

MINUTES

SPECIAL MEETING OF COUNCIL

TUESDAY, 1 SEPTEMBER 2020

7.00PM

COUNCIL CONFERENCE AND RECEPTION CENTRE
CITY HALL
LITTLE MALOP STREET, GEELONG

COUNCIL:

Cr S Asher (Bellarine Ward)
Mayor
Cr K Grzybek (Windermere Ward)
Deputy Mayor

Cr J Mason (Bellarine Ward)
Cr T Sullivan (Bellarine Ward)
Cr E Kontelj (Brownbill Ward)
Cr S Mansfield (Brownbill Ward)
Cr P Murrily (Brownbill Ward)
Cr B Harwood (Kardinia Ward)
Cr P Murnane (Kardinia Ward)
Cr R Nelson (Kardinia Ward)
Cr A Aitken (Windermere Ward)

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**MINUTES OF THE SPECIAL MEETING
OF THE GREATER GEELONG CITY COUNCIL
HELD VIRTUALLY BY ZOOM AND BROADCAST ON THE CITY'S WEBSITE
ON TUESDAY, 1 SEPTEMBER 2020
COMMENCING AT 6.00 PM**

PRESENT: Cr S Asher (Mayor), Crs A Aitken, K Grzybek, B Harwood, E Kontelj,
S Mansfield, J Mason, P Murrhy, P Murnane, R Nelson, T Sullivan

Also present: M Cutter (Chief Executive Officer), R Leonard (Director Governance,
Strategy and Performance)

OPENING: The Mayor declared the meeting open at 6.00pm

ACKNOWLEDGEMENT:

Council acknowledges the Wadawurrung Traditional Owners of this land and I pay my respects to all Elders past and present and to all Aboriginal and Torres Strait Islander People who are part of the Greater Geelong community today.

REASON FOR HOLDING SPECIAL MEETING:

To adhere to the legislative requirements of the Local Government Act 2020, which require the following reports be considered and adopted by 1 September 2020.

APOLOGIES: Nil

DECLARATIONS OF CONFLICTS OF INTEREST: Nil

1. ADOPTION OF THE PUBLIC TRANSPARENCY POLICY

Source: Governance, Strategy & Performance -
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. For Council to adopt the Public Transparency Policy following a period community consultation.

Background

2. Section 57 of the Local Government Act 2020 (the Act) requires Council to adopt a Public Transparency Policy by 1 September 2020.
3. The Act requires the Public Transparency Policy to describe the ways in which Council information is to be made publicly available and give effect to the public transparency principles prescribed in section 58 of the Act.
4. The Council Public Transparency Policy (**Attachment 2**):
 - 4.1 Acknowledges the importance of transparency in local government;
 - 4.2 Incorporates the overarching principles of the LGA 2020 that "*the transparency of Council decisions, actions and information is to be ensured*" (section 9(2)(i)); and
 - 4.3 Outlines what information will be made publicly available by the City and how it will be made available and identifies information that will not be made publicly available.

Key Matters

5. Community feedback was sought in relation to the Transparency Policy. Five submissions were received and are detailed in **Attachment 3**.
6. The submissions considered raised the following general issues:
 - 6.1 The importance of hearing from community members as well as developers in making decisions;
 - 6.2 Seeking the establishment of a register of meetings with developers;
 - 6.3 The alignment of the Policy with the *Clever and Creative Vision* and other council policies and legislative obligations, including the overarching governance principles.
7. Whilst the submissions raise important issues relating to community engagement and the importance of adherence to the requirements of the Act, the submissions do not raise issues that require a change to the proposed Policy. As a result, officers recommend to Council to adopt the policy without change. A summary of officer responses to the submissions is included in **Attachment 3**.

Cr Grzybek moved, Cr Mansfield seconded -

- 8. That Council adopt the Public Transparency Policy (Attachment 2);**
- 9. Request the Chief Executive Officer to:**
 - 9.1 Raise awareness in the community of the terms and meanings of words “City” and “Council”, and add those terms into the definition section of the policy document; and**
 - 9.2 Ensure all new policies or reviewed policies incorporate reference to the Public Transparency Policy.**
- 10. Require the Policy to be reviewed by September 2022.**

Carried.

Attachment 1

Financial Implications

1. There are no direct financial implications associated with the contents of this report.

Community Engagement

2. Community and stakeholder consultation on the draft Public Transparency Policy was undertaken for three weeks commencing on 22 July 2020.
3. Weekly advertisements promoting the engagement were placed in both the Geelong Advertiser and Geelong Indy, with a social media presence on the City's Facebook and Twitter accounts.
4. Engagement was open on the City's 'Have Your Say' website from 9.00 a.m. Wednesday 22 July to 5.00 p.m. 12 August 2020. During this period there were 200 views and 153 visits.
5. Five submissions were received, and following consideration, officers did not recommend any changes to the Public Transparency Policy.

Social Equity Considerations

6. The Public Transparency Policy demonstrates how decisions made by City officers under delegation or authorisation of the Council under the LGA 2020 or any other legislation supports transparency, fairness and equity.
7. Access to information by all members of the community is important to ensure transparency, trust and integrity of decision making. The implementation of the policy will consider how the City is able to improve access to information in accordance with the policy.

Policy/Legal/Statutory Implications

8. The Public Transparency Policy has been developed in accordance with section 57 and section 58 the LGA 2020.

Alignment to Council Plan

9. This report aligns to Council Plan's strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

10. No Council officer had a direct or indirect interest in the contents of this report.

Risk Assessment

11. Providing access to information to the public about processes, decision and actions supports transparency in the operations of the City, and the decisions of the City and the Council. A failure to provide access to information could undermine community trust in decisions made by the City and by the Council.

Environmental Implications

12. There are no direct environmental implications associated with the contents of this report.

THE CITY OF
GREATER GEELONG

PUBLIC TRANSPARENCY POLICY

VERSION: 1

Approval Date: 1 September 2020

Approved by: Council

Review Date: 1 September 2022

Responsible Officer: Director, Governance, Strategy and
Performance

Authorising Officer: Chief Executive Officer

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Introduction

PURPOSE

This policy outlines how the Council and the City will ensure that it meets its obligations under section 57 and section 58 of the Local Government Act 2020 (the Act).

WHY IS TRANSPARENCY IMPORTANT?

Transparent decision making promotes a positive and productive relationship between the Council and the City and the community. It allows the community to have a greater sense of ownership and connection to decisions made by the Council and the City. More so than at any other level of government, local councils provide the opportunity for citizens to engage with decision making directly affecting them and their communities.

Transparent decision making in local government supports accountability, encourages high performance and also increases public confidence in councils and their processes and decisions. Individuals will not always agree with Council or City decisions, but transparency allows them to understand the reasoning in the decision-making process.

Openness, accountability, integrity and honesty are essential to build high levels of trust amongst our community and enables fully informed engagement in the democratic process. Without transparency, effective community engagement, planning, financial management and any number of other council responsibilities cannot be properly performed.

PUBLIC TRANSPARENCY PRINCIPLES

One of the overarching principles of the Act is that “the transparency of Council decisions, actions and information is to be ensured” (section 9(2)(i)).

Section 58 of the Act states the public transparency principles that must be applied to all aspects of a council’s operations and decision making as follows:

- a) Council decision making processes must be transparent except when the Council is dealing with information that is confidential by virtue of this Act or any other Act;
- b) Council information must be publicly available unless—
 - i. the information is confidential by virtue of this Act or any other Act; or
 - ii. public availability of the information would be contrary to the public interest;
- c) Council information must be understandable and accessible to members of the municipal community;
- d) public awareness of the availability of Council information must be facilitated.

SCOPE

This policy applies to the Council and anyone carrying out delegated duties or functions of the Council including Councillors, City staff and members of Delegated Committees or Advisory Committees.

Definitions

CITY

The City of Greater Geelong organisation led by the CEO

COUNCIL

The Greater Geelong City Council comprised of Councillors, and its Delegated Committees

DELEGATED COMMITTEE

A delegated committee established under section 63 of the Act.

THE ACT

Local Government Act (Vic) 2020

FOI ACT

Freedom of Information Act (Vic) 1982

HOW WILL COUNCIL AND CITY DECISION-MAKING PROCESS BE TRANSPARENT?

Decisions of the Council

Decisions made by the Council must be:

- undertaken in accordance with the Act, any other relevant legislation and Council's Governance Rules;
- conducted in an open and transparent forum, unless otherwise provided in accordance with the provisions in the Act and Governance Rules;
- informed through community engagement, in accordance with the Community Engagement Principles and the Community Engagement Policy; and
- made fairly and on the merits, and where any person whose rights will be directly affected by a decision of the Council, will be entitled to communicate their views and have their interests considered.

Decision made under delegation

City officers making decisions under delegation or authorisation of the Council under the Act or any other legislation must have regard to the public transparency principles in the Act.

WHAT INFORMATION WILL BE PUBLICLY AVAILABLE?

Under the Act (and, in some cases, the *Local Government Act 1989*), certain information must be made publicly available, namely:

- Register of Delegations made by Council;
- Council and Delegated Committees Meeting Minutes;
- Local Laws and any documents incorporated;
- Council Plan;
- Strategic Resource Plan;
- Budget;
- Annual Report;
- Councillor Code of Conduct;
- Procurement Policy;
- Register of interests;
- Reappointment of CEO without advertisement;
- Differential Rates; and
- Summary of Campaign Donation Returns.

The following information will also be made publicly available to ensure the community is informed and can benefit from access to information regarding Council's functions and operations:

- All adopted Council policies, plans and strategies;
- Governance Rules;
- Composition, Terms of Reference, Agendas and Minutes of Council Meetings, Committees and Groups;
- Code of Conduct for Council Staff;
- Register of Delegations made by the CEO;

- Register of Authorised Officers;
- Register of Interstate and Overseas Travel by Councillors and Staff;
- Register of Land Leases entered into by Council;
- Register of Donations and Grants made by Council;
- Register of Contracts Awarded by Council; and
- Details of any Council Land proposed for Sale or Exchange.

