is resolved. If initially a customer is not satisfied, a clear, hierarchical process is followed.

Dispute resolution workflow.

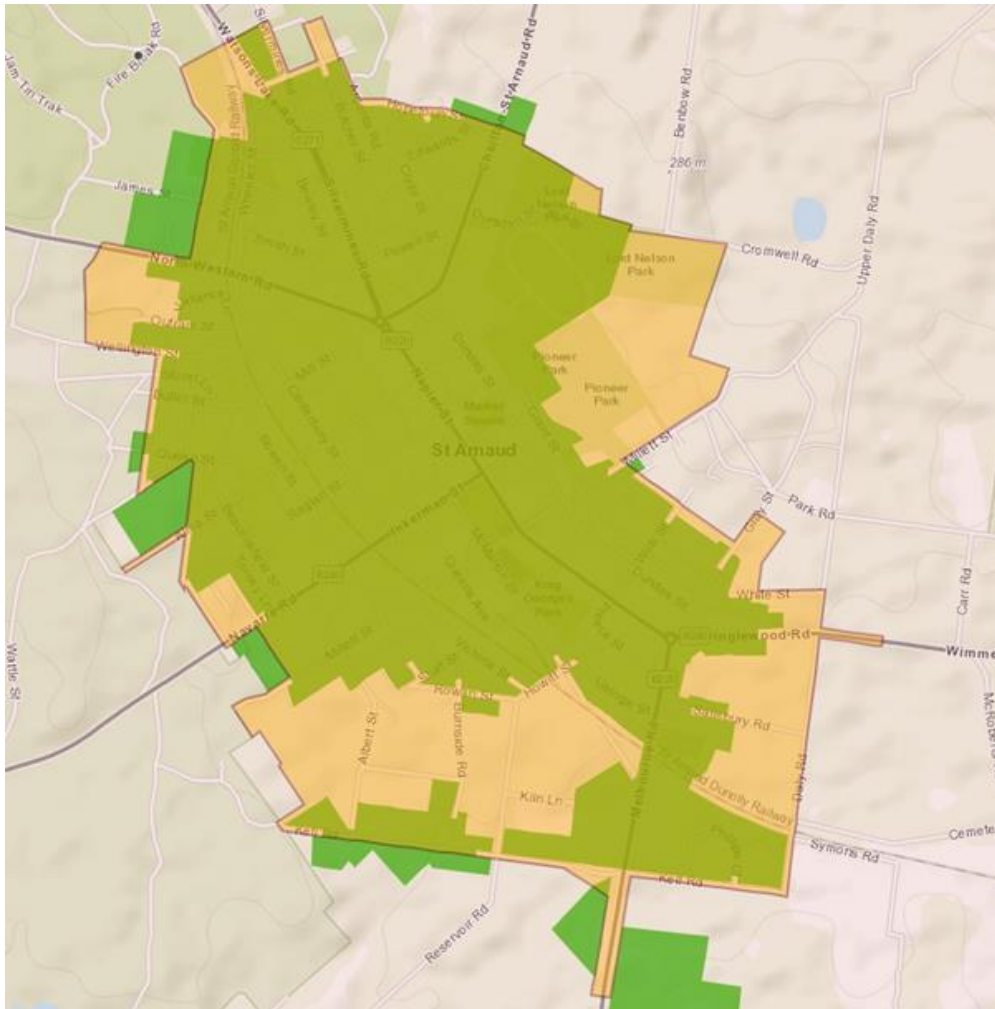





14. Exceptions – s.1(4,5,6)

Northern Grampians Shire will **not** be seeking exceptions in relation to minimum clearance spaces for:

- structural branches around insulated low voltage electric lines.
- small branches around insulated low voltage electric lines.
- structural branches around uninsulated low voltage electric lines in low bushfire risk areas.

Appendix 2 – Maps of Declared Areas – St Arnaud Declared Areas



	LBRA within Council Declared Area
	HBRA within Council Declared Area
	Non-Declared LBRA

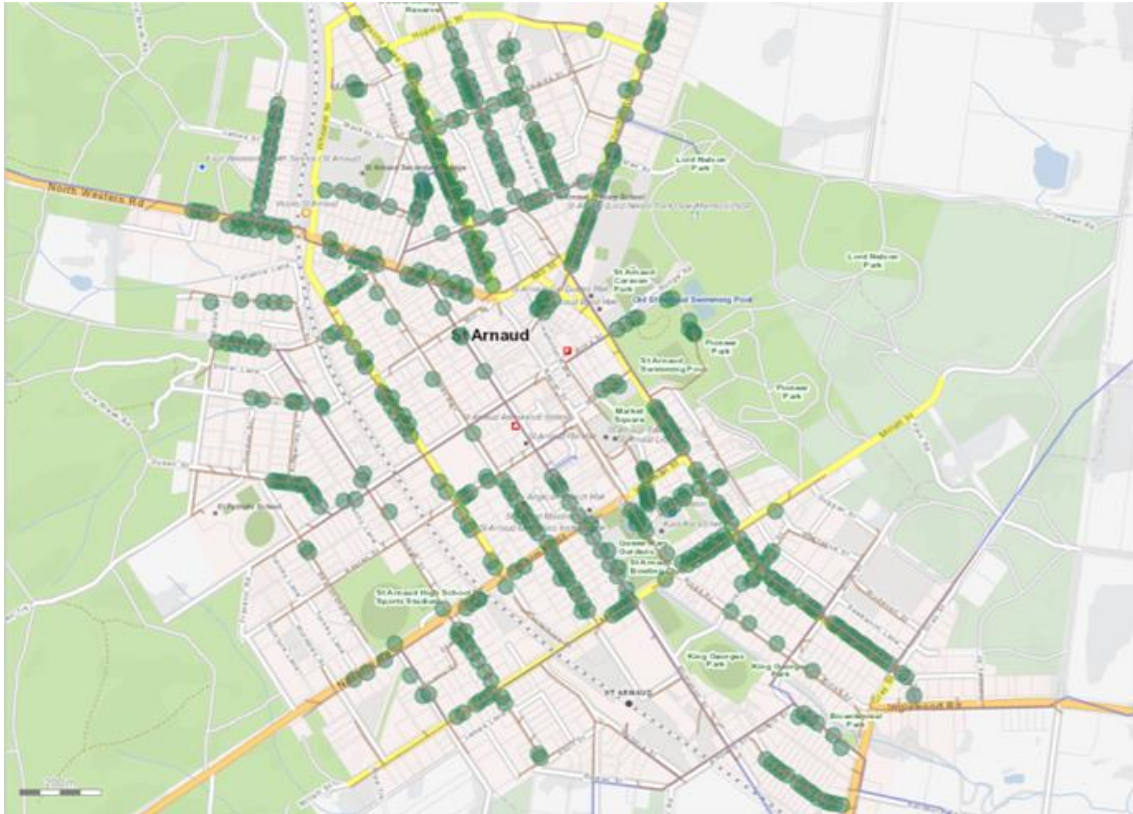
Appendix 3 – Stawell Aesthetic Significant Trees Locations



Appendix 4 – St Arnaud Aesthetic Significant Trees Locations

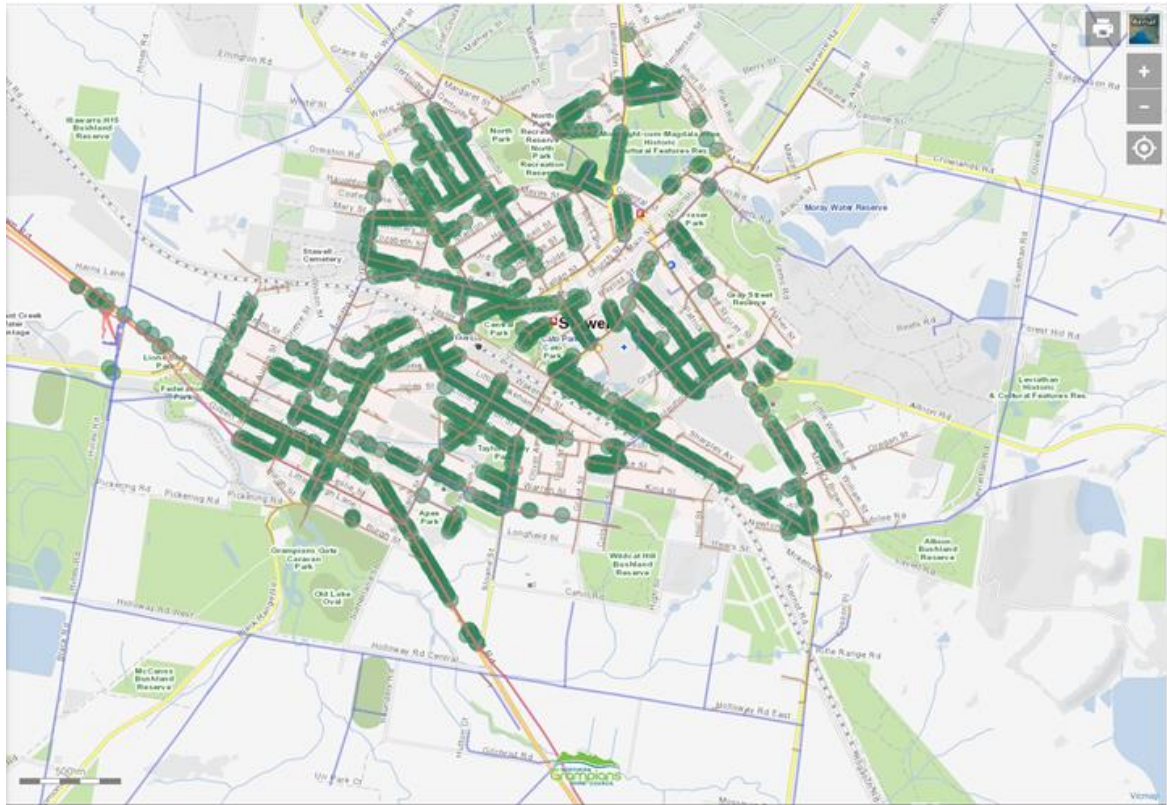


Appendix 5 – St Arnaud - Tree Locations Affected By The Plan



Total – 525

Appendix 6 – Stawell – Tree Locations Affected By The Plan

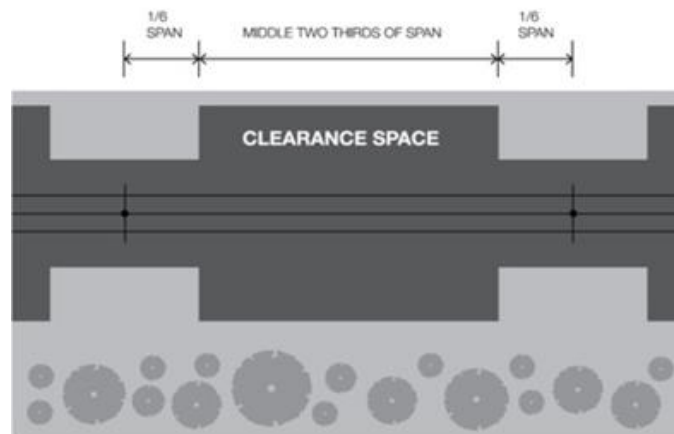


Total – 1155

Appendix 7 – Minimum Clearance Spaces

Source – Electrical Safety (Electrical Line Clearance) Regulations 2020

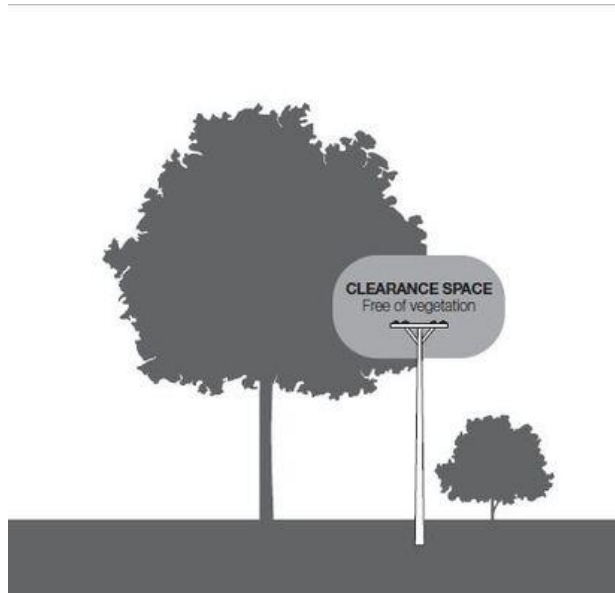
PLAN VIEW OF ELECTRIC LINES IN ALL AREAS



INSULATED ELECTRIC LINES IN ALL AREAS AND UNINSULATED HIGH VOLTAGE ELECTRIC LINES (OTHER THAN 66 000 VOLT ELECTRIC LINES) IN LOW BUSHFIRE RISK AREAS

Clauses 24 & 26 – Graphs 1 & 3





NOT TO SCALE

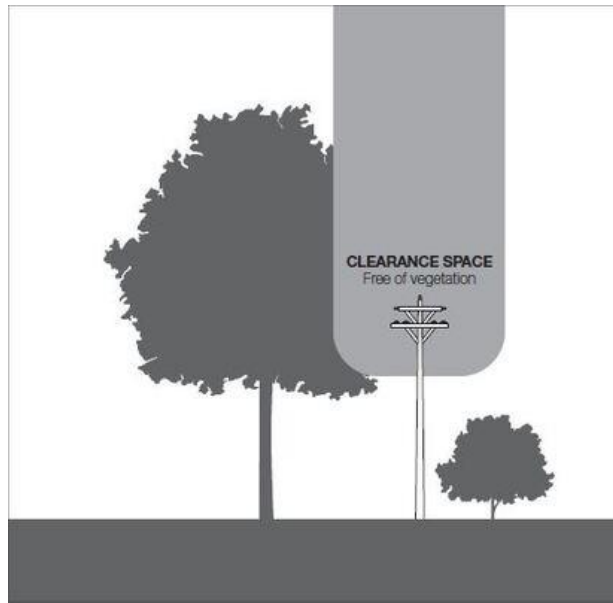
UNINSULATED LOW VOLTAGE ELECTRIC LINE IN A LOW BUSHFIRE RISK AREA

Clause 25 – Graph 2



UNINSULATED 66,000 VOLT ELECTRIC LINE IN A LOW BUSHFIRE RISK AREA & UNINSULATED ELECTRIC LINE IN A HAZARDOUS BUSHFIRE RISK AREA

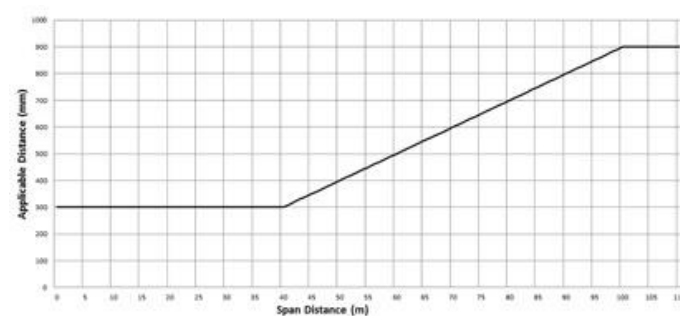
Clauses 27, 28 & 29 – Graphs 4,5 & 6



Note – all graphs represent the applicable distance for the middle two thirds of a span of an electric line.