Under various other Acts administered by Council, the following information will be made publicly available:

- Register of Planning Permits;
- Register of Planning Applications on Advertising;
- Copy of Planning Permits and Endorsed Plans (by application, charges will apply);
- Register of Building Permits, Occupancy Permits and Temporary Approvals;
- Copies of Building Permits, plans and documentation (by application, charges will apply);
- Register of Animal Registrations;
- Register of Public Roads; and
- FOI Part II Statement.

WHAT INFORMATION WILL NOT BE PUBLICLY AVAILABLE?

Some information may not be made publicly available. Information will not be publicly available if its release would be contrary to the public interest or not in compliance with the *Privacy and Data Protection Act 2014*.

“Confidential information,” as defined in section 3 of the *Local Government Act 2020* will also not be made publicly available. It includes the types of information listed in the following table.

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the councillor code of conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter
Information prescribed by the Regulations	Information prescribed by the regulations to be confidential information for the purposes of the Act
Confidential information under the <i>Local Government Act 1989</i>	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i>

The Chief Executive Officer may decide, in the interests of transparency, to release information that is not publicly available under this policy. However, this will not happen if the release is contrary to law, in breach of contractual requirements or if releasing the information is likely to prejudice council, cause harm to any person, affect security of council property or is not in the public interest to do so.

Where information is not confidential, and not already available, the principles of a public interest test with consideration also of the resources required to respond to the request will be applied to determine whether information can be released.

The Chief Executive Officer may refuse to release information if it determines that the harm likely to be created by releasing the information will exceed the public benefit in being transparent. When considering possible harm from releasing information, the Chief Executive Officer will consider the potential harm to the community or members of the community. Potential harm to the City will only be a factor if it would also damage the community, such as where it involves a loss of public funds or prevents the City from performing its functions.

HOW CAN INFORMATION BE ACCESSED?

The FOI Act gives you the right to apply for access to documents held by the City. The City is committed to, where possible, proactive and informal release of information in accordance with the Freedom of Information Professional Standards issued by the Victorian Information Commissioner. Read more at www.ovic.vic.gov.au.

A list of available information is provided in the Part II Statement (Statement) published on the City's website in accordance the Freedom of Information Act 1982. This Statement requires government agencies and local councils to publish a number of statements designed to assist members of the public in accessing the information it holds.

HOW WILL INFORMATION BE MADE PUBLICLY AVAILABLE?

- The City will make available information on its website or by inspection, where prescribed, and ensure all such information is regularly reviewed, updated, understandable and accessible.
- The City will use social media to publish or stream information, such as Council Meetings, and other online tools, such as Have Your Say, to encourage community engagement and consultation on project and community related matters.
- The City will ensure information as prescribed under Part II of the *Freedom of Information Act 1982* - Publication of Certain Documents and Information, is made available on its website.
- The City will endeavour where possible to provide the community with access to information free of charge, but may charge a fee for reasonable costs incurred in providing the documents or where a fee is prescribed by legislation for the provision of information.
- All information must be accessible in accordance with the *Charter of Human Rights and Responsibilities Act 2006*.

Implementation of this Policy

RESPONSIBILITIES

Party/parties	Roles and responsibilities
Council	Champion the commitment and principles for public transparency through leadership, modelling practice and decision-making. Adopt the Public Transparency Policy and oversee its implementation.
Executive Leadership Team	Champion behaviours that foster transparency and drive the principles through policy, process and leadership. Implement and ensure compliance with this policy.
Senior Leadership Team	Manage areas of responsibility to ensure public transparency, good governance and community engagement is consistent with this policy.
All Staff	Public transparency is the responsibility of all employees as appropriate to their role and function. All staff respond to requests for information and facilitate provision of information in consultation with their manager and in alignment with the Policy.
Governance Unit	To monitor implementation of this policy and conduct periodic reviews to drive continuous improvement.

MONITORING AND REPORTING

The City commits to monitoring processes, information sharing and decision making to understand the overall level of success in the Policy's implementation.

ADVICE AND ASSISTANCE

The Responsible Officer for this policy manages the provision of advice to the organisation regarding this policy.

HUMAN RIGHTS CHARTER

This policy has been reviewed against and complies with section 13 of the *Charter of Human Rights and Responsibilities Act 2006*, as this Policy aligns with and provides for the protection of an individual's right not to have their privacy unlawfully or arbitrarily interfered with. It is also in line with section 18 which recognises a person's right to participate in the conduct of public affairs.

NON-COMPLIANCE WITH THIS POLICY

If a member of the community wishes to question a decision about the release of information, this should be raised directly with the officer handling the matter in the first instance.

Reviews of decisions about the release of information can be raised, in order of escalation, as follows:

- The City's FOI Officer at: foi@geelongcity.vic.gov.au
- The Office of the Victorian Information Commissioner: <https://ovic.vic.gov.au/about-us/contact-us/>

If a member of the community is dissatisfied with how their request for information has been handled by the City, they may lodge a complaint, in order of escalation:

- To the City by seeking a complaint review, which may include a review by the City's Internal Ombudsman: <https://www.geelongaustralia.com.au/complaints/task/item/8d6099d9ed01bae.aspx>
- To the Victorian Ombudsman's office on (03) 9613 6222. or via the website – www.ombudsman.vic.gov.au.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
This policy	Chief Executive Officer	Seven years	REX
Records of compliance incidents	Director Governance Strategy and Performance	Seven years	REX
Requests for information	All staff	Seven years	REX
Information published on the website	Manager Communications and Marketing	Three yeas	REX

REVIEW

The Council should review and, if necessary, amend this policy within four years of the approval date. A periodic review of this policy will be undertaken to ensure any changes required to strengthen or update the policy are made in a timely manner.

References

- Governance Rules
- Public Transparency Principles
- Governance Framework (Template available from LGV if required based on Geelong model)
- Community Engagement Policy
- Information Privacy Policy
- Health Records Policy
- Information Rights Policy
- Open Data Policy
- Charter of Human Rights and Responsibilities Act 2006
- Freedom of Information Act 1982
- Local Government Act 2020
- Local Government Act 1989
- Privacy and Data Protection Act 2014
- Equal Opportunity Act 2010.

PUBLIC TRANSPARENCY POLICY SUBMISSIONS REPORT

On 22 July, 2020 the City commenced community engagement inviting the community to have their say on the draft Public Transparency Policy & Governance Rules documents.

The engagement was open on the Have Your Say page for a period of 3 weeks and closed on 12 August 2020.

The following submissions were received and considered in relation to the Public Transparency Policy:

Submission	Officer comments
<p><i>'It states - Decision making - by giving consideration and making a decision which is balanced, ethical and impartial. How is that supposed to be achieved? Aren't decisions based on how it aligns to the Strategy guided by the vision and mission? If we're relying on individuals to make decisions on what they perceive as ethical and impartial then how is one opinion gauged against another?'</i></p>	<p>Transparency of Council making and officer decision making is critical to maintaining public trust and integrity. Policies that guide decision making will be publicly available in accordance with the Policy.</p> <p>No change to the Policy is proposed.</p>
<p><i>'Re the Transparency Policy, I think Council's decisions would be considered transparent if there was more consultation with the residents at least equal to the time spent with developers assisting them to achieve their aims.'</i></p>	<p>The City is preparing a community engagement policy for adoption by Council by 1 March 2020 which will outline how the community will be included in decision making.</p> <p>No change to the Policy is proposed.</p>
<p><i>'Information that will not be made publicly available (page 7). The table lists at line 3 "Land Use Planning Information"</i></p> <p><i>The document as it stands at the moment would allow Councillors and Council Officers to avoid recording and reporting meetings with developers using the very broad explanation in the draft document. (Current wording: "Land use planning information - Information that is likely to encourage speculation in land values if prematurely released".)</i></p> <p><i>There is always a general level of community concern and mistrust about potential relationships between Councillors and/or Council Officers and developers.</i></p> <p><i>The Public Transparency Policy is an opportunity to reduce that concern and build better public trust by specifying in the Policy an obligation for Councillors and Council Officers to record, in a publicly available register, all meetings with land developers. This register should record as a minimum - Who, Where and When.'</i></p>	<p>The City is preparing a report for Council pursuant to a resolution of 28 July 2020 to consider implementing a register of developer meetings.</p> <p>No change to the Policy is proposed.</p>

<p>12 August 2020</p> <p>COMMENTS ON THE DRAFT TRANSPARENCY POLICY</p> <p><i>We note that the Local Government Act 2020 (the Act) was passed by the Victorian Parliament in March 2020, replacing the Local Government Act 1989. We are concerned by many of these changes however strongly support the requirement for the City of Greater Geelong to be more transparent in its decision making.</i></p> <p><i>...We strongly support the establishment of a public register to record meetings between property developers, council management, senior officers and Councillors and support the comments by Cr Aitken. We also expect that Council enforcement activities to be recorded in a public register with the reasons for the decision and made available to the public.</i></p> <p><i>The policy in its current form is another bureaucratic policy with little relevance to the real world. Another box ticked with little accountability. The BHA looks forward to the next version of the policy...'</i></p>	<p>The City is preparing a report for Council pursuant to a resolution of 28 July 2020 to consider implementing a register of developer meetings.</p> <p>No change to the Transparency Policy is proposed.</p>
<p>Submission</p>	<p>Officer comments</p>
<p><i>Public Transparency, according to the Local Government Act 2020, is essential for good democratic governance and integral to Council's key role in building and strengthening community wellbeing across a wide range of responsibilities.</i></p> <p><i>I do not think the significance of Public Transparency as stated in the Act is conveyed in the draft policy for the following reasons:</i></p> <p><i>1. The draft reads as a general document that could apply to any Victorian Council.</i></p> <p><i>I understand that the policy is required to address specific areas; but this does not mean that characteristics unique to Greater Geelong should not be included, refer for example to the community vision, and Council plan.</i></p> <p><i>Such inclusions, specific to our City, would increase the relevance and understanding of the policy by the people of Geelong and reinforce the important role they play as citizens, and community members, in contributing to informed decision-making which is essential for good governance.</i></p> <p><i>2. The draft is limited in scope as the Purpose is stated only in terms of definitional process and procedure obligations required by the 2020 Local Government Act</i></p> <p><i>3 The definitional limitation also means the draft policy does not adequately reflect the prime importance of transparency as a Supporting Governance Principle for Council's key role as mandated under the 2020 Local Government Act - democratic governance of the municipal district for the wellbeing of the municipal community.</i></p> <p><i>4 In addition the draft policy omits to connect transparency with the Local Government Act's significant Overarching Governance Principles that shape local government's role in developing democratic, just, inclusive, healthy, creative and sustainable communities across a wide range of responsibilities.</i></p> <p><i>These principles include:</i></p>	<p>In response to each matter raised:</p> <ol style="list-style-type: none"> 1. The policy is drafted to meet the requirements of the Act which focuses on how and what information will be made available to the public. Both the Community Vision and the Council Plan are mandated requirements of the Act. This Policy is complimentary to both the Vision and any other plan or policy of the Council. No proposed change to the Policy. 2. The policy is drafted to meet the requirements of the Act and explains how the Council and the City will make information available to the public. No proposed change to the Policy. 3. The overarching governance principle of transparency is referenced in the introduction to the Policy. No proposed change to the Policy. 4. Whilst specific reference to the overarching governance principle of transparency is included in the introduction to the Policy, the overarching governance principles must be

<p>- <i>priority in achieving the best outcomes for the municipal community including for future generations</i></p> <p>- <i>protecting economic, social, and environmental sustainability of the municipal district including mitigation and planning for climate change risks</i></p> <p>- <i>pursuit of innovation and continuous improvement</i></p> <p>- <i>engaging the municipal community in strategic planning and strategic decision making</i></p> <p>5. <i>The draft does not identify the values underpinning transparency, such as honesty, integrity, openness, equality, including gender equality, and public good.</i></p> <p><i>Nor does it link transparency values with a Council commitment to an ethical framework/code of conduct for guiding engagement with the community, and accountability in decision making, across all areas of Council's responsibilities at both democratic governance and management/administrative levels.</i></p> <p>6. <i>The draft sets out a very limited role for community members in relation to compliance, monitoring and reporting.</i></p> <p><i>As community consultation and empowerment is promoted in Council's Community Engagement Policy and the Victorian Human Rights Charter mandates the right to public participation I query why the role of the community members in transparency regarding Council processes and decision-making is only via a complaints mechanism and why Council's Advisory Committees do not have a role in reviewing transparency in Council decision-making.</i></p> <p>7. <i>The initial explanatory statement in the draft policy that "Transparency promotes positive and productive relationships between the Council, the City and the community" is misleading and undermines understanding that the democratic relationship, between Council and the community it represents, constitutes the foundation upon which good governance is developed.</i></p> <p>8. <i>Further, I do not accept the definition of City as the " organisation led by the CEO". The City is constituted by the community of people in the City of Greater Geelong municipal district governed by the elected Council; not the Council organisation responsible for corporate governance.</i></p>	<p>applied in all of Council's decision making. This Policy outlines how and what information will be made available to the public. No proposed change to the Policy.</p> <p>5. The introduction to the Policy specifically references accountability, public confidence, integrity, honesty and trust. The Policy is complimentary to any other codes of Conduct and will link to the Council's pending Community Engagement Policy, due to be adopted by 1 March 2020. No proposed change to the Policy.</p> <p>6. The Policy is drafted to meet the specific needs of section 58 of the Act. The Policy will compliment other policies, including the pending Community Engagement Policy and other compliance obligations arising under other legislation. No proposed change to the Policy.</p> <p>7. This statement is a representation of why this Council holds transparency at the heart of productive relationships with its community and the City (the organisation). No proposed change to the Policy.</p> <p>8. 'The City' is a definition adopted to describe the organisation throughout the policy. No proposed change to the Policy.</p>
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2. ADOPTION OF THE GOVERNANCE RULES

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. For Council to adopt the Governance Rules, including the Election Period Policy (**Attachments 3 and 4**) following a period of community consultation.

Background

2. Section 60 of the new *Local Government Act 2020 (Vic)*, (the Act) requires Council to adopt Governance Rules that describe the way they will conduct council meetings and make decisions by 1 September 2020.
3. The Governance Rules (**Attachment 3**) incorporate the requirements of section 60 of the Act and describe processes such as:
 - 3.1 how Council will make decisions and conduct meetings (including Delegated Committee and Community Asset Committee meetings) and the ability to hold joint meetings with other Councils;
 - 3.2 how the Mayor and Deputy Mayor are to be elected;
 - 3.3 how records of decision-making processes are kept and how the public can access these;
 - 3.4 procedures for the disclosure of a conflict of interest by a councillor or a member of a delegated committee and how these records will be kept;
 - 3.5 a framework to consider and make decisions fairly and on the merits and how to provide opportunities for input into decision making, particularly by those impacted by the decision; and
 - 3.6 Council's Election Period Policy which describes the limitations to decision making that apply during an election period. The Election Period Policy is required to be adopted as part of the Governance Rules. This policy has been updated in accordance s 69 of the Act (**Attachment 4**).
4. The Governance Rules are largely based on the Council's Meeting Procedure Local Law 2017 and key changes from the provisions of the Local Law are outlined in **Attachment 2**.

Key Matters

5. The draft Governance Rules including the Election Period Policy were released for community consultation for three weeks from 22 July 2020. One submission was received noting that members of the public may wish to present petitions to the Council, independent of Councillors (**Attachment 5**). As a result, a change has been proposed to clause 3.22.1 to note that members of the public may present petitions to the Council.
6. Once adopted, the Governance Rules replace the part of the Meeting Procedures Local Law that govern meeting procedures and Special Committees. Accordingly, Part 2 - Election of Mayor and Deputy Mayor, Part 3 – Procedure at Meetings and Part 6 – Special Committees, of the Meeting Procedures Local Law are to be revoked.

7. Part 6 of the Meeting Procedure Local Law is revoked as it relates to Special Committees established in accordance with section 86 of the *Local Government Act 1989*, which has been repealed. Equivalent provisions are included in Chapters 3 and 4 of the Governance Rules.

Cr Aitken moved, Cr Grzybek seconded -

8. That Council:

8.1 Thank the person who submitted feedback in relation to the Governance Rules;

8.2 Adopt the Governance Rules including the Election Period Policy (Attachments 3 and 4), incorporating the change to clause 3.22.1 in consideration of the feedback received and:

8.2.1 amend the amount referred to in para 3.46.3.2 from \$50,000 to \$100,000; and

8.2.2 add the following new paragraph 3.46.6.4: *when a Notice of Motion is to be rejected or wording changed by the Chief Executive Officer, the Councillor proposing the Notice of Motion may request the Chief Executive Officer consult with the Mayor to seek their advice on the Chief Executive Officer's ruling and interpretation before the Chief Executive Officer's final decision.*

8.3 Revoke Parts 2, 3 and 6 of the Meeting Procedures Local Law 2017; and

8.4 Revoke the previous Election Period Policy endorsed by Council.

Carried.

Attachment 1

Financial Implications

1. There are no financial implications associated with the contents of this report.

Community Engagement

2. Section 60(4) of the Act requires Council to undertake a process of community engagement in developing the Governance Rules.
3. Community and stakeholder consultation on the draft Governance Rules was undertaken for three weeks commencing on 22 July 2020.
4. Weekly advertisements promoting the engagement were placed in both the Geelong Advertiser and Geelong Indy, with a social media presence on the City's Facebook and Twitter accounts.
5. Engagement was open on the City's 'Have Your Say' website from 9.00 a.m. Wednesday 22 July to 5.00 p.m. 12 August 2020. During this period there were 200 views and 153 visits.
6. One submission was received, and it is proposed to update the draft Governance Rules in accordance with this submission.

Social Equity Considerations

7. The Governance Rules outline transparent processes for how council decisions are to be made which will support fairness and equity and public participation in decision making.
8. The Governance Rules have incorporated gender-neutral language to ensure that they provide for everyone in our diverse community.

Policy/Legal/Statutory Implications

9. The Governance Rules have been developed in accordance with and reflect the requirements of section 60 of the Act.

Alignment to Council Plan

10. This report aligns to Council Plan's strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

11. No Council officer had a direct or indirect interest in the contents of this report.

Risk Assessment

12. Council must adopt the Governance Rules by 1 September 2020 to ensure compliance with the Act.
13. The Governance Rules have been created with reference to guidance material provided by Local Government Victoria.