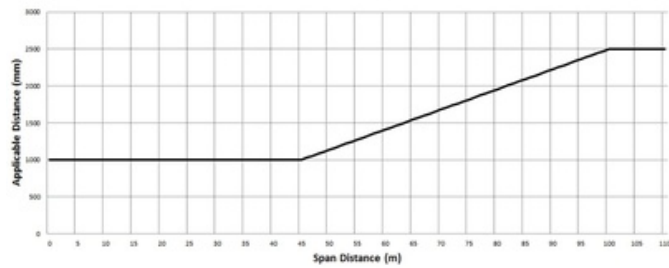
GRAPH 1 – INSULATED ELECTRIC LINES IN ALL AREAS

Clauses 3 & 24



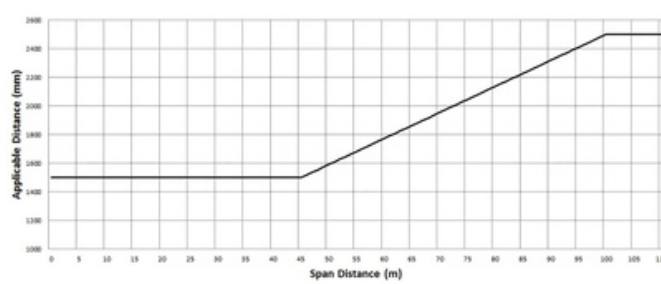
GRAPH 2 – UNINSULATED LOW VOLTAGE ELECTRIC LINE IN LOW BUSHFIRE RISK AREA

Clauses 3 & 25



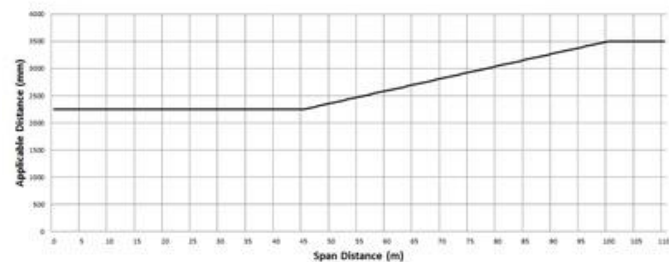
GRAPH 3 – UNINSULATED HIGH VOLTAGE ELECTRIC LINE (OTHER THAN A 66,000 VOLT ELECTRIC LINE) IN LOW BUSHFIRE RISK AREA

Clauses 3 & 26



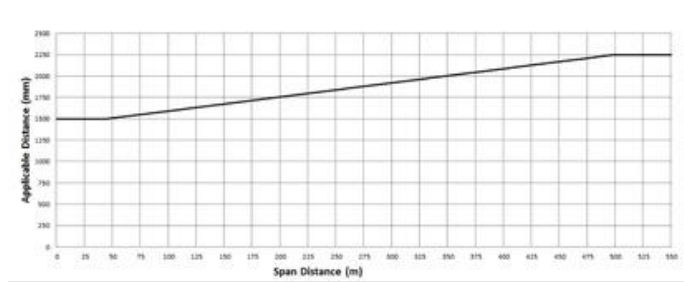
GRAPH 4 – UNINSULATED 66,000 VOLT ELECTRIC LINE IN LOW BUSHFIRE RISK AREA

Clauses 3 & 27



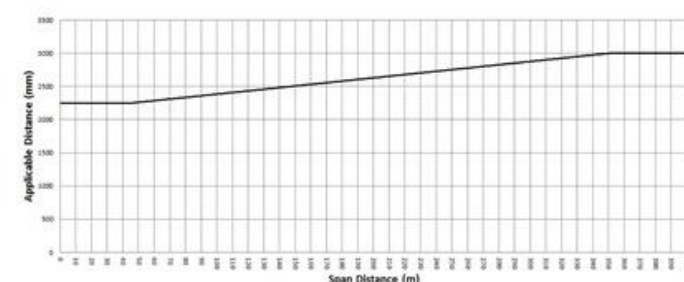
GRAPH 5 – UNINSULATED LOW VOLTAGE AND HIGH VOLTAGE ELECTRIC LINE (OTHER THAN A 66,000 ELECTRIC LINE) IN HAZARDOUS BUSHFIRE RISK AREA

Clauses 3 & 28



GRAPH 6 – UNINSULATED 66,000 VOLT ELECTRIC LINE IN HAZARDOUS BUSHFIRE RISK AREA

Clauses 3 & 29



Appendix 8 – ELC Tree Cutting List

Add tree to cutting list

Inspection boundaries

Stawell inspection boundary map

- Show
- Hide

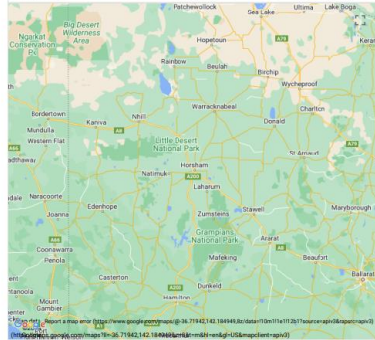
St Arnaud inspection boundary map

- Show
- Hide

Location details

Choose Location

Enter a location



Location *

Latitude Longitude Number Road Name Suburb

Conductor details

Type of conductor *

- Low voltage
- High voltage
- Service line

Tree details

Tree type *

Number of trees *

Tree photo



Comments

Appendix 9 – Standard Notice Commencement

ELECTRICAL LINE VEGETATION CLEARANCE WORKS

Notice is hereby given by Northern Grampians Shire Council of pruning works to trees located on public land managed by Council to meet statutory vegetation clearance space requirements around electricity lines.

Council will be conducting tree pruning works within the declared areas of Stawell and St Arnaud.

The program will commence 14 days from the date of this notice and the program is to be completed within 60 days.

Council's Electrical Line Clearance Management Plan can be accessed via Council's website.

Should you require further information please contact the Coordinator Parks & Facilities on 5358 8700 during business hours 8.00am – 4.00pm, Monday – Friday.

Brent McAlister
CHIEF EXECUTIVE OFFICER

Appendix 10 – Standard Notice Delayed Works

ELECTRICAL LINE VEGETATION CLEARANCE WORKS

Notice is hereby given by Northern Grampians Shire Council of pruning works to trees located on public land managed by Council to meet statutory vegetation clearance space requirements around electricity lines.

Council will be conducting tree pruning works within the declared areas of Stawell and St Arnaud.


The program will require an additional 60 days to be completed.

Council's Electrical Line Clearance Management Plan can be accessed via Council's website.

Should you require further information please contact the Coordinator Parks & Facilities on 5358 8700 during business hours 8.00am – 4.00pm, Monday – Friday.

Brent McAlister
CHIEF EXECUTIVE OFFICER

Appendix 11 – Nature Strip Tree Removal Notice



To The Owner/Occupier

Nature Strip Tree Removal Notice

Council wishes to advise that the nature strip tree at XXXX has been scheduled for removal for the following reason:


- WATER MAIN/SEWER DAMAGE
- FOOTPATH/KERB DAMAGE
- IMPACTING ON RESIDENTS PROPERTY
- DANGEROUS TO PUBLIC SAFETY
- UNSUITABLE, POOR PERFORMING, REACHED THE END OF USEFUL LIFE
- INTERFERENCE WITH ELECTRICAL LINES
- INTERFERENCE WITH UNDERGROUND SERVICES
- UNSUITABLE SPECIES FOR THIS LOCATION
- UPGRADE STREET WORKS

The tree scheduled for removal is identified with a dot of pink paint on the trunk.

If you require any further information regarding this matter please contact me on 5358 8700 during office hours within 5 working days from the above date.


Yours faithfully


Kevin Rickard
PARKS AND GARDENS TEAM LEADER STAWELL





Northern Grampians Shire Council
LIVE | WORK | INVEST | VISIT

CONTACT US


 ngshire@ngshire.vic.gov.au


 www.ngshire.vic.gov.au


 (03) 5358 8700


 PO Box 580 Stawell VIC 3380

CONNECT WITH US

 facebook.com/ngshire

 [ngshire](https://www.instagram.com/ngshire)

 [@northerngrampianshire](https://twitter.com/northerngrampianshire)

 [ngshire](https://www.linkedin.com/company/ngshire) #weworkinvestvisit #standvictoria

Appendix 12 – Plant, Equipment & Task Induction Checklist

PART B - PLANT, EQUIPMENT & TASK INDUCTION CHECKLIST

This Checklist (Part B) is to be used to induct employees on items of plant, equipment and task's.
You can find **who can induct** in the Depot shared drive folder (Plant & Equipment Training register)

Task: Electrical Line Clearance Program

Electrical Line Clearance Management Plan Supplied: Yes

1.	Allow the inductee to read through the current Electrical Line Vegetation Management Plan.	<input type="checkbox"/>
2.	Identify any changes to the plan from the previous year.	<input type="checkbox"/>
4.	Explain the implications of not following the plan.	<input type="checkbox"/>
5.	Explain the safety & environmental requirements of the task with the assistance of the Electrical Line Clearance Management Plan.	<input type="checkbox"/>
6.	Highlight to the inductee any trees of significance, indigenous or habitat importance that are identified on the cutting list.	<input type="checkbox"/>
7.	Has the inductee been inducted onto the high level SWMS for this task?	<input type="checkbox"/>
8.	Has the Inductee been inducted onto all the plant and equipment associated with the task?	<input type="checkbox"/>
9.	Has the inductee read the electrical safety rules for vegetation management work near overhead powerlines by non - electrical workers 2013?	<input type="checkbox"/>
10.	Does the inductee have all current RTO competencies required for the task?	<input type="checkbox"/>
11.	Does all plant and equipment being used for the task have the current testing certificates required to perform the task?	<input type="checkbox"/>
12.	Ask if there are any questions or areas that they would like answered or clarified.	<input type="checkbox"/>

Inductee :
(print name)

I acknowledge that I have received information, instruction and training in respect to a site induction and/or instruction and induction in the safe operation of the listed plant/task. I have been provided with a copy of the safe operating procedure and manufacturer's operating manual if applicable.

Signed:

Dated: / /2020

I: find competent to operate this piece of equipment & perform the task.

Disclaimer : The person performing this induction is not responsible for any non compliance and or incidents after this induction has taken place.

Supervisors Name:

Supervisors signature:

Appendix 13 – ELC Worksite Audit

Audit Date	24/06/2020
Audit Location	Victoria Street stawell
Audit Type	Internal - NGSC employee
NGSC Employee	Anthony Holden
Worksite Documentation Audit	
Do All Onsite Workers Hold The Appropriate Tickets To Undertake The Works?	Yes
Is There A Current Weight Test Certificate For The EWP?	Yes
Is There A Current Electrical Testing Certificate For The EWP?	Yes
Is There An Appropriate Traffic Management Plan Onsite?	Yes
Is There An Appropriate SWMS Onsite?	Yes
Worksite Operations Audit	
Is All The Necessary Signage In Place?	Yes
Is Entry To The Worksite Restricted Appropriately?	Yes
Do All Onsite Workers Have Appropriate PPE?	Yes
Is The Safety Harness Being Used Correctly?	Yes
Is The Site Cleared Of Debris To A Safe Standard?	Yes
Is All Pruning Undertaken To Australian Standards?	Yes
General Worksite Inspection Comments:	Site audit checked appropriate documentation and signage ppe qualified personnel
Step 2: Electric Line Clearance Inspections	
Audit List	
Road 1	Victoria Street, Stawell
Road 2	Walker st, Stawell
Road 3	Williams street, Stawell
Road 4	Millet Street, St Arnaud
Road 5	Kings Avenue, St Arnaud
Road 6	Butcher Street, St Arnaud

Electric Line Clearance Audit - 6 Of 6	
Location	Butcher Street St Arnaud
Date	25/06/2020
Bushfire Risk	LBRA - low bushfire risk area
Line Voltage	Up to 22 KV
Span Length	Up to and including 45 meters
Pole Clearance Compliant	Yes
Span Clearance Compliant	Yes
Span Clearance Photo(S)	



16. Authorisation Page

Authorised by: Brent McAlister

Signed: _____ Date: _____

Chief Executive Officer
Northern Grampians Shire Council

9.4. Improve Organisational Effectiveness

9.4.1. Quarterly Finance Report

Author/Position: **Graham Haylock, Manager Financial Services**

Purpose

To advise Council of the Financial Report for the second quarter ended 31 December 2023.