Environmental Implications

14. There are no direct environmental implications associated with the contents of this report.

Attachment 2

Meeting procedures changes:

Reference	Explanation
Chapter 1 Governance Framework	Articulates the obligations on those involved in decision-making, including members of Council staff acting under delegation in accordance with s 60(2) of the Act.
Chapter 2, Part 2 Election of the Mayor	<i>The City of Greater Geelong Act 1993</i> has been repealed, this section outlines the terms of the election of the Mayor.
Chapter 2, Part 2.3 Election of the Deputy Mayor	Establishes the term and process for the election of the Deputy Mayor.
Chapter 2, Part 2.6 Appointment of Acting Mayor	Allows for the appointment of an Acting Mayor in the event that Council has not established the off of Deputy Mayor.
Chapter 2, Part 3.3 to 3.5 Council meeting dates	Sets the process for fixing and altering Council meeting dates and establishes a rule for meetings not fixed by Council (previously referred to as Special Meetings).
Chapter 2, Part 3.6 Notice	Included a new provision for notice to the public for urgent meetings which replicate the provisions of the LGA 1989: "or such notice as is reasonably practicable in the circumstances"
Chapter 2, Part 3.9 Cancelling a meeting	Meetings may be cancelled by the CEO in the event of an emergency.
Chapter 2, Part 3.11 Chair may not accept certain motions	Outlines when the Chair can determine not to accept motions.
Chapter 2, Part 3.12 Order and content of business	Notes that the Chief Executive Officer will set Council Meeting Agendas after consulting with the Mayor.
Chapter 2, Part 3.14 Recording of Meetings	Includes a reference to no photography.
Chapter 2, Part 3.22 Joint letters	Joint letters to be dealt with in accordance with Petitions.
Chapter 2, Part 3.29 Priority of address and right to speak to motion	How to speak to a motion including clarification of a right to speak in reply to an amendment

Reference	Explanation
Chapter 2, Part 3.35 Addressing the Meeting	How to address members during a meeting.
Chapter 2, Part 3.37 Time limits of meeting	Can only continue the meeting once if previously voted on.
Chapter 2, Part 3.42 to 3.43 Point of Order	Clarification on points of order.
Chapter 2, Part 3.46 Notices of Motion	The new provisions reflect guidance from LGV and the requirements of the Victorian Ombudsman's <i>Investigation into the transparency of local government decision making, December 2016</i> .
Previous Part 3.45 General Business	Removal of General Business from the Governance Rules.
Previous Part 3.53 Discipline and suspensions	Removed references to offences.
Chapter 2, Part 3.56 to 3.57 Orderly meetings	Provision for adjourning meetings and removal from the Chamber.
Chapter 2, Part 3.58 Suspension of standing orders	New provision for suspension of standing orders.
Chapter 2, Part 3.59 Remote meetings	New provision for conducting meetings remotely.
Chapter 2, Part 3.60 Procedure if not covered by Governance Rules	New provision if the Governance Rules do not address a situation then the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament will apply.
Chapter 2, Part 3.61 Orderly meetings	CEO has the power to address criticism of a City Officer in meetings or criticism of himself or herself.
Chapter 3 Delegated Committees	New Chapter that applies to Delegated Committees as per s.60(1)(b) of the Act.
Chapter 4 Community Asset Committee	New Chapter that applies to Community Asset Committees established under s.65 of the Act.
Chapter 5 Joint Council Meetings	Allows for Joint Council meetings to consider decisions in partnership with participating Councils.

Reference	Explanation
Chapter 6 Disclosure of Conflicts of Interest	This Chapter outlines the process for Conflict of Interest disclosures. The prescribed content in the Local Government Act 1989 has largely been removed. This provision aligns closely with previously regulated declarations for conflict of interest. City staff must also follow these rules when exercising delegated authority or statutory functions.
Chapter 7 Miscellaneous - Confidential Information	Confidential Information. Details how to deal with confidential information while transitioning from provisions of the Local Government Act 1989 to the new Act. Confidential information is defined in s. 3 of the Act.
Chapter 8 Election Period Policy	As required by s 60 of the Act.

THE CITY OF
GREATER GEELONG

GOVERNANCE RULES



VERSION: 1

Approval Date: 1 September 2020

Approved by: Council

Review Date: 1 September 2024

Responsible Officer: Director Governance Strategy
and Performance

Authorising Officer: Chief Executive Officer

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Greater Geelong City Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 1 September 2020.

3. Contents

These Governance Rules are divided into the following Chapters:

Chapter	Name
Chapter 1	Governance Rules Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Joint meetings of councils
Chapter 6	Disclosure of Conflicts of Interest
Chapter 7	Miscellaneous
Chapter 8	Election Period Policy

4. Definitions

In these Governance Rules, unless the context suggests otherwise the following words and phrases mean:

Act means the *Local Government Act 2020*.

Chief Executive Officer includes an Acting Chief Executive Officer.

Community Asset Committee means a Community Asset Committee established under section 65 of the Act.

Council means Greater Geelong City Council.

Council meeting has the same meaning as in the Act.

Delegated Committee means a Delegated Committee established under section 63 of the Act.

Joint Council meeting means a meeting in accordance with section 62 of the Act.

Mayor means the Mayor of Council.

Rules means these Governance Rules.

CHAPTER 1 – GOVERNANCE RULES FRAMEWORK

1. Context

These Rules should be read in the context of and in conjunction with:

- 1.1 the overarching governance principles specified in section 9(2) of the Act; and
- 1.2 the following documents approved by Council:
 - 1.2.1 Transparency Policy;
 - 1.2.2 Community Engagement Policy; and
 - 1.2.3 Public Question and Submission Time Policy.

2. Decision Making

- 2.1 In any matter in which a decision must be made by Council (including persons acting with the delegated authority of Council), Council must consider the matter and make a decision:
 - 2.1.1 fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - 2.1.2 on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- 2.2 Council must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered).
- 2.3 Without limiting anything in paragraph 2.2:
 - 2.3.1 before making a decision that will directly affect the rights of a person, Council (including any person acting with the delegated authority of Council) must identify the person or persons whose rights will be directly affected, give notice of the decision which Council must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - 2.3.2 if a report to be considered at a Council meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
 - 2.3.3 if a report to be considered at a Delegated Committee meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered; and
 - 2.3.4 if a City officer proposes to make a decision under delegation and that decision will directly affect the rights of a person or persons, the City officer must, when making that decision, complete a Delegate Report that records that notice of the decision to be made was given to the person or persons and such person or persons were provided with an opportunity to communicate their views and their interests considered.

CHAPTER 2 - MEETING PROCEDURES FOR COUNCIL MEETINGS

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PART 1 - PRELIMINARY

1.1 Purpose of this Chapter

The purpose of this Chapter is to:

- 1.1 provide for the election of the Mayor and any Deputy Mayor;
- 1.2 provide for the appointment of any Acting Mayor; and
- 1.3 provide for the procedures governing the conduct of Council meetings.

1.2 DEFINITION OF THE WORDS USED IN THIS CHAPTER

<i>Absolute Majority</i>	means a number of votes greater than one-half of the total number of votes cast, and if necessary, includes the vote by a ballot.
<i>Amendment</i>	means a proposed alteration to improve the terms of a motion, without being contradictory.
<i>Chairperson</i>	means the chair of a meeting and includes acting, temporary, or substitute chairperson.
<i>City</i>	means the City of Greater Geelong.
<i>City officer</i>	has the same meaning given to that term in section 3 of the Act, namely: <ol style="list-style-type: none">a. a natural person who is employed by the Chief Executive Officer (other than an independent Contractor under a contract of service or a volunteer) to enable:<ol style="list-style-type: none">i. the functions of the Council under the Act or any other Act to be carried out;ii. the Chief Executive Officer to carry out their functions;b. the Chief Executive Officer.
<i>Clause</i>	means a clause of these Rules.
<i>Councillor</i>	means a person elected to the office and is a member of Council.
<i>Deliver</i>	means to hand over or mail to a recipient and includes transmission by facsimile, electronic mail or publication on the Geelong Australia Website.
<i>Deputy Mayor</i>	means a Councillor elected to be the Deputy Mayor in accordance with the Division 3 of the Act.
<i>Geelong Australia Website</i>	means the Council website www.geelongaustralia.com.au or such other website which replaces it.
<i>Joint letter</i>	means a letter which has been signed by at least ten people or executive/committee representatives from ten separate entities whose names and physical addresses also appear on the letter.
<i>Majority</i>	in relation to votes or Councillors means the number of votes or Councillors constituting more than half of the total number.
<i>Municipal District</i>	means the area from time to time comprising the municipal district of the City.

2. PART 2 - ELECTION OF MAYOR & DEPUTY MAYOR

2.1 ELECTION OF THE MAYOR

- 2.1.1 The Mayor will be elected for a term of 2 years.
- 2.1.2 The Mayor must be elected within 1 month of the date of the general election.
- 2.1.3 At the end of the Mayoral term, the Council must meet at a date as close as possible to the end of the Mayoral term to conduct the election of the next Mayor.
- 2.1.4 If the office of the Mayor becomes vacant:
 - 2.1.4.1 a new Mayor must be elected within one month after any vacancy in the office of the Mayor; and
 - 2.1.4.2 the Councillor elected to fill the vacancy serves the remaining period of the previous Mayor's term.

2.2 PROCEDURE FOR ELECTION OF THE MAYOR

- 2.2.1 The Chief Executive Officer must open the meeting at which the Mayor is to be elected and preside until a Mayor is elected.
- 2.2.2 The Chief Executive Officer will be responsible for:
 - 2.2.2.1 the receipt of nominations for the election of Mayor; and
 - 2.2.2.2 the election of Mayor.
- 2.2.3 The election of the Mayor shall be by vote, unless there is only one Councillor nominated for Mayor.
- 2.2.4 The Councillor who receives the *absolute majority* of votes cast must be declared the elected Mayor.
- 2.2.5 The Chief Executive Officer shall be responsible for the counting of votes.
- 2.2.6 For the purpose of Clause 2.2.1, the following will apply:
 - 2.2.6.1 nominations for Mayor must be moved and seconded;
 - 2.2.6.2 a Councillor nominated for Mayor must be asked if they accept their nomination, noting that Councillor may decline their nomination as a mayoral candidate;
 - 2.2.6.3 where only one Councillor is nominated for Mayor, and that nomination is moved and seconded, that Councillor must be declared the Mayor;
 - 2.2.6.4 where two nominations are received, the Councillor with an absolute majority of votes cast must be declared the Mayor. Where there is an equal number of votes, the successful candidate shall be determined by ballot conducted by the Chief Executive Officer in the presence of the meeting. In drawing the ballot, the candidate whose name is first drawn must be declared the Mayor;
 - 2.2.6.5 where there are more than two nominations received, the Councillor who receives an Absolute Majority at the first round of votes cast must be declared elected as the Mayor. If no candidate receives an absolute majority of votes, the candidate with the least number of votes must be eliminated as a candidate and a new vote must be taken for the remaining candidates. This procedure must be repeated until a candidate receives an absolute majority of votes and that candidate shall be declared the Mayor. If the final two candidates receive an equal number of votes, the successful candidate shall be determined by ballot conducted by the Chief Executive Officer in the presence of the meeting.

In drawing the ballot, the candidate whose name is first drawn is deemed to be the Mayor;

- 2.2.6.6 if for the purpose of eliminating the candidate with the least number of votes, two or more candidates have the same least number of votes, the candidate to be eliminated shall be determined by ballot conducted by the Chief Executive Officer in the presence of the meeting. The candidate whose name is first drawn will be eliminated.

2.3 OFFICE OF THE DEPUTY MAYOR

- 2.3.1 Immediately after the election of the Mayor following a general election, the Council must vote to establish the office of the Deputy Mayor for the Council's term.
- 2.3.2 The Deputy Mayor will be elected for a term of 2 years to coincide with the term of the Mayor.
- 2.3.3 At the end of the Deputy Mayor's term, at the same meeting conducted to elect the Mayor at the end of their term, the Council must conduct the election of the next Deputy Mayor.
- 2.3.4 If the office of the deputy Mayor becomes vacant:
 - 2.3.4.1 a new Deputy Mayor must be elected within one month after any vacancy in the office of the Deputy Mayor; and
 - 2.3.4.2 the Councillor elected to fill the vacancy of Deputy Mayor serves the remaining period of the previous Deputy Mayor's term.
- 2.3.5 The Deputy Mayor must perform the role of the Mayor and may exercise any of the powers of the Mayor if:
 - 2.3.5.1 The Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
 - 2.3.5.2 the Mayor is incapable of performing the duties of the office of Mayor for any reason including illness; or
 - 2.3.5.3 The office of the Mayor becomes vacant, until the next election of the Mayor.

2.4 PROCEDURE FOR ELECTION OF THE DEPUTY MAYOR

For the purposes of the election of the Deputy Mayor, the provisions of clause 2.2 for the election of the Mayor will apply to the election of the Deputy Mayor, save for any reference to the Chief Executive Officer being substituted by a reference to the Mayor, and any reference to the Mayor shall become a reference to the Deputy Mayor.

2.5 ELIGIBILITY TO BE MAYOR OR DEPUTY MAYOR

Any Councillor is eligible for election to the office of Mayor or Deputy Mayor, unless they are precluded from doing so under section 167 of the Act.

2.6 APPOINTMENT OF ACTING MAYOR

If Council has not established an office of the Deputy Mayor and it becomes required to appoint an Acting Mayor, it can do so by:

- 2.6.1 resolving that a specified Councillor be so appointed; or
- 2.6.2 following the procedure set out in Rule 2.2 of this Chapter, at its discretion.

PART 3 - PROCEDURE AT MEETINGS

3.1 PURPOSE

To regulate the conduct of all Council meetings.

3.2 SCOPE

Governance Rules apply to all Council meetings.

3.3 DATES AND TIMES OF MEETINGS FIXED BY COUNCIL

Subject to Rule 3.4, Council must from time to time fix the date, time and place of all Council meetings.

3.4 COUNCIL MAY ALTER MEETING DATES

Council may change the date, time and place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public.

3.5 MEETINGS NOT FIXED BY COUNCIL

3.5.1 The Mayor or at least 3 Councillors may by a written notice call a Council meeting.

3.5.2 The notice must specify the date and time of the Council meeting and the business to be transacted.

3.5.3 The Chief Executive Officer must convene the Council meeting as specified in the notice.

3.5.4 Unless all Councillors are present and unanimously agree to deal with any other matter, only the business specified in the written notice can be transacted at the Council meeting.

3.6 NOTICE

3.6.1 Council must, at least 7 days before the holding of a Council meeting give public notice of the Council meeting, including the time, date and location of the meeting, or such notice as is reasonably practicable in the circumstances.

3.6.2 A notice of a fixed meeting, incorporating or accompanied by an agenda, must be delivered to every Councillor at least 72 hours before the meeting.

3.6.3 A notice of a meeting that is not fixed must be delivered to every Councillor at least 48 hours before the meeting. A period less than 48 hours may, however, be justified if exceptional circumstances exist.

3.7 QUORUM

3.7.2 A Quorum is established when at least a majority of the Councillors are present at a Council meeting.

3.7.3 If after 30 minutes from the scheduled starting time of any meeting, or at any point in time during a meeting, a quorum cannot be obtained or maintained:

3.7.3.1 the meeting will be deemed to have lapsed;

3.7.3.2 the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting; and

3.7.3.3 the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor.

3.8 ADJOURNED MEETINGS

3.8.2 Council may, by resolution, adjourn any Council meeting to a later time on the same day, or for a period not exceeding seven (7) days.

3.8.3 The Chief Executive Officer, or an authorised City officer, must give notice to each Councillor of the date, time and place to which the Council meeting stands adjourned and of the business remaining to be considered.

3.9 CANCELLATION OR POSTPONEMENT OF A MEETING

- 3.9.1 The Chief Executive Officer may, in the case of an emergency necessitating the cancellation or postponement of a Council meeting, cancel or postpone a Council meeting.
- 3.9.2 The Chief Executive Officer must present to the immediately following Council meeting a written report on any exercise of the power under this rule.

3.10 CHAIRPERSON

- 3.10.1 The Mayor must preside at all meetings at which they are present, in the role of Chairperson.
- 3.10.2 In the absence of the Mayor, the Deputy Mayor must preside at any Council meeting at which they are present, in the role of Chairperson.
- 3.10.3 In the event that both the Mayor and Deputy Mayor are absent, Council must elect a Chairperson to preside at that meeting.

3.11 DUTIES AND RESPONSIBILITIES OF THE CHAIRPERSON

The duties and responsibilities of the Chairperson are:

- 3.11.1 to formally declare a Council meeting open, after ascertaining that a quorum is present, and to welcome guest speakers and other visitors;
- 3.11.2 to preside over and control the meeting, and to conduct it impartially and according to the rules to ensure the smooth passage of business;
- 3.11.3 to sign minutes of meetings as correct when they have been confirmed;
- 3.11.4 to present any reports for which they are responsible;
- 3.11.5 to ensure that debates are conducted in the correct manner;
- 3.11.6 to declare the results of all votes;
- 3.11.7 to give rulings on points of order and other questions of procedure;
- 3.11.8 to preserve order; and
- 3.11.9 to adjourn (when so resolved) or formally declare the meeting closed when all business has been concluded.

In addition, the Chairperson:

- 3.11.10 must not accept any motion which is determined by the Chairperson to be:
 - 3.11.10.1 defamatory;
 - 3.11.10.2 objectionable in language or nature;
 - 3.11.10.3 vague or unclear in intention;
 - 3.11.10.4 outside the powers of Council; or
 - 3.11.10.5 irrelevant to the item of business on the *agenda* and has not been admitted as urgent, or purports to be an amendment but is not;
- 3.11.11 must not accept any motion, question or statement that is derogatory of any Councillor, City officer, or member of the community; and
- 3.11.12 must call to order any person who is disruptive or unruly during any meeting.

3.12 ORDER AND CONTENT OF BUSINESS

- 3.12.1 The order and content of business of any Council meeting will be determined by the Chief Executive Officer, after consulting with the Mayor, in order to facilitate and maintain open, efficient and effective processes of government.

- 3.12.2 Once an agenda has been sent to Councillors, the order of business for that meeting may be altered with the consent of a majority of the Councillors attending that meeting.

3.13 COUNCILLOR LEAVE OF ABSENCE AND ABSENCE FROM MEETING

- 3.13.1 Any Councillor seeking leave of absence from Council duties must do so in writing addressed to the Chief Executive Officer. Applications for leave shall be listed for consideration at the next Council meeting and the Council must not unreasonably refuse to grant the request for leave of absence.
- 3.13.2 Where a leave of absence has been granted to a Councillor, the Chief Executive Officer must record the leave of absence in the minutes of the Council meeting held during the period of the leave of absence.
- 3.13.3 If Councillor intends to be absent from a meeting, the Councillor must give the Chairperson of that meeting notice of apology prior to the meeting.

3.14 NO PHOTOGRAPHY OR RECORDING OF MEETINGS

With the exception of a City officer authorised by the Chief Executive Officer, no person is permitted to photograph or video or audio record any Council meetings without specific approval by resolution at the meeting.

3.15 RECORD OF PROCEEDINGS

The Chief Executive Officer or a City officer authorised by the Chief Executive Officer shall record in the minutes of each meeting:

- 3.15.1 the place, date and time of each meeting;
- 3.15.2 the names of all Councillors present at the meeting;
- 3.15.3 the names of Council staff present;
- 3.15.4 the names of all Councillors for whom apologies were received, or for whom leave of absence was granted and will also record leave of absence in the meeting agenda;
- 3.15.5 arrivals and departures, including temporary departures, of Councillors during the course of the meeting;
- 3.15.6 all declarations of a conflict of interest by Councillors in agenda items, including an explanation given by the Councillors under Chapter 5 of these Rules;
- 3.15.7 questions from the public;
- 3.15.8 each motion and amendment moved, including motions and amendments withdrawn by consent of the Council, or which lapse for want of a seconder;
- 3.15.9 each motion put to the vote;
- 3.15.10 the vote cast by each Councillors on each division called;
- 3.15.11 the adjournment of the meeting and any reason for the adjournment;
- 3.15.12 the time at which standing orders were suspended and resumed; and
- 3.15.13 the failure to meet a quorum.