Summary

The Financial Report for the period ending 31 December 2023 shows the forecasted end-of-year result for the current financial year based on actual results to 31 December 2023.

Under Section 97(3) of the *Local Government Act 2020*, the second quarter financial report requires a statement by the Chief Executive Officer as to whether a revised budget is, or may be, required.

Under Section 95 of the Act, the adoption of a formal revised budget is required if Council intends to:

- make a variation to the declared rates or charges
- undertake any borrowings that have not been approved in the budget
- make a change to the budget that the Council considers should be the subject of community engagement.

The Chief Executive Officer advises that the formal adoption of a revised budget for 2023-24 is not required as Council does not intend to make changes to the budget that would trigger the requirement to adopt a revised budget.

Recommendation

That Council:

- a) notes the Financial Report for the second quarter ended 31 December 2023**
- b) notes that the Chief Executive Officer advises that the formal adoption of a revised budget for the 2023-24 financial year is not required.**

RESOLUTION

That Council:

- a) notes the Financial Report for the second quarter ended 31 December 2023**
- b) notes that the Chief Executive Officer advises that the formal adoption of a revised budget for the 2023-24 financial year is not required.**

Moved: Cr Eddy Ostarcevic

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

As soon as practicable after the end of each quarter of the financial year, the Chief Executive Officer is required to provide Council with a financial report, comparing the actual and budgeted results to date and an explanation of any material variations.

This report is the second financial report for the 2023-24 financial year that will assess Council's performance against the adopted budget.

The report shows the forecast end-of-year result for the current financial year based on actual results to 30 December 2023 together with percentage variations to the adopted budget.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Option 1

That Council:

- a) notes the Financial Report for the second quarter ended 31 December 2023 without amendments
- b) notes that the Chief Executive Officer advises that the formal adoption of a revised budget for the 2023-24 financial year is not required. **[recommended]**

Option 2

That Council:

- a) notes the Financial Report for the second quarter ended 31 December 2023 with amendments
- b) notes that the Chief Executive Officer advises that the formal adoption of a revised budget for the 2023-24 financial year is not required. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

The report does not raise any procurement agreement matters.

Community Engagement

No community engagement was required.

Innovation and Continuous Improvement

This report incorporates the impact of new accounting standards and better practice reporting.

Collaboration

No collaboration was required in completing this report.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Graham Haylock, Manager Financial Services

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. Quarterly Finance Report - December 2023 [9.4.1.1 - 10 pages]

Financial Report

31 December, 2023



Contents

Executive Summary.....	3
Cash Flow Statement.....	3
Operating Statement.....	4
Operating Income & Expenditure progress Graphs.....	5
Capital Works Summary.....	6
Capital Expenditure Progress Graph.....	7
Cash and Investments.....	8
Debtors Report.....	9
Loan Report.....	10

Executive Summary as at 31 December, 2023

It should be noted that this report only reflects spending to 31 December, 2023.

The actual variation shows a favourable movement of \$4.3M in expected closing cash held at the end of the financial year Council ended the period with \$17.1M cash.

Cash Flow Statement as at 31 December, 2023

	Actuals	Forecast Budget	Adopted Budget	Forecast vs Adopted \$	% of Forecast used	
Cash flows from operating activities						
Rates and charges	10,824,944	20,261,000	20,135,000	126,000	53.4%	
Statutory fees and fines	90,534	356,000	356,000	-	25.4%	
User fees	1,029,675	1,955,000	1,955,000	-	52.7%	
Grants Operating	2,061,705	11,103,000	11,103,000	-	18.6%	
Grants Capital	283,110	5,607,000	5,607,000	-	5.0%	
Contributions Operating	75,278	73,000	73,000	-	103.1%	
Contributions Capital		108,000	108,000	-	0.0%	
Interest received	125,732	221,000	221,000	-	56.9%	
Other	560,069	542,000	542,000	-	103.3%	
Employee costs	(10,730,129)	(19,167,000)	(19,039,000)	(128,000)	56.0%	
Materials and services	268,576	(12,605,962)	(10,427,000)	(2,178,962)	-2.1%	1
Other payments	(703,510)	(1,175,385)	(1,161,000)	(14,385)	59.9%	
Net cash provided by operating activities	3,885,986	7,277,653	9,473,000	(2,195,347)	53.4%	
Cash flows from investing activities						
Payments for Property, infrastructure, Plant & Equipment	(12,242,314)	(16,837,705)	(11,882,000)	(4,955,705)	72.7%	2
Proceeds from sale of Property, infrastructure, Plant & Equipment	64,000	90,000	90,000	-	71.1%	
Net cash used in investing activities	(12,178,314)	(16,747,705)	(11,792,000)	(4,955,705)	72.7%	
Cash flows from financing activities						
Finance costs	(20,339)	(43,000)	(43,000)	-	47.3%	
Net cash used in financing activities	(20,339)	(43,000)	(43,000)	-	47.3%	
Net decrease / increase in Cash & Cash Equivalents	(8,312,667)	(9,513,052)	(2,362,000)	(7,151,052)	87.4%	
Cash & Cash Equivalents at beginning of period	26,623,024	26,623,024	15,133,000	11,490,024	100.0%	
Cash & Cash Equivalents at end of period	18,310,356	17,109,972	12,771,000	4,338,972	107.0%	

Notes:

1 Refer to Operating Statement

2 Refer to Capital Works Statement

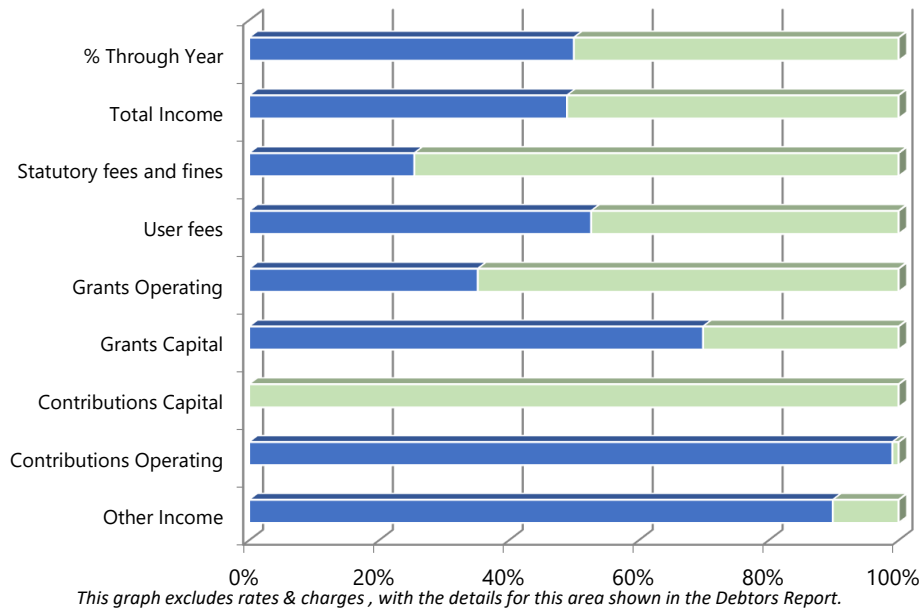
Operating Statement as at 31 December, 2023

	Actuals	Forecast Budget	Adopted Budget	Forecast vs Adopted \$	% of Forecast used	
Revenue						
Rates and charges	20,317,592	20,320,000	20,135,000	185,000	100.0%	1
Statutory fees and fines	90,534	356,000	356,000	-	25.4%	
User fees	1,029,675	1,955,000	1,955,000	-	52.7%	
Grants Operating	3,908,847	11,103,000	11,103,000	-	35.2%	
Grants Capital	3,919,353	5,607,000	5,607,000	-	69.9%	
Contributions Operating	75,278	76,000	73,000	3,000	99.1%	
Contributions Capital	-	108,000	108,000	-	0.0%	
Other Income	685,801	763,000	763,000	-	89.9%	
Total Revenue	30,091,081	40,288,000	40,100,000	188,000		
Expenses						
Employee costs	10,199,229	19,167,000	19,039,000	128,000	53.2%	
Materials and Services	5,855,287	12,605,962	10,427,000	2,178,962	46.4%	2
Depreciation	-	14,276,000	14,276,000	-	0.0%	
Amortisation - Right of Use Assets	-	40,000	40,000	-	0.0%	
Borrowing costs	20,339	43,000	43,000	-	47.3%	
Other expenses	703,510	1,175,385	1,161,000	14,385	59.9%	
Total expenses	16,778,366	47,307,347	44,986,000	2,321,347	35.5%	
Surplus (Deficit) for the period	13,312,715	(7,019,347)	(4,886,000)	(2,133,347)	-189.7%	

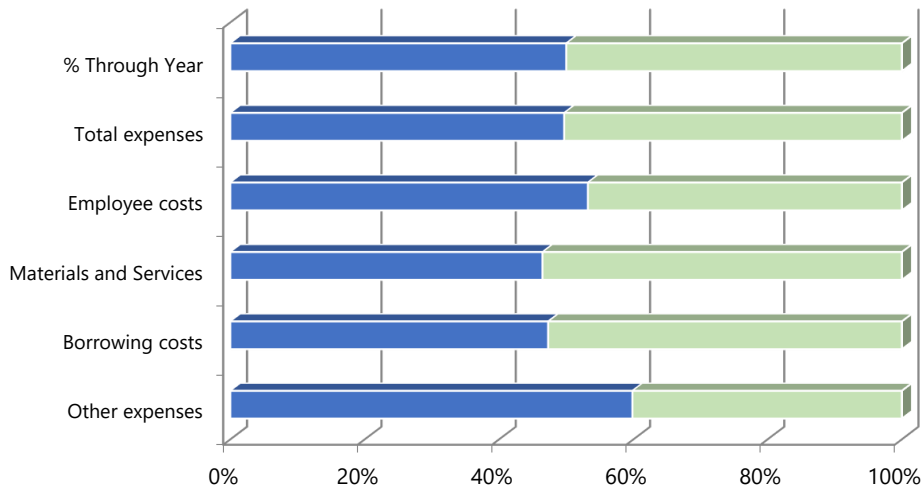
Notes:

- 1 Forecast adjusted to recognise supplementary rates.
- 2 Forecast adjusted to recognise prior year projects carried forward into the current year (previously reported) and costs for the Bridge & Culvert assessments (\$269K) & St Arnaud Pool assessment (\$35K).

Ordinary Operating Revenue Progress



Ordinary Operating Expenditure Progress



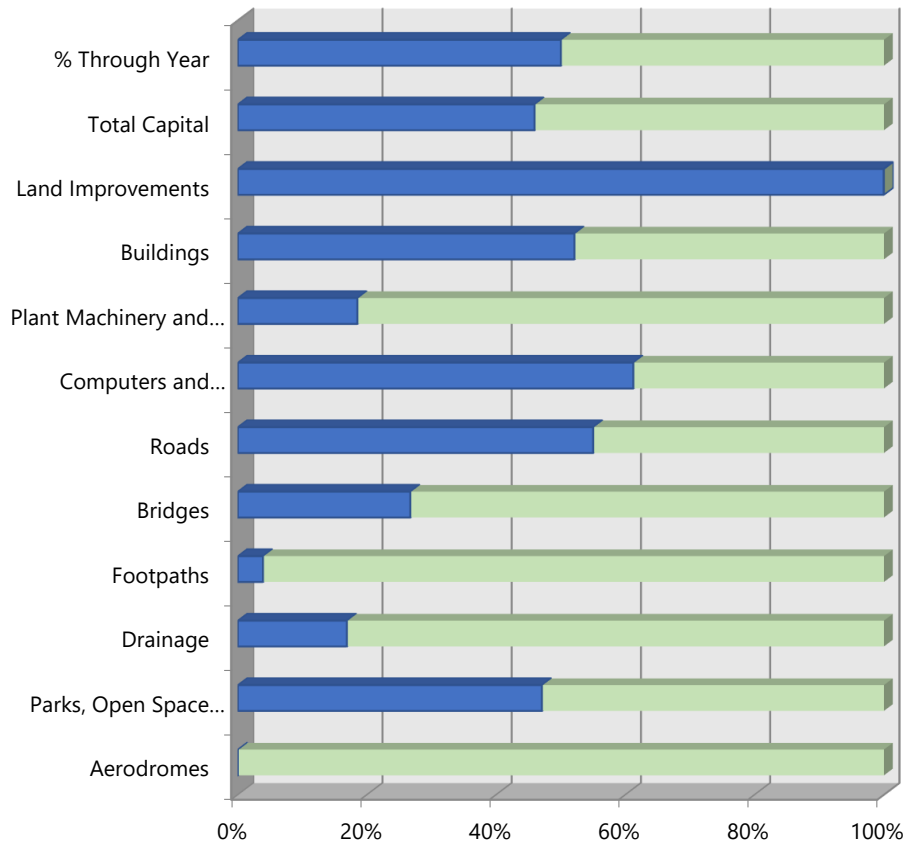
Capital Works as at 31 December, 2023

	Actuals	Forecast Budget	Adopted Budget	Forecast vs Adopted \$	% of Forecast used
Property					
Land Improvements	192,838	192,900	-	192,900	100.0%
Buildings	1,588,516	3,048,475	1,731,400	1,317,075	52.1%
Total Property	1,781,354	3,241,375	1,731,400	1,509,975	55.0%
Plant Machinery and Equipment	178,327	963,385	941,000	22,385	18.5%
Computers and telecommunications	38,381	62,700	62,700	-	61.2%
Total Plant and Equipment	216,707	1,026,085	1,003,700	22,385	21.1%
Roads	3,680,170	6,691,177	5,105,984	1,585,193	55.0%
Bridges	667,419	2,499,524	924,000	1,575,524	26.7%
Footpaths	6,113	157,200	262,000	(104,800)	3.9%
Drainage	27,012	160,000	80,000	80,000	16.9%
Waste management	-	-	715,000	(715,000)	0.0%
Parks, Open Space and Streetscapes	1,353,584	2,875,938	2,060,000	815,938	47.1%
Aerodromes	-	186,490	-	186,490	0.0%
Total Infrastructure	5,734,297	12,570,329	9,146,984	3,423,345	45.6%
Total Capital Works Expenditure	7,732,359	16,837,789	11,882,084	4,955,705	45.9%