3.16 CONFIRMATION OF MINUTES

At every Council meeting the minutes of the preceding meeting must be dealt with as follows:

- 3.16.1 a copy of the minutes must be delivered to each Councillor no later than 72 hours before the next meeting;
- 3.16.2 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
- 3.16.3 subject to clause 3.17, if a Councillor indicates opposition to the minutes:

- 3.16.3.1 they must specify the item(s) to which they object;
- 3.16.3.2 the objected item(s) must be considered separately and in the order in which they appear in the minutes;
- 3.16.3.3 the Councillor objecting must move accordingly without speaking to the motion;
- 3.16.3.4 the motion must be seconded;
- 3.16.3.5 the Chairperson must ask
 - "Is the motion opposed?"*
- 3.16.3.6 if no Councillor indicates opposition, the Chairperson must declare the motion carried without discussion and ask the second question described in Clause 3.16.3.10;
- 3.16.3.7 if a Councillor indicates opposition, the Chairperson must call on the mover to address the meeting;
- 3.16.3.8 after the mover has addressed the meeting, the seconder may address the meeting;
- 3.16.3.9 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not), the Chairperson must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
- 3.16.3.10 if, after the mover has addressed the meeting, the Chairperson invites debate and no Councillor speaks to the motion, the Chairperson must put the motion and, after all objections have been dealt with, ultimately ask:
 - "That the Minutes be confirmed" or*
 - "That the Minutes, as amended, be confirmed",*
 and they must then put the question to the vote.
- 3.16.3.11 a resolution of Council must confirm the minutes and the minutes must, if practicable, be signed by the Chairperson of the meeting at which they have been confirmed.
- 3.16.3.12 the minutes must be entered in the minute book and each item in the minute book must be entered consecutively; and
- 3.16.3.13 unless otherwise resolved or required by law, minutes of a Delegated Committee requiring confirmation by Council must not be available to the public until confirmed by Council.

3.17 NO DEBATE ON CONFIRMATION OF MINUTES

No discussion or debate on the confirmation of minutes is permitted except when the accuracy of the minutes as a record of the meeting to which they relate is questioned.

3.18 DEFERRAL OF CONFIRMATION OF MINUTES

Council may defer the confirmation of minutes until later in the Council meeting or until the next meeting if considered appropriate.

3.19 PUBLICATION OF MINUTES

- 3.19.1 The Chief Executive Officer must ensure that the minutes of any Council meeting are:
 - 3.19.1.1 published on Council's website and will use reasonable endeavours to do so within 3 business days of a meeting; and

3.19.1.2 available for inspection at Council's office during normal business hours.

3.19.2 Nothing in these rules requires Council or the Chief Executive Officer to make public any minutes relating to a Council meeting or part of a Council meeting closed to members of the public in accordance with section 66 of the Act.

3.20 DECLARATION OF DIRECT AND INDIRECT INTERESTS

3.20.1 If a Councillor has a direct or indirect interest in relation to an agenda item, that interest must be declared at the time specified in the agenda. The Councillor must leave the room until the matter is concluded.

3.20.2 Nothing in this section takes away from a Councillor's duty under the Act to disclose the existence, nature and class of any conflict of interest that Councillor has in an item of business immediately before the consideration or discussion of that item of business.

3.21 PUBLIC QUESTION AND SUBMISSION TIME

Questions and submissions may be submitted by the public at any Council meeting, and responded to or answered by Council, in accordance with Council's Public Question Time Policy.

3.22 PETITIONS AND JOINT LETTERS

3.22.1 Petitions or joint letters to Council may be presented to Council by a Councillor or a member of the public.

3.22.2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint themselves with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to Council.

3.22.3 Every Councillor presenting a petition or joint letter to Council must:

3.22.3.1 write or otherwise record their name at the beginning of the petition or joint letter; and

3.22.3.2 confine themselves to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the request.

3.22.4 A petition or a joint letter:

3.22.4.1 must not be in pencil;

3.22.4.2 may be in any other legible and permanent written form including in an electronic form;

3.22.4.3 must not be defamatory, indecent, abusive or objectionable in language or substance;

3.22.4.4 must for the purpose of a response, contain the name and address of the person or organisation co-ordinating the petition or joint letter;

3.22.4.5 must contain the name and address of each petitioner or signatory;

3.22.4.6 must be signed by at least 12 people; and

3.22.4.7 shall not relate to a matter outside Council's powers and functions.

3.22.5 Every page of a petition or joint letter shall contain the whole of the petition or request.

3.22.6 Any signature appearing on a page which does not contain the whole of the petition or request shall not be considered by the Council.

3.22.7 Every page of a petition or joint letter shall be a single piece of paper and shall not be pasted, stapled, pinned or otherwise affixed to any other piece of paper.

- 3.22.8 The purpose of any petition shall be recorded in the minutes and shall be the subject of a written response.
- 3.22.9 The Council may pass a resolution:
 - 3.22.9.1 that a written report be prepared on the contents of the petition or joint letter for presentation to a meeting; and
 - 3.22.9.2 that the petition be referred for consideration in conjunction with an item on the agenda.
- 3.22.10 If a petition or joint letter relates to an operational matter, that petition or joint letter must be referred to the Chief Executive Officer for action and response.

3.23 MOVING OF MOTIONS OR AMENDMENTS

- 3.23.1 Motions and amendments must be:
 - 3.23.1.1 within the powers and functions of the Council;
 - 3.23.1.2 related to an item of business on the agenda or to be considered at the meeting; and
 - 3.23.1.3 clear, unambiguous and not defamatory or objectionable in content or nature.
- 3.23.2 The Chairperson must refuse to accept a motion or amendment which conflicts with this Rule 3.23.
- 3.23.3 Council must not consider similar agenda items *en bloc*. Each agenda item must be considered individually and must have a mover and a seconder.
- 3.23.4 A Councillor may move a recommendation in the same form as recommended by City officers or they may move an amended version of that motion in relation to the report being presented.

3.24 INTRODUCING A MOTION OR AMENDMENT

- 3.24.1 The procedure for moving any motion or amendments to motions at a Council meeting is as follows:
 - 3.24.1.1 the mover must state the subject and nature of the motion or amendment and not speak to it;
 - 3.24.1.2 the motion or amendment must be seconded by a Councillor other than the mover. If there is no seconder for a motion or amendment, the Chairperson must declare the motion or amendment to have lapsed;
 - 3.24.1.3 an amendment may be moved or seconded by any Councillor except the mover or seconder of the original motion;
 - 3.24.1.4 if the motion or amendment is moved and seconded the Chairperson must ask whether the motion is opposed and/or whether any Councillor wishes to speak to the motion;
 - 3.24.1.5 if no Councillor indicates opposition or a desire to speak to the motion, the Chairperson must put the motion to the vote;
 - 3.24.1.6 if a Councillor indicates opposition or a desire to speak to the motion or amendment, then the Chairperson must call on the mover to address the meeting;
 - 3.24.1.7 the Chairperson must call upon the seconder of a motion to speak to the motion after the mover has spoken. The seconder of a motion may reserve their right to respond;
 - 3.24.1.8 the Chairperson must call upon any other Councillor who may wish to speak to the motion, after the mover and seconder of the motion have spoken to the motion;

- 3.24.1.9 if, after the mover has addressed the meeting, the Chairperson has invited other Councillors to speak to the motion or amendment and no Councillor speaks to the motion or amendment, the Chairperson must put the motion or amendment to the vote.

3.25 RIGHT OF REPLY AND DEBATE OF MOTION OR AMENDMENT

- 3.25.1 If there has been any opposition to a motion, the mover of a motion has the right of reply to matters raised during the debate.
- 3.25.2 The mover of an amendment has no right to speak in reply.
- 3.25.3 Subject to any Councillor exercising their right to ask any question concerning or arising out of a motion, the Chairperson must put the motion to the vote immediately after the mover of the motion has spoken in reply.
- 3.25.4 Any Councillor can debate an amendment irrespective of whether the Councillor has spoken or proposes to speak to the original motion.
- 3.25.5 Debate on an amendment must be confined to the terms of the amendment.

3.26 MOVING AN AMENDMENT

- 3.26.1 Subject to this clause, a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.
- 3.26.2 A motion to confirm a previous resolution of Council cannot be amended.
- 3.26.3 An amendment must not be the negative of, or substantially contrary to, the motion.

3.27 HOW MANY AMENDMENTS MAY BE PROPOSED

- 3.27.1 Any number of amendments may be proposed to a motion but only one (1) amendment may be accepted by the Chairperson at any one (1) time.
- 3.27.2 No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.
- 3.27.3 Any one Councillor cannot move more than one (1) amendment in succession.

3.28 AN AMENDMENT ONCE CARRIED

- 3.28.1 If the amendment is carried, the amended motion then becomes the substantive motion before the meeting and can be further amended.
- 3.28.2 The mover of the original motion retains the right of reply to the substantive motion.

3.29 PRIORITY OF ADDRESS AND RIGHT TO SPEAK TO MOTION

- 3.29.1 In the case of competition for the right to speak, the Chairperson must decide the order in which the Councillors concerned will be heard.
- 3.29.2 A Councillor may speak once on a motion and once on an amendment, except for the mover of a motion who has the right to speak in reply to any opposition to the motion (but not a right to speak in reply to an amendment).

3.30 FORESHADOWING MOTIONS

- 3.30.1 At any time during debate a Councillor may foreshadow a motion to inform the meeting of their intention to move a motion at a later stage in the meeting. This does not extend to any special right to the foreshadowed motion.
- 3.30.2 A motion foreshadowed may be prefaced with a statement that in the event of a particular motion before the Chairperson being resolved in a certain way, a Councillor intends to move an alternative or additional motion.

- 3.30.3 The Chief Executive Officer or a City officer authorised to take the meeting minutes is not expected to record foreshadowed motions in the minutes until the foreshadowed motion is formally moved.
- 3.30.4 A foreshadowed motion has no procedural standing and is merely a means of assisting the flow of a meeting.

3.31 WITHDRAWAL OF MOTIONS

- 3.31.1 Before any motion or amendment is put to the vote, it may be withdrawn by the mover and seconder with the leave of the Council.
- 3.31.2 Where the mover and seconder call for a motion or amendment to be withdrawn, the Chairperson will ask all Councillors if they agree to the withdrawal. If the majority of Councillors objects to the withdrawal of the motion or amendment, it may not be withdrawn and the Chairperson must proceed to put the motion or amendment to the vote.

3.32 MOTIONS OR AMENDMENTS IN WRITING

- 3.32.1 The Chairperson may require that a complex or detailed motion or amendment be in writing.
- 3.32.2 The Chairperson may adjourn the meeting while the motion or amendment is being written or may defer the matter in the order of business, until the motion or amendment has been written.

3.33 REPEATING A MOTION

The Chairperson may request the person taking the minutes of the meeting to read the motion or amendment to the meeting before the vote is taken.

3.34 DEBATE OF THE MOTION

- 3.34.1 Debate must always be relevant to the motion or amendment before the meeting, and, if not, the Chairperson must request the speaker to confine the debate to the motion or amendment.
- 3.34.2 If the speaker continues to debate irrelevant matters after being requested to confine debate, the Chairperson may direct the speaker to be seated and not to speak further in respect of the motion or amendment before the Chairperson.
- 3.34.3 A speaker to whom a direction has been given under this clause must comply with that direction.
- 3.34.4 Councillors may remain seated to address the Chairperson, to move or second a motion or amendment, or to take part in a debate.
- 3.34.5 The Councillor acknowledged by the Chairperson is to speak and must not be interrupted unless:
 - 3.34.5.1 they are called to order; or
 - 3.34.5.2 their speaking time has expired; or
 - 3.34.5.3 a point of order is raised.

3.35 ADDRESSING THE MEETING

If the Chairperson so determines:

- 3.35.1 any person addressing the Chairperson must refer to the Chairperson as:
 - 3.35.1.1 Mayor; or
 - 3.35.1.2 Madam Mayor; or
 - 3.35.1.3 Mr Mayor; or
 - 3.35.1.4 Chair; or

3.35.1.5 Madam Chair; or

3.35.1.6 Mr Chair

as the case may be;

3.35.2 all Councillors, other than the *Mayor*, must be addressed as Cr(Surname).

3.35.3 all members of Council staff must be addressed by their official title followed by their surname where appropriate.

3.35.4 Councillors must address each other by their official titles during debate and throughout a meeting.

3.36 LOST MOTIONS

If a motion is lost without a subsequent motion then being carried it will not be automatically determined that the outcome is contrary to the lost motion. Councillors should instead move a motion detailing further requirements or actions after any motion which is lost.

3.37 TIME LIMITS

3.37.1 A Council meeting must start within 30 minutes of the advertised start time.

3.37.2 A meeting may not continue after 10.00 pm unless a majority of Councillors present vote in favour of its continuance. In the absence of such continuance, a meeting must stand adjourned to a time, date and place announced by the Chairperson immediately before the standing meeting is adjourned.

3.37.3 A Councillor may speak for no longer than the time specified below, unless the Chairperson grants an extension:

3.37.3.1 the mover of a motion 5 minutes

3.37.3.2 any other speaker 3 minutes

3.37.3.3 the mover of a motion exercising the right of reply 2 minutes

3.38 VOTING

3.38.1 To determine a motion before a meeting, the Chairperson must first call for those in favour of the motion, then those opposed to the motion. The Chairperson must declare the result of the vote.

3.38.2 Councillor must vote by show of hands when the Chairperson puts a motion to the vote.

3.38.3 All Councillors present in the meeting room when a vote is taken must vote once only.

3.38.4 The Chairperson must use a casting/second vote if the number of votes in favour of a motion is half the number of Councillor present.

3.38.5 The Chairperson may direct that a vote be recounted to be satisfied of the result.

3.38.6 The Chief Executive Officer must direct that the minutes of the meeting record the name of any Councillor who requests that their vote be recorded against the motion or amendment.

3.38.7 Voting must take place in silence.

3.39 DIVISION

3.39.1 Immediately after the vote on any motion at a meeting and before the next item of business has commenced, a Councillor may call for a division.

3.39.2 When a division is called for, the vote already taken must be treated as set aside and the division shall decide the question, motion or amendment.

- 3.39.3 The Chairperson must first call upon Councillors to vote in favour of the motion and then call upon Councillor to vote against the motion if a Councillor has requested a division.
- 3.39.4 Councillors must vote by show of hands and the Chairperson must declare the result of the division.
- 3.39.5 The Chief Executive Officer must direct that the minutes record the names of the Councillors who voted in favour of the motion, the names of the Councillors who voted against the motion, and the result of the division.

3.40 POINTS OF ORDER

- 3.40.1 A point of order is taken when a Councillor officially draws the attention of the Chairperson to an alleged irregularity in the meeting proceedings or procedures.
- 3.40.2 A Councillor may make a point of order on the grounds that a matter is:
 - 3.40.2.1 contrary to these Rules;
 - 3.40.2.2 defamatory or derogatory of any Councillor, City officer, or member of the community;
 - 3.40.2.3 irrelevant;
 - 3.40.2.4 offensive;
 - 3.40.2.5 constitutes a tedious repetition of something already said;
 - 3.40.2.6 prejudicial to any other person or the Council;
 - 3.40.2.7 a matter that should be considered in a session of a meeting closed to the public, in accordance with the Act;
 - 3.40.2.8 outside the Council's functions or power; or
 - 3.40.2.9 improper,
 or on the grounds that a person in the chamber is being disruptive or unruly during any meeting.
- 3.40.3 The Chairperson must decide on all points of order.
- 3.40.4 The Chairperson may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.
- 3.40.5 All other questions before the meeting are suspended until the point of order is decided.

3.41 DISAGREEMENT WITH CHAIRPERSON'S RULING

- 3.41.1 A Councillor may move that the meeting disagree with the Chairperson's ruling on a point of order, by moving:
 - "That the Chairperson's ruling[stating that ruling or part of that ruling] be dissented from"*
- 3.41.2 When a motion in accordance with this Rule is moved and seconded, the Chairperson must leave the chair and the Deputy Mayor (or if there is no Deputy Mayor, a temporary Chairperson elected by the meeting) must take their place.
- 3.41.3 The Deputy Mayor or temporary Chairperson must invite the mover to state the reasons for their dissent and the Chairperson may then reply.
- 3.41.4 The Deputy Mayor or temporary Chairperson must put the motion in the following form:
 - "That the Chairperson's ruling be dissented from"*
- 3.41.5 If the vote is in the negative, the Chairperson resumes the chair and the meeting proceeds.

- 3.41.6 If the vote is in the affirmative, the Chairperson must then resume the chair, reverse their previous ruling and proceed.
- 3.41.7 The defeat of the Chairperson's ruling is in no way a motion of censure or no-confidence and must not be so regarded by the meeting.

3.42 PROCEDURE FOR POINT OF ORDER

A Councillor raising a point of order must:

- 3.42.1 State the point of order; and
- 3.42.2 State any section, Rule, paragraph or provision relevant to the point of order.

3.43 VALID POINTS OF ORDER

A point of order may be raised in relation to:

- 3.43.1 a motion, which should not be accepted by the Chairperson under these Rules;
- 3.43.2 a question of procedure; or
- 3.43.3 any act of disorder.

3.44 PROCEDURAL MOTIONS

- 3.44.1 Unless otherwise prohibited, a procedural motion may be moved at any time, and once seconded, must be dealt with immediately by the Chairperson.
- 3.44.2 A procedural motion requires a seconder.
- 3.44.3 Notwithstanding any other provision in these Rules, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover and seconder	When motion prohibited	Effect if carried	Effect if lost	Debate permitted on
1. Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	(a) During the election of a Chairperson; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the substantive motion or otherwise spoken to the substantive motion	(a) During the election of a Chairperson; (b) When another Councillor is speaking; (c) When the motion would have the effect of causing Council to be in breach of a legislative requirement	Motion and amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes

Procedural Motion	Form	Mover and seconder	When Motion	Effect if carried	Effect if lost	Debate permitted on
3. The closure	That the motion be now put	Any Councillor who has not moved or seconded the Substantive motion or otherwise to the substantive motion	During nominations for Chairperson	Motion or amendment in respect of which closure is carried is put to the vote immediately without debate subject to any Councillor exercising their right to ask any question or arising out of the motion	Debate continues unaffected	No

Procedural Motion	Form	Mover & seconder	When Motion	Effect if carried	Effect if lost	Debate permitted on
4. Proceeding to next business	<p>That the meeting proceed to the next business</p> <p>Note: This motion:</p> <p>(a) may not be amended;</p> <p>(b) may not be debated; and</p> <p>(c) must be put to the vote as soon as seconded</p>	Any Councillor who has not moved or seconded the substantive motion or otherwise to the substantive motion	<p>(a) During the election of a Chairperson;</p> <p>(b) When another Councillor is speaking;</p> <p>(c) When a motion would have the effect of causing Council to be in breach of a legislative requirement</p>	<p>If carried in respect of:</p> <p>(a) An amendment, Council considers the motion without reference to the amendment;</p> <p>(b) A motion - no vote or further discussion on the motion until it is placed on an agenda for a later Council meeting</p>	Debate continues unaffected	No

3.45 REPITITIOUS MOTIONS

Once a meeting has rejected a motion, with or without amendment, similar motions to the same effect, even in a different form, are considered to be out of order at that meeting. A motion similar to an amendment to a motion already dealt with at a meeting is also not permissible. However, the matter can be legitimately raised again at a subsequent meeting in accordance with the provisions of these Rules.