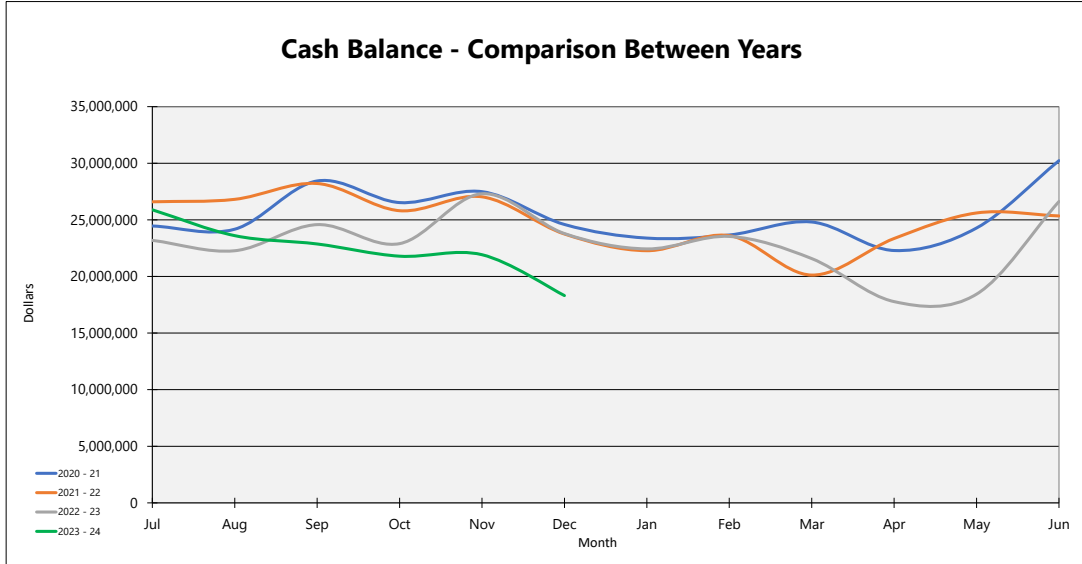
Notes:

- 1 Forecast has reduced by \$4.68M from last report due to \$3.56M of adjustments for LRCI Round 4 (\$670K), Sloane St Sewer Pump (\$143K), Ord St School Crossing (\$220K), Minyip-Banyena Rd - Grant (\$395K), Sloan St Blackspot funding (\$1.9M), offset by \$8.3M of projects moved to next financial year.

Capital & Project Expenditure Progress



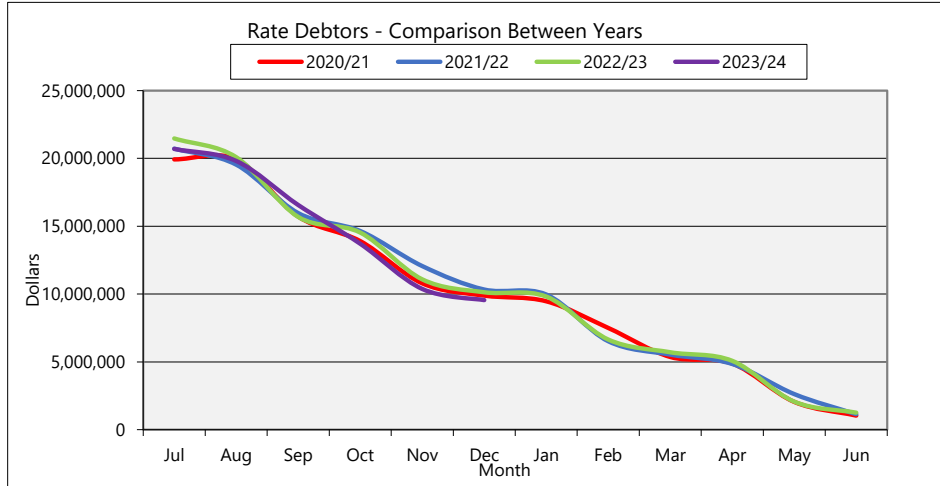
Cash and Investments as at 31 December, 2023



Total Cash Balance at Month End

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
2019 - 20	18,642,143	18,424,373	20,885,437	20,496,673	22,711,437	22,520,759	21,226,659	23,831,676	21,993,073	19,771,946	25,394,596	27,206,212
2020 - 21	24,458,405	24,173,971	28,436,358	26,525,969	27,490,366	24,592,324	23,388,847	23,663,702	24,811,535	22,290,630	24,280,838	30,230,677
2021 - 22	26,594,594	26,813,020	28,211,375	25,807,441	27,033,930	23,750,045	22,274,406	23,607,188	20,121,050	23,354,913	25,609,380	25,346,744
2022 - 23	23,190,093	22,271,414	24,579,815	22,898,950	27,307,669	23,789,682	22,432,629	23,536,006	21,579,899	17,776,702	18,436,519	26,623,024
2023 - 24	25,886,555	23,604,567	22,870,042	21,790,099	21,921,632	18,310,356						

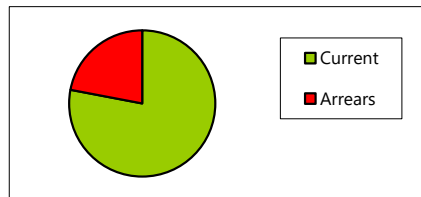
Debtors Reports as at 31 December, 2023



Rates Debtors YTD

Current
Arrears
Total

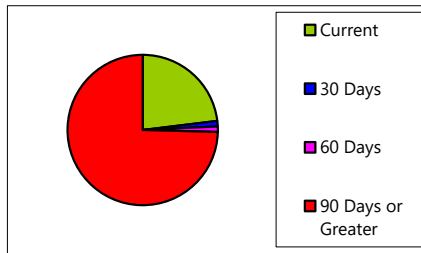
\$	%
7,450,830	78%
2,102,422	22%
9,553,252	100%



Sundry Debtors YTD

Current
30 Days
60 Days
90 Days or Greater
Total

\$	%
78,516	23.1%
4,024	1.2%
3,996	1.2%
253,906	74.6%
340,443	100%



Details:

Current	\$15k invoice for library donation and a \$17k invoice for HACC services. Neither are overdue.
90 Days or Greater	\$177k series of invoices related to wind farm rates in lieu instalments not due yet (full year amount invoiced at the start of the financial year) and a long standing cemetery debt of \$57k.

Loan Report - Budget 2023/24

Borrowing Principles:

Indebtedness

Our level of debt will not exceed 60% or \$12.1 million of rates and charges revenue.

Indebtedness Calculation Check 4.9% ✓

Debt Servicing Costs

Our level of annual debt servicing costs (principal plus Interest) will not exceed 5% or \$2 million of our total operating revenue.

Debt Servicing Calculation Check 0.1% ✓

Loans Budgeted 2023/24

Principal

	\$000's
Loans Outstanding as at 30 June, 2023	1,000
Add proposed new loans 2023/24	-
Less scheduled repayments 2023/24	0
Loans Outstanding as at 30 June, 2024	1,000

Expiry of Existing Loans

	Expiry	Current Balance \$000's
Loan 20	Jun-26	1,000
		1,000

9.4.2. Delegations Update

Author/Position: Mary Scully, Manager Governance

Purpose

That Council resolves to adopt the updated S5 and S6 Instrument of Delegations.

Summary

To consider various delegations of Council's powers and duties to members of Council's staff.

Recommendation

A. S5 Instrument of Delegation from Council to CEO

In the exercise of the powers conferred by section s 11(1)(b) of the *Local Government Act 2020* (the Act) Council resolves that:

1. There be delegated to the person holding the position or acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and Mayor.
3. On the coming into force of the instrument all previous delegations to 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 instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

B. S6 Instrument of Delegation from Council to members of Council staff

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, 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 to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately the instrument is signed.
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 instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

RESOLUTION

A. S5 Instrument of Delegation from Council to CEO

In the exercise of the powers conferred by section s 11(1)(b) of the *Local Government Act 2020* (the Act) Council resolves that:

1. There be delegated to the person holding the position or acting in or performing the duties of Chief Executive Officer the powers, duties and functions set out in the attached *Instrument of Delegation to the Chief Executive Officer*, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately upon this resolution being made and is to be signed by the Council's Chief Executive Officer and Mayor.
3. On the coming into force of the instrument all previous delegations to 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 instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

B. S6 Instrument of Delegation from Council to members of Council staff

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, 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 to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately the instrument is signed.
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 instrument must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Moved: Cr Eddy Ostarcevic

Seconded: Cr Kevin Erwin

Carried

Background/Rationale

Council is required to keep all delegations and authorisations up to date. Both the S5 and S6 Instruments of Delegation have been updated and require Council's approval for the following changes:

A. **S5 Instrument of Delegation from Council to Chief Executive Officer**

It is recommended that Council remakes the Instrument of Delegation to the Chief Executive Officer with every update the Maddocks Delegation and Authorisation service provides, irrespective of whether any changes are made to the instrument.

No changes have been made to S5 Instrument of Delegation in the latest update.

B. **S6 Instrument of Delegation from Council to Members of Council staff**

The following changes have been made:

- Inclusion of the two new positions – Cemetery Trust Secretariat and Cemetery Trust Officer which have been included in certain provisions under the *Cemeteries and Crematoria Act 2003* and *Cemeteries and Crematoria Regulations 2015*.
- Director Corporate and Community Service, Manager Governance and Manager Operations have also been delegated certain provisions under the *Cemeteries and Crematoria Act 2003* and *Cemeteries and Crematoria Regulations 2015*.
- Sections 125 and 149B of the *Planning and Environment Act 1987* have been inserted.
-

Amendments to the S6 Instrument is noted in red and an attachment to this report.

Legislation, Council Plan, Strategy and Policy Implications

Local Government Act 2020

Council Plan 2021-25 – Improve Organisational Effectiveness

Options

Option 1

That Council agrees to the delegation of powers as set out in the Instruments and authorises the Mayor and Chief Executive Officer to sign the Instruments. **[recommended]**

Option 2

That Council rejects the recommendation and seeks additional information. **[not recommended]**

Implications

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/gender equality, privacy, risk management, budgetary and asset management implications.

Procurement

This report does not raise any procurement matters.

Community Engagement

No community engagement was required for the subject of this report.

Innovation and Continuous Improvement

The subject matter of this report does not raise any implications regarding innovation and improvements.

Collaboration

No collaboration with other councils, governments or statutory bodies was required for the subject of this report.

Officer's Declaration of Interest

All officers providing advice to Council must disclose any interests, including the type of interest.

Mary Scully, Manager Governance

In providing this advice as the author, I have no disclosable interests in this report.

Attachments

1. S5 Instrument of Delegation Council to CEO - January 2024 Update [9.4.2.1 - 4 pages]
2. S6 Instrument of Delegation Council to Members of Staff - January 2024 Update [9.4.2.2 - 73 pages]

S5 Instrument of Delegation to Chief Executive Officer

Northern Grampians Shire Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by section 11(1) of the *Local Government Act 2020* (**the Act**) and all other powers enabling it, the Northern Grampians Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 4 March 2024;
2. the delegation
- 2.1 comes into force immediately the Instrument of Delegation is signed;
- 2.2 is subject to any conditions and limitations set out in the Schedule;
- 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 2.4 remains in force until Council resolves to vary or revoke it.

Signed by the Chief Executive Officer of Council)
in the presence of:)

.....
Witness

Date:.....

Signed by the Mayor in the presence of:)
)

.....
Witness

Date:.....

SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing:

1. if the issue, action, act or thing is an issue, action, act or thing which involves:
 - 1.1 entering into a contract exceeding the value of \$150,000 for goods or services, and \$200,000 for works; is outside the allocated budget; changes the intended outcome(s) of the contracted works or services; is not approved by both the relevant Director and the Chief Executive Officer;
 - 1.2 making any expenditure that exceeds \$150,000 (excl GST);
 - 1.3 unless it is expenditure for the renewal of insurance in which case it must not exceed \$550,000 per policy, or it is expenditure of a litigation settlement in which case it must not exceed \$200,000, or it is expenditure made under a contract already entered into or approved by Council, or is expenditure which Council is, by or under legislation, required to make.
 - 1.4 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.5 electing a Mayor or Deputy Mayor;
 - 1.6 granting of a reasonable request for leave under section 35 of the Act;
 - 1.7 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.8 approving or amending the Council Plan;
 - 1.9 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.10 adopting or amending the Governance Rules;
 - 1.11 appointing the chair or the members to a delegated committee;
 - 1.12 making, amending or revoking a local law;
 - 1.13 approving the budget or revised budget;
 - 1.14 approving the borrowing of money;
 - 1.15 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;

2. if the issue, action, act or thing is an issue, act or thing which is required by law to be done by Council resolution;
3. 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;
4. 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
 - 4.1 policy; or
 - 4.2 strategy
adopted by Council;
5. 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, whether on account of section 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. 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 Chief Executive Officer is empowered to delegate his or her powers, duties or functions to other Council officers and in the event the Chief Executive Officer is unable to perform the duties or functions that the delegation is cascading to other members of the Council's Executive Management Team.

S6 Instrument of Delegation – Members of Staff

Northern Grampians Shire Council

Instrument of Delegation

to

Members of Council Staff

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. records that references in the Schedule are as follows:

"BI" means	: Building Inspector
"CTO" means	: Cemetery Trust Officer
"CTS" means	: Cemetery Trust Secretariat
"CECS" means	: Coordinator Environment and Community Safety
"CEO" means	: Chief Executive Officer
"CES" means	: Coordinator Engineering Services
"CSD" means	: Coordinator Sustainable Development
"EHO" means	: Environmental Health Officer
"DCCS" means	: Director Corporate and Community Services
"DIA" means	: Director Infrastructure and Amenity
"DSPE" means	: Director Strategy, Prosperity and Engagement
"GE" means	: Graduate Engineer
"IE" means	: Infrastructure Engineer
"MBS" means	: Municipal Building Surveyor
"MCSA" means	: Manager Community Safety and Amenity
"MG" means	: Manager Governance
"MI" means	: Manager Infrastructure
"MO" means	: Manager Operations
"P" means	: Strategic Planner and Statutory Planning Officer
"PSP" means	: Principal Statutory Planner
"TLPS" means	: Team Leader Permit Support
"TLCS" means	: Team Leader Community Safety

3. declares that:

3.1 this Instrument of Delegation is authorised by "**a resolution**" of Council passed on **4 March 2024**; and

3.2 the delegation:

3.2.1 comes into force immediately after Mayor and Chief Executive Officer signatures are applied;

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.

.....

Mayor/Councillor

.....

Chief Executive Officer/Senior Officer

.....

Date

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CEMETERIES AND CREMATORIA ACT 2003

[##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THINGS DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	CEO, DIA, MCSA DCCS, MG	
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	CEO, DIA, MCSA DCCS, MG	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	CEO, DIA, MCSA DCCS, MG	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	CEO, DIA, MCSA 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	CEO, DIA, MCSA 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	CEO, DIA, MCSA DCCS, MG, CTS	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	CEO, DIA, MCSA DCCS, MG, CTS	
s 15(4)	Duty to keep records of delegations	CEO, DIA, MCSA DCCS, MG, CTS	
s 17(1)	Power to employ any persons necessary	CEO, DIA, DCCS	

s 17(2)	Power to engage any professional, technical or other assistance considered necessary	CEO, DIA, MCSA DCCS, MG	
s 17(3)	Power to determine the terms and conditions of employment or engagement	CEO, DIA, MCSA DCCS	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	CEO, DIA, MCSA DCCS, MG, CTS	
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	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	CEO, DIA, MCSA 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	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	CEO, DIA, MCSA 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	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	CEO, DIA, MCSA 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	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	CEO, DIA, MCSA 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))	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	CEO, DIA, MCSA N/A	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	CEO, DIA, MCSA DCCS, MO, MG, CTS	
s 20(1)	Duty to set aside areas for the interment of human remains	CEO, DIA, MCSA DCCS, MO	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	CEO, DIA, MCSA DCCS, MO	

s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	CEO, DIA, MCSA DCCS , MO	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	CEO, DIA, MCSA DCCS	
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	CEO, DIA, MCSA DCCS	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	CEO, DIA, MCSA DCCS	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	CEO, DIA, MCSA DCCS , MG, CTS	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	CEO, DIA, MCSA DCCS	Provided the street was constructed pursuant to the Local Government Act 2020
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery	CEO, DIA, MCSA DCCS , MG, CTS	
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	CEO, DIA, MCSA DCCS , MG, CTS	Report must contain the particulars listed in s.57(2)
s 59	Duty to keep records for each public cemetery	CEO, DIA, MCSA DCCS , MG, CTS, CTO	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	CEO, DIA, MCSA DCCS , MG, CTS, CTO	
s 60(2)	Power to charge fees for providing information	CEO, DIA, MCSA DCCS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	CEO, DIA, MCSA DCCS , MG, CTS	

s 64B(d)	Power to permit interments at a reopened cemetery	CEO, DIA, MCSA DCCS	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	CEO, DIA, MCSA DCCS	The application must include the requirements listed in s.66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	CEO, DIA, MCSA DCCS, MG, CTS	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	CEO, DIA, MCSA DCCS, MG, CTS, CTO	
s 70(2)	Duty to make plans of existing place of interment available to the public	CEO, DIA, MCSA DCCS, MG, CTS, CTO	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	CEO, DIA, MCSA DCCS, MO	
s 71(2)	Power to dispose of any memorial or other structure removed	CEO, DIA, MCSA DCCS, MO	
s 72(2)	Duty to comply with request received under s72	CEO, DIA, MCSA DCCS	
s 73(1)	Power to grant a right of interment	CEO, DIA, MCSA DCCS, CTS	
s 73(2)	Power to impose conditions on the right of interment	CEO, DIA, MCSA DCCS, CTS	
s 74(3)	Duty to offer a perpetual right of interment	CEO, DIA, MCSA DCCS	
s 75	Power to grant the rights of interment set out in s 75 (a) and (b)	CEO, DIA, MCSA DCCS	

s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	CEO, DIA , MCSA DCCS	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	CEO, DIA , MCSA DCCS , CTS	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	CEO, DIA , MCSA DCCS , MG, CTS	
s 80(2)	Function of recording transfer of right of interment	CEO, DIA , MCSA DCCS , MG, CTS, CTO	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	CEO, DIA , MCSA DCCS , MG, CTS	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	CEO, DIA , MCSA DCCS , MG, CTS	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	CEO, DIA , MCSA DCCS , MO, CTS	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	CEO, DIA , MCSA DCCS , MG, CTS	
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)	CEO, DIA , MCSA DCCS , MG, CTS, CTO	
s 84H(4)	Power to exercise the rights of a holder of a right of interment	CEO, DIA , MCSA DCCS , MG, CTS	
s 84I(4)	Power to exercise the rights of a holder of a right of interment	CEO, DIA , MCSA DCCS , MG, CTS	

s 84I(5)	Duty to pay refund to the previous holder or holders of the right of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 84I(6)(a)	Power to remove any memorial on the place of interment	CEO, DIA, MCSA DCCS, MO	
s 84I(6)(b)	Power to grant right of interment under s 73	CEO, DIA, MCSA DCCS	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	CEO, DIA, MCSA DCCS, MG, CTS, CTO	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	CEO, DIA, MCSA DCCS, MG, CTS, CTO	Does not apply where right of interment relates to remains of a deceased veteran
s 85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	CEO, DIA, MCSA DCCS, MO	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86(1)	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	CEO, DIA, MCSA DCCS, MO	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	CEO, DIA, MCSA DCCS, MO	

s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	CEO, DIA, MCSA DCCS, MO	
s 86(5)	Duty to provide notification before taking action under s 86(4)	CEO, DIA, MCSA DCCS, MG, CTS	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	CEO, DIA, MCSA DCCS, MO	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 88	Function to receive applications to carry out a lift and reposition procedure at a place of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 91(1)	Power to cancel a right of interment in accordance with this section	CEO, DIA, MCSA DCCS, MG, CTS	
s 91(3)	Duty to publish notice of intention to cancel right of interment	CEO, DIA, MCSA DCCS, MG, CTS, CTO	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 98(1)	Function of receiving application to establish or alter a memorial or place of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	CEO, DIA, MCSA DCCS	
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	CEO, DIA, MCSA DCCS, MG, CTS	

s 100(1)	Power to require a person to remove memorials or places of interment	CEO, DIA, MCSA DCCS, MG, CTS	
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)	CEO, DIA, MCSA DCCS, MO	
s 100(3)	Power to recover costs of taking action under s 100(2)	CEO, DIA, MCSA DCCS, MG, CTS	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	CEO, DIA, MCSA DCCS, MG, CTS	
s 102(1)	Power to approve or refuse (if satisfied of the matters in (b) and (c) an application under s 101	CEO, DIA, MCSA DCCS	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	CEO, DIA, MCSA DCCS, MG	
s 103(1)	Power to require a person to remove a building for ceremonies	CEO, DIA, MCSA DCCS	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	CEO, DIA, MCSA DCCS	
s 103(3)	Power to recover costs of taking action under s 103(2)	CEO, DIA, MCSA DCCS, MG, CTS	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	CEO, DIA, MCSA DCCS, MO	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	CEO, DIA, MCSA DCCS	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	CEO, DIA, MCSA DCCS	

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	CEO, DIA, MCSA DCCS	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	CEO, DIA, MCSA DCCS	
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	CEO, DIA, MCSA DCCS	
s 108	Power to recover costs and expenses	CEO, DIA , MCSA DCCS , MG, CTS	
s 109(1)(a)	Power to open, examine and repair a place of interment	CEO, DIA, MCSA DCCS , MO	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	CEO, DIA, MCSA DCCS , MO	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	CEO, DIA, MCSA DCCS , MO	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	CEO, DIA, MCSA DCCS , MO	
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	CEO, DIA, MCSA DCCS , MO	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	CEO, DIA, MCSA DCCS , MO	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	CEO, DIA, MCSA DCCS , MO	

s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	CEO, DIA, MCSA DCCS, MG, CTS	
s 112	Power to sell and supply memorials	CEO, DIA, MCSA-DCCS, MO	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	CEO, DIA, MCSA DCCS, MG, CTS	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	CEO, DIA, MCSA DCCS, MG, CTS	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	CEO, DIA, MCSA DCCS, MG, CTS	
s 119	Power to set terms and conditions for interment authorisations	CEO, DIA, MCSA DCCS, MG, CTS	
s 131	Function of receiving an application for cremation authorisation	CEO, DIA, MCSA DCCS, MG, CTS	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	CEO, DIA, MCSA DCCS, MG, CTS	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	REMAIN WITH CEO	
s 146	Power to dispose of bodily remains by a method other than interment or cremation with the approval of the Secretary	REMAIN WITH CEO	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	CEO, DIA, MCSA DCCS, MG, CTS	

s 149	Duty to cease using method of disposal if approval revoked by the Secretary	CEO, DIA , MCSA, DCCS, MG, CTS	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part II are met	CEO, DIA , MCSA, DCCS, MG, CTS	
s 151	Function of receiving an application to inter or cremate body parts	CEO, DIA , MCSA, DCCS, MG, CTS	
s 152 (2)	Power to impose terms and conditions on authorisation granted under s150	CEO, DIA , MCSA, DCCS, MG, CTS	
sch1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	CEO, DIA , MCSA, DCCS, MG, CTS	
sch 1 cl 8(8)	Power to regulate own proceedings	CEO, DIA , MCSA, DCCS, MG, CTS	Subject to clause 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	N/A	Where council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	N/A	Where council is a Class A cemetery trust Subject to clause 8

DOMESTIC ANIMALS ACT 1994			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	CEO, MCSA, CECS, TLCS	Council may delegate this power to a Council authorised officer

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	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, MCSA, CSD, EHO	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, MCSA, CSD, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s19 if satisfied that an order has been complied with	CEO, MCSA, CSD, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO, MCSA, CSD, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c)	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, MCSA, CSD, EHO	Where Council is the registration authority

s 19E(1)(d)	Power to request a copy of the food safety program	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, MCSA, CSD, EHO	Except for an assessment required by a declaration under s 19C or an inspection under s38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s.19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority

---	Power to register or renew the registration of a food premises	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt ^o	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB (1)	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO, MCSA, CSD, EHO	Where Council is the registration authority not exceeding the prescribed time limit defined under ss (5)

s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	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, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 39A	Power to register or renew the registration of a food premises despite minor defects	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	CEO, MCSA, CSD, EHO	

s 40F	Power to cancel registration of food premises	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 43(1)	Duty to maintain records of the prescribed particulars	CEO, MCSA, CSD, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEO, MCSA, CSD, EHO	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, MCSA, CSD, EHO	Where Council is the registration authority
s 45AC	Power to bring proceedings	CEO, MCSA, CSD, EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, MCSA, CSD, EHO	Where Council is the registration authority

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO TO RETAIN	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ¹	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.
S6 Instrument of Delegation – Members of Staff

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victoria Planning Provisions	CEO, DSPE, MCSA, CSD, PSP, P	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	CEO, DSPE, MCSA, CSD, PSP, P	
s 4H	Duty to make amendment to the Victorian Planning Provisions available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P	
s 4I(2)	Duty to make a copy of the Victoria Planning Provisions and other documents available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	CEO, DSPE, MCSA, CSD, PSP, P	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	

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, DSPE, MCSA, CSD, PSP, P	
s 12B(1)	Duty to review planning scheme at least once in every three years after commencement of <i>Planning and Environment (General Amendment) Act 2004 No. 81</i>	CEO, DSPE, MCSA, CSD, PSP, P	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DSPE, MCSA, CSD, PSP, P	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CEO, DSPE, MCSA, CSD, PSP, P	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, DSPE, MCSA, CSD, PSP, P	
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
s 17(2)	Duty of giving copy s 173 agreement	CEO, DSPE, MCSA, CSD, PSP, P	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, DSPE, MCSA, CSD, PSP, P	
s 18	Duty to make amendment etc. available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	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 s19 to a planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice in accordance with section	CEO, DSPE, MCSA, CSD, PSP, P	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, DSPE, MCSA, CSD, PSP, P	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, DSPE, MCSA, CSD, PSP, P	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO, DSPE, MCSA, CSD, PSP, P	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	CEO, DSPE, MCSA, CSD, PSP, P	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	During the inspection period

s 27(2)	Power to apply for exemption if panel's report not received	CEO, DSPE, MCSA, CSD, PSP, P	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CEO, DIA, DSPE, MCSA	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, DSPE, MCSA, CSD, PSP, P, TLPS	
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, DSPE, MCSA, CSD, PSP, P, TLPS	
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, DSPE, MCSA, CSD, PSP, P	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, DSPE, MCSA, CSD, PSP, P	
s 32(2)	Duty to give more notice if required	CEO, DSPE, MCSA, CSD, PSP, P	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, DSPE, MCSA, CSD, PSP, P	
s 33(2)	Duty to comply with request by Authority under s.33(1) for information or assistance	CEO, DSPE, MCSA, CSD, PSP, P	
s 34(1)	Function of consulting with Authority where exercising its powers likely to affect Council's functions	CEO, DSPE, MCSA, CSD, PSP, P	
s 36(2)	Duty to give notice of approval of amendment	CEO, DSPE, MCSA, CSD, PSP, P	

s 38(5)	Duty to give notice of revocation of an amendment	CEO, DSPE, MCSA, CSD, PSP, P	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, DSPE, MCSA, CSD, PSP, P	
s 40(1)	Function of lodging copy of approved amendment	CEO, DSPE, MCSA, CSD, PSP, P	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 46AW	Function of being consulted by the Minister	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is 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, DSPE, MCSA, CSD, PSP, P	Where Council is responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CEO, DSPE, MCSA, CSD, PSP, P	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	CEO, DSPE, MCSA, CSD, PSP, P	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	CEO, DSPE, MCSA, CSD, PSP, P	
s 46GP	Function of receiving a notice under s.46GO	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	

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, DSPE, MCSA, CSD, PSP, P	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	CEO, DSPE, MCSA, CSD, PSP, P	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	

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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	CEO, DSPE, MCSA, CSD, PSP, P	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 works, services or facilities	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CEO, DSPE, MCSA, CSD, PSP, P	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s.46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZBI(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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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 46GZE(3)(a) and (b)	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, DSPE, MCSA, CSD, PSP, P	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, DSPE, MCSA, CSD, PSP, P	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	

s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, DSPE, MCSA, CSD, PSP, P	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, DSPE, MCSA, CSD, PSP, P	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DSPE, MCSA, CSD, PSP, P	
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
s 46QD	Duty to prepare report and give a report to the Minister	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period	CEO, DSPE, MCSA, CSD, PSP, P	
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	CEO, DSPE, MCSA, CSD, PSP, P	
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it	CEO, DSPE, MCSA, CSD, PSP, P	
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CEO, DSPE, MCSA, CSD, PSP, P	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 50(4)	Duty to amend application	CEO, DSPE, MCSA, CSD, PSP, P	

s 50(5)	Power to refuse to amend application	CEO, DSPE, MCSA, CSD, PSP, P	
s 50(6)	Duty to make note of amendment to application in register	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 50A(1)	Power to make amendment to application	CEO, DSPE, MCSA, CSD, PSP, P	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CEO, DSPE, MCSA, CSD, PSP, P	
s 50A(4)	Duty to note amendment to application in register	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
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, DSPE, MCSA, CSD, PSP, P	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	CEO, DSPE, MCSA, CSD, PSP, P	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	

s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected	CEO, DSPE, MCSA, CSD, PSP, P	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, DSPE, MCSA, CSD, PSP, P	
s 52(3)	Power to give any further notice of an application where appropriate	CEO, DSPE, MCSA, CSD, PSP, P	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, DSPE, MCSA, CSD, PSP, P	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO, DSPE, MCSA, CSD, PSP, P	
s 54(1)	Power to require the applicant to provide more information	CEO, DSPE, MCSA, CSD, PSP, P	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, DSPE, MCSA, CSD, PSP, P	
s 54(1B)	Duty to specify the lapse date for an application	CEO, DSPE, MCSA, CSD, PSP, P	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CEO, DSPE, MCSA, CSD, PSP, P	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CEO, DSPE, MCSA, CSD, PSP, P	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	

s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, DSPE, MCSA, CSD, PSP, P	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, DSPE, MCSA, CSD, PSP, P	
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	CEO, DSPE, CSD, PSP, P, TLPS	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, DSPE, MCSA, CSD, PSP, P	
s 57A(5)	Power to refuse to amend application	CEO, DSPE, MCSA, CSD, PSP, P	
s 57A(6)	Duty to note amendments to application in register	CEO, DSPE, MCSA, CSD, PSP, P	
s 57B(1)	Duty to determine whether and to whom notice should be given	CEO, DSPE, MCSA, CSD, PSP, P	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CEO, DSPE, MCSA, CSD, PSP, P	
s 57C(1)	Duty to give copy of amended application to referral authority	CEO, DSPE, MCSA, CSD, PSP, P	
s 58	Duty to consider every application for a permit	CEO, DSPE, MCSA, CSD, PSP, P	
s 58A	Power to request advice from the Planning Application Committee	CEO, DSPE, MCSA, CSD, PSP, P	

s 60	Duty to consider certain matters	CEO, DSPE, MCSA, CSD, PSP, P	
s 60(1A)	Power to consider certain matters before deciding on application	CEO, DSPE, MCSA, CSD, PSP, P	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act</i> 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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	CEO, DSPE, MCSA, CSD, PSP, P	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, DSPE, MCSA, CSD, PSP, P	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, DSPE, MCSA, CSD, PSP, P	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, DSPE, MCSA, CSD, PSP, P	
s 62(2)	Power to include other conditions	CEO, DSPE, MCSA, CSD, PSP, P	

s 62(4)	Duty to ensure conditions are consistent with sss (a),(b) and (c)	CEO, DSPE, MCSA, CSD, PSP, P	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 63	Duty to issue the permit where made a decision in favour of the application if objectors	CEO, DSPE, MCSA, CSD, PSP, P	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	This provision applies also to a decision to grant an amendment to a permit-see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CEO, DSPE, MCSA, CSD, PSP, P	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, DSPE, MCSA, CSD, PSP, P	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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 decided to grant and a copy of any notice given under s 64 or 65	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, DSPE, MCSA, CSD, PSP, P	
s 69(2)	Power to extend time	CEO, DSPE, MCSA, CSD, PSP, P	
s 70	Duty to make copy permit available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	

s 71(1)	Power to correct certain mistakes	CEO, DSPE, MCSA, CSD, PSP, P	
s 71(2)	Duty to note corrections in register	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 73	Power to decide to grant amendment subject to conditions	CEO, DSPE, MCSA, CSD, PSP, P	
s 74	Duty to issue amended permit to applicant if no objectors	CEO, DSPE, MCSA, CSD, PSP, P	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, DSPE, MCSA, CSD, PSP, P	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, DSPE, MCSA, CSD, PSP, P	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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 copy of any notice given under s 64 or 76	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	
s 83	Function of being respondent to an appeal	CEO, DSPE, MCSA, CSD, PSP, P	

s 83B	Duty to give or publish notice of application for review	CEO, DSPE, MCSA, CSD, PSP, P	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	CEO, DSPE, MCSA, CSD, PSP, P	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DSPE, MCSA, CSD, PSP, P	
s 86	Duty to issue a permit at order of Tribunal within 3 business days	CEO, DSPE, MCSA, CSD, PSP, P	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, DSPE, MCSA, CSD, PSP, P	
s 87(4)	Power to make a minor amendment to a permit	CEO, DSPE, MCSA, CSD, PSP, P	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, DSPE, MCSA, CSD, PSP, P	
s 91(2)	Duty to comply with the directions of the VCAT	CEO, DSPE, MCSA, CSD, PSP, P	

s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, DSPE, MCSA, CSD, PSP, P	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	CEO, DSPE, MCSA, CSD, PSP, P	
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, DSPE, MCSA, CSD, PSP, P	
s 95(3)	Function of referring certain applications to the Minister	CEO, DSPE, MCSA, CSD, PSP, P	
s 95(4)	Duty to comply with an order or direction	CEO, DSPE, MCSA, CSD, PSP, P	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 96F	Duty to consider the panel's report under s 96E	CEO, DSPE, MCSA, CSD, PSP, P	
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	CEO, DSPE, MCSA, CSD, PSP, P	

	(including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)		
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, DSPE, MCSA, CSD, PSP, P	
s96J	Power Duty to issue permit as directed by the Minister	CEO, DSPE, MCSA, CSD, PSP, P	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, DSPE, MCSA, CSD, PSP, P	
s 96Z	Duty to keep levy certificates given to it under s 47 or 96A for no less than 5 years from receipt of the certificate	CEO, DSPE, MCSA, CSD, PSP, P	
s 97C	Power to request Minister to decide the application	CEO, DSPE, MCSA, CSD, PSP, P	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, DSPE, MCSA, CSD, PSP, P	

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, DSPE, MCSA, CSD, PSP, P	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, DSPE, MCSA, CSD, PSP, P	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, DSPE, MCSA, CSD, PSP, P	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 98(1) & (2)	Function of receiving claim for compensation in certain circumstances	CEO, DSPE, MCSA, CSD, PSP, P	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, DSPE, MCSA, CSD, PSP, P	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, DSPE, MCSA, CSD, PSP, P	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DSPE, MCSA, CSD, PSP, P	
s 107(1)	Function of receiving claim for compensation	CEO, DSPE, MCSA, CSD, PSP, P	
s 107(3)	Power to agree to extend time for making claim	CEO, DSPE, MCSA, CSD, PSP, P	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CEO, DSPE, MCSA, CSD, PSP, P	

s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, DSPE, MCSA, CSD, PSP, P	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, DSPE, MCSA, CSD, PSP, P	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, DSPE, MCSA, CSD, PSP, P	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DIA, DSPE, MCSA, CSD, PSP, P	Except Crown Land
s 125(1)	Power to apply to any court of competent jurisdiction or to the tribunal for an injunction restraining any person from contravening an enforcement order or an interim enforcement order.	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 129	Function of recovering penalties	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 148B	Power to apply to the Tribunal for a declaration	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, DIA, DSPE, MCSA, CSD, PSP, P	

s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 171(2)(g)	Power to grant and reserve easements	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DSPE, MCSA, CSD, PSP, P	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, DIA, DSPE, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	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 <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO, DSPE, MCSA, CSD, PSP, P	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CEO, DSPE, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s178A(1)	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principal to the proposal	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178A(5)	Power to propose to amend or end an agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178B(1)	Duty to consider certain matters when considering proposal to end an agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	

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, DIA, DSPE, MCSA, CSD, PSP, P	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DIA, DSPE, MCSA, CSD, PSP, P	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DIA, DSPE, MCSA, CSD, PSP, P	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	If no objections are made under s 178. Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DIA, DSPE, MCSA, CSD, PSP, P	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, DIA, DSPE, MCSA, CSD, PSP, P	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, DIA, DSPE, MCSA, CSD, PSP, P	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	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, DIA, DSPE, MCSA, CSD, PSP, P	

s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown Land	CEO, DIA, DSPE, MCSA, CSD, SPO, P	
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 181	Duty to apply to the Registrar of Titles to record the agreement	CEO, DSPE, MCSA, CSD, PSP, P	
s 181(1A)(a)	Power to apply to the Register of Titles to record the agreement	CEO, DSPE, MCSA, CSD, PSP, P	
s 181(1A)(b)	Duty to apply to the Register of Titles, without delay, to record the agreement	CEO, DSPE, MCSA, CSD, PSP, P	
s 182	Power to enforce an agreement	CEO, DSPE, MCSA, CSD, PSP, P	

s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
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, DSPE, DIA, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	
s 184G(2)	Duty to comply with a direction of the tribunal	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, DIA, DSPE, MCSA, CSD, PSP, P	
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, DIA, DSPE, MCSA, CSD, PSP, P	
s 198(1)	Function to receive application for planning certificate	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 199(1)	Duty to give planning certificate to applicant	CEO, DSPE, MCSA, CSD, PSP, P	

s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, DSPE, MCSA, CSD, PSP, P, TLPS	
s 201(3)	Duty to make declaration	CEO, DSPE, MCSA, CSD, PSP, P	
-	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, DSPE, MCSA, CSD, PSP, P	
	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, DSPE, MCSA, CSD, PSP, P	
	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, DSPE, MCSA, CSD, PSP, P	
-	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, DSPE, MCSA, CSD, PSP, P	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under ss (1) as soon as possible	CEO, DSPE, MCSA, CSD, PSP, P	

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & 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, MCSA, CSD, EHO	
s 522(1)	Power to give a compliance notice to a person	CEO, MCSA, CSD, EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, MCSA, CSD, EHO	
s 525(4)	Duty to issue identity card to authorised officers	CEO, MCSA, CSD, EHO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CEO, MCSA, CSD, EHO	
s 526A(3)	Function of receiving report of inspection	CEO, MCSA, CSD, EHO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DIA, MCSA	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, MI, DI	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, MI, DIA	
s 11(9)(b)	Duty to advise Registrar	CEO, MG	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, MI, DIA	Clause subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, MI, DIA	where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, DIA	where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, MI, DIA	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, MI	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, DIA	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, DIA	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, MI, DIA	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, MI, DIA	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, DIA	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, MI, DIA	
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, MI, DIA	
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, MI, DIA	
s 15(2)	Duty to include details of arrangement in public roads register	CEO, MI, DIA	
s 16(7)	Power to enter into an arrangement under s15	CEO, MI, DIA	
s 16(8)	Duty to enter details of determination in public roads register	CEO, MI, DIA	
s 17(2)	Duty to register public road in public roads register	CEO, MI, DIA	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, MI, DIA	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, MI, DIA	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, MI, DIA	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, MI, DIA	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, MI, DIA	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CEO, MI, DIA	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, MI, DIA	

s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, MI, DIA	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, MI, DIA	
s 21	Function of replying to request for information or advice	CEO, MI, DIA	Obtain consent in circumstances specified in s11(2)
s 22(2)	Function of commenting on proposed direction	CEO, MI, DIA	
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, MI, DIA	s 22(5) duty to give effect to a direction under this section. Where council is the road authority
s 40(1)	Duty to inspect, maintain and repair a public road.	CEO, MI, MO, DIA	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CEO, MI, MO, DIA	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CEO, MI, MO, DIA	
s 42(1)	Power to declare a public road as a controlled access road	CEO, MI, DIA	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, MI, DIA	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, MI, DIA	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, MI, DIA	Where Council is the of 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, MI, MO, DIA	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, MI, DIA	
s 49	Power to develop and publish a road management plan	CEO, MI, DIA	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, MI, DIA	

s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, MI, DIA	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, MI, DIA	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, MI, DIA	
s 54(6)	Power to amend road management plan	CEO, MI, DIA	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, MI, DIA	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, MI, DIA	
s 63(1)	Power to consent to conduct of works on road	CEO, DIA, MI, MO, CES, GE	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, MO, DIA	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch7	CEO, MO, DIA	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name and address of the person responsible for distributing the sign or bill	CEO, MI, DIA	Where Council is the coordinating road authority
s 67(3)	Power to request information	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO TO RETAIN	
s 72	Duty to issue an identity card to each authorised officer	CEO, DIA	
s 85	Function of receiving report from authorised officer	CEO, MI, MO, DIA	

s 86	Duty to keep register re s85 matters	CEO, MI, MO, DIA	
s 87(1)	Function of receiving complaints	CEO, MI, MO, DIA	
s 87(2)	Power to investigate complaint and provide report	CEO, MI, MO, DIA	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, MI, MO, DIA	
s 112(2)	Power to recover damages in court	CEO, MI, MO, DIA	
s 116	Power to cause or carry out inspection	CEO, MI, MO, DIA	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, MI, MO, DIA	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of Head, Transport for Victoria)	CEO, MO, DIA	
s 120(2)	Duty to seek consent of Head, Transport for Victoria to exercise road management functions before exercising power in s120(1)	CEO, MO, DIA	
s 121(1)	Power to enter into an agreement in respect of works	CEO, MO, DIA	
s 122(1)	Power to charge and recover fees	CEO, MO, DIA	
s 123(1)	Power to charge for any service	CEO, MO, DIA	
sch 2 cl 2(1)	Duty to make a decision in respect of controlled access roads	CEO, MI, DIA	
sch 2 cl 3(1)	Power to make policy about controlled access roads	CEO, MI, DIA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, MI, DIA	
sch 2 cl 4	Function of receiving details of proposal from Head, Transport for Victoria	CEO, MI, DIA	
sch 2 cl 5	Duty to publish notice of declaration	CEO, MI, DIA	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CEO, MI, MO, DIA	Where Council is the infrastructure manager or works manager

sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, MI, MO, DIA	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	CEO, MI, MO, DIA	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	CEO, MI, MO, DIA	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	CEO, MI, MO, DIA	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, DIA	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
sch 7 cl12(5)	Power to recover costs	CEO, MO, DIA	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, MO, DIA	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, MO, DIA	Where Council is the coordinating road authority
Sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7, cl 13(1)	CEO, MO, DIA	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority

sch 7 cl 16(4)	Duty to consult	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CEO, DIA, MI, MO, CES, GE	Where Council is the coordinating road authority
sch7 cl 16(8)	Power to include consents and conditions	CEO, DIA, MI, MO, CES, GE	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, MI, MO, DIA	Where Council is the coordinating road authority
sch7 cl 18(1)	Power to enter into an agreement	CEO, MI, MO, DIA	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, MI, MO, DIA	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, DIA, MI, , MO, CES, GE	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, MI, MO, DIA	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, MI, MO, DIA	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting – where road is not an arterial road	CEO, MO, DIA	Where Council is the responsible road authority for the road
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, MO, DIA	Where Council is the coordinating 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 cl 3(2) and 4	CEO, MO, DIA	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2015

[##These provisions apply to a Council appointed as a cemetery trust under s 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	CEO, DIA, MCSA DCCS, MO	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	CEO, DIA, MCSA DCCS, MO	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	CEO, MCSA , DIA DCCS	
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	CEO, MCSA , DIA DCCS	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	CEO, MCSA , DIA DCCS	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	CEO, MCSA , DIA DCCS	
r 30(2)	Power to release cremated human remains to certain persons	CEO, MCSA , DIA DCCS	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	CEO, MCSA , DIA DCCS	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	CEO, MCSA , DIA DCCS	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	CEO, MCSA , DIA DCCS	

r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	CEO, MCSA, DIA DCCS, MG, CTS	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	CEO, DIA, MCSA DCCS	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	CEO, DIA, MCSA DCCS	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	CEO, DIA, MCSA DCCS	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	CEO, DIA, MCSA DCCS	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CEO, DIA, MCSA DCCS, MG CTS	
r 40	Power to approve a person to play sport within a public cemetery	CEO, DIA, MCSA DCCS	
r 41(1)	Power to approve fishing and bathing within a public cemetery	CEO, DIA, MCSA DCCS	
r 42(1)	Power to approve hunting within a public cemetery	CEO, DIA, MCSA DCCS	
r 43	Power to approve camping within a public cemetery	CEO, DIA, MCSA DCCS	
r 45(1)	Power to approve the removal of plants within a public cemetery	CEO, DIA, MCSA DCCS, MO	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CEO, DIA, MCSA DCCS	
r 47(3)	Power to approve the use of fire in a public cemetery	CEO, DIA, MCSA DCCS	
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	CEO, DIA, MCSA DCCS	

Note: sch2 contains Model Rules - only applicable if the cemetery trust has not made its own cemetery trust rules			
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	CEO, DIA, MCSA DCCS, MG, CTS	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	CEO, DIA, MCSA DCCS, MG, CTS	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	CEO, DIA, MCSA DCCS, MG, CTS	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	CEO, DIA, MCSA DCCS	See note above regarding model rules
sch 2, cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	CEO, DIA, MCSA DCCS, MG, CTS	See note above regarding model rules
sch 2, cl 11(1)	Power to remove objects from a memorial or place of interment	CEO, DIA, MCSA DCCS, MG, CTS	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	CEO, DIA, MCSA DCCS, MG, CTS	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	CEO, DIA, MCSA DCCS	See note above regarding model rules
sch 2, cl 14	Power to approve an animal to enter into or remain in a cemetery	CEO, DIA, MCSA DCCS	See note above regarding model rules
sch 2, cl 16(1)	Power to approve construction and building within a cemetery	CEO, DIA, MCSA DCCS	See note above regarding model rules
sch 2, cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, DIA, MCSA DCCS	See note above regarding model rules
sch 2, cl 18(1)	Power to approve digging or planting within a cemetery	CEO, DIA, MCSA DCCS	See note above regarding model rules

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is not the planning authority and the amendment affects land within its 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 s 54 of the Act	CEO, DSPE, MCSA, CSD, PSP, P	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	CEO, DSPE, MCSA, CSD, PSP, P	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 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, DSPE, MCSA, CSD, PSP, P	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CEO, DSPE, MCSA, CSD, PSP, P	
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, DSPE, MCSA, CSD, PSP, P	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Function of entering into a written agreement with a caravan park owner	CEO, MCSA, CSD, EHO	
r 11	Function of receiving applications for registration	CEO, MCSA, CSD, EHO	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, MCSA, CSD, EHO	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, MCSA, CSD, EHO	
r 13(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, MCSA, CSD, EHO	
r 13(4) & (5)	Duty to issue certificate of registration	CEO, MCSA, CSD, EHO	
r 15(1)	Function of receiving notice of transfer of ownership	CEO, MCSA, CSD, EHO	
r 15(3)	Power to determine whether notice of transfer is displayed	CEO, MCSA, CSD, EHO	
r 16(1)	Duty to transfer registration to new caravan park owner	CEO, MCSA, CSD, EHO	
r 16(2)	Duty to issue certificate of transfer of registration	CEO, MCSA, CSD, EHO	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, MCSA, CSD, EHO	
r 18	Duty to keep register of caravan parks	CEO, MCSA, CSD, EHO	

r 19(4)	Power to determine where the emergency contact person's details are displayed	CEO, MCSA, CSD, EHO	
r 19(6)	Power to determine where certain information is displayed	CEO, MCSA, CSD, EHO	
r 22A(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, MCSA, CSD, EHO	
r 22A(2)	Duty to consult with relevant emergency services agencies	CEO, MCSA, CSD, EHO	
r 23(2)	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, MCSA, CSD, EHO	
r 24(1)	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, MCSA, CSD, EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	CEO, MCSA, CSD, EHO	
r 26	Duty to have regard to any report of the relevant fire authority	CEO, MCSA, CSD, EHO	
r 28(C)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO, MCSA, CSD, EHO	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, MCSA, CSD, EHO	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, MCSA, CSD, EHO	
r 40(4)	Function of receiving installation certificate	CEO, MCSA, CSD, EHO	c
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO, MCSA, CSD, EHO, BI	
sch 3, cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CEO, MCSA, CSD, EHO, BI	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	CEO, MI, DIA, MO	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, MI, DIA, MO	
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, MI, DIA, MO	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, MI, DIA, MO, MCSA	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, MI, DIA, MO, MCSA	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, MI, DIA, MO	
r 16(3)	Power to issue permit	CEO, MI, DIA, MO, MCSA	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CEO, MI, DIA, MO	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, MI, DIA, MO, MCSA	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, MI, DIA, MO, MCSA	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CEO, MI, DIA, MO, MCSA	Where Council is the coordinating road authority

r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with r.25(3))	CEO, MI, DIA, MO, MCSA	Where Council is the coordinating road authority
r 25(5)	Power to recover in the Magistrates' Court expenses from person responsible	CEO, MI, DIA, MO, MCSA	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CEO, DIA, MI, CES, IE, GE, MO	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CEO, DIA, MI, CES, IE, GE, MO, MCSA	Where council is the coordinating road authority

10. Notices of Motion or Rescission

Nil

11. Reports from Councillors/Committees

Queen Mary Botanic Gardens Advisory Group Minutes, Wednesday 6 December 2023

Stawell Recreation Advisory Group Minutes. Monday 4 December 2023

Councillors provided the following brief reports on their activities on behalf of Council since the last Council meeting.

Cr Ostarcevic reported on a meeting of the Friends of the Queen Mary Gardens from which a few issues raised were entered into the Merit CRM system. He said the group is now focusing its efforts on a passive playground space and concept plans prepared by council officers will be presented to the QMG Advisory Group. He reported on his attendance at a SCAN meeting at which Sgt Tim Thomson spoke with a focus on community policing and a St Arnaud Recreation Advisory Group meeting. He said the multi function facility at Lord Nelson Park is paying dividends and is well received; teething problems are outweighed by the benefits to the community.

Cr Dempsey reported on a number of meetings attended this month including the Stawell Recreation Advisory Group and a Recalibrate personal development workshop run by Ruth McGowan for women across the sector with the theme Reflect, Recharge and Reset that involved goal setting, networking with like minded women, empowerment and planning for future elections. She said she attended the Central Park Clubrooms walk through to view completed Female Friendly changerooms and the proposed opening should be this week making the project on track for Easter. She said she attended the Stawell Neighbourhood House Community Meeting where bookings for centre projects programs were tracking well. She attended a Women For Council meeting that discussed agenda items including councillor representation, 2024 elections and female candidacy; the scheduled guest speaker did not attend. She said she had attended a number of councillor briefings and she has been treated with complete disrespect by some councillors and do not accept the behaviour she has been subjected to. She said the behaviour must stop as she is sick of the treatment that is occurring behind closed doors. She said she is publicly calling this out as she feels like she has no other avenues to turn to and hopes that things will continue to improve.

Cr Erwin reported that he had attended a meeting of the Western Highway Action Committee and a follow up meeting with Minister Pearson regarding the highway. He said we are still waiting on the cultural heritage study to be completed. He said the rest of his time has been taken up with bushfires.

Cr Hyslop reported on attending the official opening of the Stawell Thrive 50+ Healthy Ageing Hub Opening at the Stawell Library. She said she has spoken to organisers and the attendance numbers were good. She encouraged people to attend the library on Tuesdays or Thursdays where organisers will coordinate access to services and activities that might interest them within the area. She said she is looking to attending a similar opening in St Arnaud this week. She said she had attended the opening of the St Arnaud Gold Mining Trail and Lord Nelson Mine Information Shelter and commended the efforts and work of those involved giving the past a future. She attended a Local Government Reforms online session, a North Central LLEN meeting and a Women For Council meeting at which the changes in our ward structure and number of councillors was discussed. She said the WFC is a group of women interested in running in the up and coming elections and encouraged interested women to contact her or the WFC Facebook page. She wanted to acknowledge the way local communities are in supporting local people, rallying behind those impacted by fires over the last few weeks with fundraising functions, and the generosity of people.

Cr Haswell provided a February Mayoral update that included activities associated to the bushfires that greatly affected our communities. He said the heroes of the day were the CFA and volunteers who made every aspect of the fight from the first moment, through the relief centre and into the final recovery stage; a swift, accurate and complete response. He extended his thanks to the relief centre volunteers with 200 people registered taking advantage of all the centre had to offer; a fantastic and smoothly run operation. He also extended his thanks to VicPol, Red Cross, Salvation Army and all the Northern Grampians Shire volunteers and staff, especially the council's Media and Communications Officer for keeping him informed. He reported on meetings with the Premier and Ministers Melissa Horne and Gayle Tierney and reiterated his thanks to all those involved.

RESOLUTION

That the reports be received.

Moved: Cr Kevin Erwin

Seconded: Cr Murray Emerson

Carried

Queen Mary Botanic Garden Advisory Committee minutes, 06th December 2023

Present Brenda Proctor, Lyn Box, Ros Small, Dorothy Patton, Marg McCahon, Jo Hamilton and Janelle Patching

Apologies Dot Baldwin, Cr Eddy Ostarcevic, Dee Freeman, and Brenda Procter

Brenda Proctor-moved, seconded Lyn Box

Minutes from previous meeting – True and Correct,

Matters arising previous meeting

Sign to be removed – Railway hub sign removal, Cr Ostarcevic to talk to council staff for follow up of removal.

Major corner sign- Health Pohl has spoken with Jarryd Ezard, start day is Friday 9th Dec 2023.

True and correct, Lyn Box moved, Marg McCahon seconded .

Business arising

Children's play area-Brenda suggested to get dimensions and measure up so we know what space we are working with. Committee to do at next working bee in Feb. This year we will make the play area happen as a major committee goal.

Committee decided to remove gardeners report from the agenda going forward.

Friends meeting – plants to purchase for March planting, to fill gaps in long bed. Other spaces to focus on are near the rose arch and along to the paths where there are spaces to be filled, the plants need to be low maintenance and low growing. It was suggested could the Long Bed be extended, this is a discussion the committee would have to put to the gardeners to determine the extra work and watering.

There was a discussion of Carols by Candlelight not being held in the gardens.

Committee discussed compliance issues and will wait the outcome on what was decided from the NG Shire.

Moved Brenda Box and seconded Ros Small

Gardeners report

Nil gardeners report, Cr Ostarcevic advised Jason doesn't really need to attend advisory committee meeting as this was never an expectation, Jason will continue to be treasurer of the Friends of the Gardens. Cr Ostarcevic will discuss and request a written report from gardeners, for future meetings.

General Business

Rotary club has a new plaque they want to put in the gardens were the table and chairs are that they funded, the plaque would be fitted to a rock. They have presented the plaque to Jason Abbott to install from the Rotary St Arnaud.

Important dates

Next meeting 07th Feb- General Meeting

Meeting dates for the year, April 3rd, June 5th, Aug 7th, Oct 2nd and Dec 4th.

Next Gala Day 23rd March 2024

Meeting closed. 6.16pm

Northern Grampians Shire Council

Stawell Recreation Advisory Group Meeting - Minutes

The meeting to be held at **6.00pm** on 4 December 2023 at the **North Park Clubrooms (Function Area)**

Chair: Cr Dempsey, Open 6:04pm

To be Present: Cr Lauren Dempsey, Nathan Baker, Ian O'Donnell, John Griffiths, Amber Mitchell (online), Blair Hart, Zander McDougall (NGSC), Nic Baird (NGSC)

Apologies: Tony Dark (NGSC), Reg Smith, Steve Walker, Travis Nicholson, Scotney Hayter, Cr Murray Emmerson, Rob Lembo

Moved Blair Hart, Seconded Ian O'Donnell

1. Minutes of the previous meeting: Minutes moved to be true and correct from previous meeting. Moved John Griffiths seconded Ian O'Donnell

2. Business arising from the previous meeting:

- Cricket Pitch/Covers at Central Park. After speaking with Cricket Victoria and NGSC Parks and Gardens team it was recommended that no pitches were removed from the Central Park pitch area. The covers were then raised as to whether a purchase could be made for a bigger cover to cover the entire wicket.
- Water bill for Stawell Amateur Aths, Nathan to look at as well, Nic had followed up with relevant NGSC staff just ensuring issue had being rectified. All other bills seemed fine but was going to double check.
- Defibrillator policy was passed by council. Clubs still need their own but council can help with box installation.

3. General Business

Item	TOPIC	Discussion	Action/ Outcome
1.1	Projects Update	<p>Funding Provider Grants Update (Sport and Rec Victoria and others):</p> <ul style="list-style-type: none">• Northern Grampians Shire update regarding grants moving forward.• Any grants that will be applied for by council staff will need to be apart of the Council Plan. Any grants that clubs are seeking council to submit on their behalf will need to be thoroughly planned for with business cases. Council staff will then need to work with the leadership team if the project falls outside of the Council Plan to see if the grant is able to be continued with. <p>Fair Access Policy</p>	<p>Action:</p> <ul style="list-style-type: none">• Nic to speak to Tony/Tina Baker/Artist about mural if it is not to late in the process.• If prior to the next meeting

		<ul style="list-style-type: none"> Northern Grampians Shire will need to have the fair access policy adopted prior to July 1st to ensure they are still eligible for Sport and Recreation Victoria Grants. Northern Grampians Shire will provide support to clubs and liaise with Wimmera Regional Sports Assembly to also assist with any support required by clubs. <p>North Park Playground and Pedestrian Zone</p> <ul style="list-style-type: none"> Update on project. Draft plans were shown and these as discussed will likely change again. Nathan worried about trees dropping leaves on the playground and the area it is in taking up the area in front of the Athletics clubrooms. Ian worried about line of sight from netball to playground. John asking about whether it could be in a similar place as it was. With the area that has been developed and the inclusion of bollards this would be unlikely. Blair thinking it could be crammed in the wrong area. <p>Central Park Female Friendly Changerooms (Main Clubroom Pavilion)</p> <ul style="list-style-type: none"> Project update: Timings on track to be completed in March prior to the gift. Mural Feedback: design to busy and to crowded, there was discussion about the mural and what it represented. Feedback to be given back to artist/Tony if not to late in the process. However there has been a working group who endorsed the mural design. <p>Sport and Active Recreation/Open Space Strategy</p> <ul style="list-style-type: none"> Clubs/Associations update on strategy. Draft for both strategies will be available in the middle of February and clubs/associations are encouraged to give feedback on both strategies. <p>Stawell Tennis Courts (new courts)</p> <ul style="list-style-type: none"> Court new surface has been installed. Old court surface has been given to the Glenorchy Tennis Club. Currently the club members who would pick it up are busy with harvest/farming duties. Currently still in Tennis Club carpark which everyone is happy with. Their playground is in follow up, Blair asked about getting it checked out. Nic was following up with Tony who had been in discussion with the Tennis Club already. There is one light out on a tower. The agreement needs to be read whether it needs to be done by council or tennis club, Zander will chase Kylie 	<p>Nic will forward the draft Sport and Active Recreation Strategy and Open Space Strategy to Advisory Board members.</p> <ul style="list-style-type: none"> Nic to speak to Tony regarding Tennis Club Playground Zander to follow up Kyle regarding the Tennis Club lease for the blown light
1.2	Agreements and User Fees	<p>Zander McDougall, Manager Active Communities to update clubs/associations: Stawell Warriors likely to stay on crown land lease for next 5 years this likely won't be extended. Zander is still in discussions with Stawell Warriors currently to discuss options moving forward. All other clubs so far happy to come across to the new model. The percentage will be based on how the ground is used. Eg North Park may be soccer 10% vs Swifts 60% Tennis clubs not apart of the review yet but in the new year will be done. New booking system to be worked out to ensure double bookings can be worked through or can be seen live.</p>	Action:
1.3	Participation Plans		Action:

	<p>Zander McDougall, Manager Active Communities to provide an update on current participation plans. The reason for participation plans is has the investment been worthwhile now vs 2 years There was a survey completed by PCG about participation plans. Zander can send to the Rec group the draft participation plan. This must be linked to the usage of the rooms and not necessarily the whole facility.</p>	<p>Zander to send draft participation plan to Rec Advisory members.</p>
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Other business:

- Amber raised the Kaye Dalton Memorial for the North Park Netball Courts. Cr Dempsey said she remembers council speaking about but unsure whether it was moved in a meeting or spoken to at a briefing. **ACTION: Nic to contact Mary Scully re Kaye Dalton whether this was discussed at Briefing or meeting.**
- Amber raised the recently installed score benches and timekeepers benches. There was widespread disappointment about the set up with no disability access to the bench area and limited moving room.
- Ian raised that Swifts Football Netball Club are down the path of an electronic scoreboard for North Park they have grants in for most of this through different funding streams. \$20,000 still needed and asked about the potential of a waiver for planning permit, and a soil test as well. The plan is for the scoreboard to go closer to rotunda from scoreboard currently.
- Blair raised that Central Park electronic scoreboard planning is underway as well. Stawell Warriors and Stawell Athletic club working together. Unlikely to be this year but are planning for the year after.
- John asked about a Ground update (due to recent renovations on both Central Park and North Park Athletic track). Zander said that Central Park was only a matter of weeks away from being “open” and that everything will be in good shape for the gift and the football season to follow. The North Park Athletic track due to some unfavourable conditions the winter grass came back through which gave it a dead look, but with some better weather the summer grass should come through and make it green again, but the works to resurface the inside of the athletic track for soccer and rugby had been a success.
- Nic asked whether that clubs would be interested in signing up to the Northern Grampians Shire Community Newsletter. If they were keen that there would be a “sport and recreation” section added to keep clubs up to date about projects, grant opprtunites and any community feedback that was being sought after as well. Individuals were happy to do so. **ACTION: Nic to send the link to sign up to Community Newsletter**

4. **Close time:** 7:27 pm

5. **Next meeting:** 12/2/2024 starting at 6pm at North Park Clubrooms.

12. Urgent Business

Nil

13. Public Question Time

Alice Lamb, 45 McMahon Street St Arnaud

Q1. What is local government doing about relational violence against women?

Q2. What is local government doing about spiking of women's drinks in local hotels?

Q3. What is local government doing about relational violence of every sort in local government schools? Including from education staff to students?

Mr Vaughan Williams, Director Corporate and Community Services provided the following response:

Council takes a strong position on violence against women. Any allegations are investigated and actioned immediately.

Council has employed a Family Violence Prevention Project Officer to prevent and raise awareness of both staff and the community of family and domestic violence.

Local Government has no authority to police these matters.

Local Government has no authority over the Education Department and the conduct of their employees.

Bonnie Carter, 23 Hurst Road, Stawell 3380

Q. A huge amount of household rubbish is being dumped on public land on the edges of Stawell. This is due to the tip fees being unaffordable for many in our town who are struggling to put food on the table for their kids in the current economic climate. I realise the tip is not run by council. However, the council could distribute 2 free tip vouchers per year to households to help relieve the pressure, as well as have 2 hard rubbish collections and garden waste collections. I know our council has a big problem with funds but it also has a big problem with dumped rubbish. Could council please investigate this issue and see what can be done as a council to alleviate the issue, rather than relying on local groups and individuals to clean up these dumped items?

Mr Trenton Fithall, Director Infrastructure and Amenity provided the following response:

Council's transfer station gate fees have been generated on the principle that 50% of the costs of running the transfer stations is subsidised by the wider community with the waste charge (which is a component of your rates) and the remaining 50% of costs are worn by user fees (being gate fees).

Changes in gate fees or any additional service being vouchers or hard waste collection have a direct impact on this 50/50 principle and need to be weighed up against council's and the community's financial capacity to pay.

We are currently tendering our kerbside waste and recycling collection services. This will dictate the cost of kerbside services over the next 10 years.

Once council finalises this process in May, council can review our waste and recycling supporting services and consider your request and the impact it will have on the bottom line.

Prue McAllister, 310 Reseigh Road Rupanyup

The fires in Pomonal and Dadswells Bridge have been devastating for those communities. The NGSC is to be commended for its rapid response to the disaster. Blaze Aid is well known for coordinating volunteers to help these communities recover from floods, fires and storms.

Can the council tell me why the decision by the Northern Grampians Shire to have a Blaze Aid camp at Halls Gap was withdrawn at the eleventh hour creating much confusion and disruption to the already stretched resources for the Blaze Aid coordinators? Blaze Aid have spoken very highly of the support of the Ararat and Pyrenees Shire Councils. Unfortunately the same can't be said about the Northern Grampians Shire Council in this case.

Mrs Justine Kingan, Director Strategy, Prosperity and Engagement provided the following response:

Whilst the Northern Grampians Shire did not have many residents severely impacted by the fires we had our communities of interest which are our neighbours in the Rural City of Ararat and Pomonal and Dadswells Bridge in Horsham who we are very closely connected to. So we have been obviously very committed to providing every amount of support to those communities. Since the terrible fires in Pomonal and Dadswells Bridge we have been in contact with Blaze Aid and seeking to find a site for them.

Initially we had conversations with the Halls Gap Recreation Reserve Committee but they were unfortunately unable to host Blaze Aid on account of the number of events already planned for and established at the reserve.

There was a private site identified and council was looking at the option of providing access to our Halls Gap Hub which is also our Visitor Information Centre with 200-250 visitors a day, our Neighbourhood House, a community hall used by the school on severe weather days etc, and used as public toilets and for commercial toilet access; a very busy facility.

On Friday we were still unable to confirm whether Blaze Aid had a formal agreement with Ararat Rural City or with Pomonal or with Horsham Rural City at the time speaking to Blaze Aid on Friday afternoon. I needed to clarify that first of all. We did say that we knew that Dadswells Bridge needed support and it was very likely to have a formal agreement but we could host them for a couple of weeks if that support was needed. That did not suit Blaze Aid so our support was not withdrawn. We recognise the wonderful work that Blaze Aid do and we also seek to support them into the future.

The community in Halls Gap is suffering quite a lot from the flow on effects of the fires, many business owner and workers who live in Pomonal also have businesses in Halls Gap and vice versa as with the school there are a lot of children who live in Pomonal go to school in Halls Gap and a lot of families who go to Pomonal who live in Halls Gap; a very, very close association. So with the park still reopening in stages, businesses are desperate and really need to welcome visitors back. This is a very important consideration for us and how we deliver visitor information services. We are very sorry we were not able to provide a longer agreement for access to the Hub for Blaze Aid. As I said it is a very busy facility and we are very pleased that Ararat Rural City was able to provide a site. We look forward to working with Blaze Aid in the future.

14. Closure of Meeting Pursuant to Section 66(2)(a) of the Local Government Act 2020

A Council or delegated committee may resolve that the meeting be closed to members of the public if it considers it necessary because a circumstance specified below apply:

The circumstances are-

- (a) the meeting is to consider confidential information; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

If the circumstances specified in subsection (b) or (c) apply, the meeting can only be closed to the public if the Council has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.

Nil

15. Close

There being no further business the Mayor declared the meeting closed at 1.14m.

Confirmed



CR ROB HASWELL
MAYOR

Date: 1 April 2024