3.46 NOTICES OF MOTION

- 3.46.1 Councillors wanting to include a matter on the agenda may submit a Notice of Motion to the Chief Executive Officer.
- 3.46.2 A Notice of Motion must:
 - 3.46.2.1 be signed by the Councillor lodging the Notice of Motion;
 - 3.46.2.2 be lodged with the Chief Executive Officer not less than two working days before the agenda is due to be published to enable the Chief Executive Officer to give each other Councillor notice of such Notice of Motion; and
 - 3.46.2.3 relate to the objectives, role and functions of Council as outlined in the Act.
- 3.46.3 A Notice of Motion must call for an officer report if the Notice of Motion proposes any action that:
 - 3.46.3.1 impacts the levels of Council services;
 - 3.46.3.2 commits Council to expenditure greater than \$100,000 that is not included in the adopted budget;
 - 3.46.3.3 proposes to establish, extend or amend Council policy;
 - 3.46.3.4 proposes to impact the rights of any person who has not had the opportunity to contribute their views;
 - 3.46.3.5 commits Council to a contractual arrangement; and/or
 - 3.46.3.6 concerns any litigation in respect of which the City is a party, unless the matter to be considered by the Notice of Motion is urgent business in which Rule 3.46.11 applies.
- 3.46.4 The Chief Executive Officer must reject any Notice of Motion that:
 - 3.46.4.1 is vague;
 - 3.46.4.2 is identical or substantially similar to a Notice of Motion or other motion that has been considered by Council in the preceding six (6) months;
 - 3.46.4.3 is defamatory;
 - 3.46.4.4 may be prejudicial to any person or Council;
 - 3.46.4.5 is objectionable in language or nature;
 - 3.46.4.6 is outside the powers of Council; and/or
 - 3.46.4.7 does not meet the requirements of clause 34.46.4.
- 3.46.5 The Chief Executive Officer may reject a Notice of Motion if it:
 - 3.46.5.1 relates to a matter that can be addressed through the operational service request process; or
 - 3.46.5.2 relates to a matter that has previously been resolved by Council or is acted upon.

- 3.46.6 If rejecting a Notice of Motion, the Chief Executive Officer must:
 - 3.46.6.1 inform the Councillor who lodged it of that rejection and the reasons for the rejection within 24 hours of receiving the Notice of Motion;
 - 3.46.6.2 give the Councillor who lodged it an opportunity to amend it, which must be completed within 24 hours;
 - 3.46.6.3 if the Notice of Motion cannot be amended to the satisfaction of the Chief Executive Officer, notify the Councillor who lodged it that it will be rejected and explain the reasons for the rejection; and
 - 3.46.6.4 when a Notice of Motion is to be rejected or wording changed by the Chief Executive Officer, the Councillor proposing the Notice of Motion may request the Chief Executive Officer consult with the Mayor to seek their advice on the Chief Executive Officer's ruling and interpretation before the Chief Executive Officer's final decision.
- 3.46.7 The full text of any Notice of Motion accepted by the Chief Executive Officer must be included in the agenda. The Chief Executive Officer must cause all Notices of Motion to be numbered, dated and entered in the Notice of Motion book in the order in which they were received.
- 3.38.1 Except by leave of Council, each Notice of Motion must be considered in the order in which they were received by the Chief Executive Officer.
- 3.46.8 If a Councillor who has given a Notice of Motion is absent from the meeting or fails to move the Motion when called upon by the Chairperson, any other Councillor may move the Motion.
- 3.46.9 If a Notice of Motion is not moved at the meeting at which it is listed, it lapses.
- 3.46.10 The Chief Executive Officer may designate a Notice of Motion to be confidential in accordance with the Act, in which case the Notice of Motion will be considered in a session of a meeting that is closed to members of the public.
- 3.46.11 If the matter to be considered by the Notice of Motion is urgent, then:
 - 3.46.11.1 the provisions in these Rules relating to urgent business apply; and
 - 3.46.11.2 to assist Councillors to make an informed decision regarding an urgent Notice of Motion, the Chief Executive Officer must provide a written report to Councillors regarding the implications of the matters to be considered in the proposed Notice of Motion and that report must be published online before the meeting where it is reasonably practicable to do so.

3.47 NOTICE OF RESCISSION

- 3.47.1 A Notice of Rescission is a form of Notice of Motion and accordingly all provisions in these Rules regulating Notices of Motion equally apply to Notices of Rescission.
- 3.47.2 Motions to revoke, rescind or alter a previous resolution can be made:
 - 3.47.2.1 by a Notice of Rescission delivered to the Chief Executive Officer;
 - 3.47.2.2 by recommendation contained in a report by a City officer and included in the agenda, that a previous resolution be altered or revoked.
- 3.47.3 A Councillor may propose a Notice of Rescission provided that:
 - 3.47.3.1 the resolution proposed to be rescinded has not been acted on;
 - 3.47.3.2 the effect of rescinding the resolution will not place the Council at significant legal, financial or other risk, including non-compliance with statutory obligations; and

- 3.47.3.3 the resolution proposed to be rescinded has not been acted upon; and
- 3.47.3.4 the Notice of Rescission is delivered to the Chief Executive Officer and sets out:
 - 3.47.3.4.1 the resolution to be rescinded; and
 - 3.47.3.4.2 the meeting and date at which the resolution was made.
- 3.47.4 A resolution will be deemed to have been acted on if:
 - 3.47.4.1 its contents have, or substance has, been formally communicated to a person whose interests are materially affected by it; or
 - 3.47.4.2 a statutory process has been commenced, so as to vest enforceable rights in or obligations on Council or any other person.
- 3.47.5 The Chief Executive Officer or an appropriate City officer must defer implementing a resolution that:
 - 3.47.5.1 has not been acted on; and
 - 3.47.5.2 is the subject of a Notice of Rescission which has been Delivered to the Chief Executive Officer in accordance with this Rule, unless deferring implementation of the resolution would place the Council at significant legal, financial or other risk.

3.48 LOSS OF MOTION FOR RESCISSION

If a Notice for Rescission is lost, a similar Notice may not be put before Council for at least two (2) months from the date it was last lost, unless Council resolves that the Notice of Rescission be re-listed at a future meeting.

3.49 NOTICE FOR RESCISSION NOT MOVED

If a Notice for Rescission is not moved at the meeting at which it is listed, it lapses.

3.50 ANY COUNCILLOR TO MOVE NOTICE OF RESCISSION

A Notice for Rescission listed on an agenda may be moved by any Councillor present but may not be amended.

3.51 NOTICE OF RESCISSION NOT REQUIRED

A Notice of Rescission is not required when Council wishes to amend a policy.

3.52 URGENT BUSINESS

3.52.1 Business can only be admitted as urgent business by resolution of the meeting, if the motion is carried by the required number of Councillors present as follows:

Councillors present	Votes required to carry motion
11	8
10	7
9	6
8	6
7	5
6	4

3.52.2 Even if the required Councillors carry the motion, it still will not be accepted as urgent business unless it:

- 3.52.2.1 relates to or arises out of a matter which has arisen since distribution of the agenda; and
- 3.52.2.2 cannot be deferred until the next meeting without having a negative impact on the Council, the municipal district or the local community; and
- 3.52.2.3 cannot be addressed through the operational service request process.
- 3.52.3 A Councillor proposing that a matter be admitted as urgent business must lodge a request in writing with the Chief Executive Officer by 4.00 pm on the day of the meeting.
- 3.52.4 The Chief Executive Officer will advise the Chairperson of any matter that they determines to be appropriate for Council to consider admitting as urgent business.

3.53 DISCIPLINE AND SUSPENSIONS

- 3.53.1 If any Councillor behaves offensively towards any other Councillor or City officer, the offending Councillor will be required by the Chairperson to withdraw the expression and make a satisfactory apology to the meeting.
- 3.53.2 A Councillor must not use defamatory, indecent, abusive or offensive words in reference to any other Councillor or City officer.
- 3.53.3 The Chairperson may require a Councillor to withdraw any remark which is defamatory, indecent, abusive or offensive in language or substance.
- 3.53.4 A Councillor who is required to withdraw a remark must do so immediately, without qualification or explanation.
- 3.53.5 A Councillor must not make any noise or disturbance while another Councillor or City officer is speaking. If they do so, the Chairperson must call upon the Councillor by name and the Councillor must immediately cease such disturbance.
- 3.53.6 The Chairperson may suspend from a meeting, for the balance of the meeting, any Councillor whose actions have disrupted the business of the Council and impeded its orderly conduct.

3.54 REMOVAL FROM THE MEETING ROOM

- 3.54.1 The Chairperson, an authorised City officer, may have any person removed from the Meeting room for reasons of disorderly conduct or for failing to act in accordance with a direction from the Chairperson.
- 3.54.2 A person removed from a meeting must leave the room in which the meeting is being held where they can no longer disrupt the meeting.

3.55 PUBLIC ADDRESSING THE MEETING

- 3.55.1 Members of the public do not have a right to address the Council and may only do so in accordance with these rules or with the consent of the Chairperson.
- 3.55.2 Any member of the public addressing Council must extend due courtesy and respect to Council and the processes under which it operates and must take direction from the Chairperson whenever called on to do so.
- 3.55.3 Members of the public present at a meeting must not disrupt or interject during a meeting.

3.56 CHAIRPERSON MAY ADJOURN DISORDERLY MEETING

If the Chairperson is of the opinion that disorder at the Council table or in the gallery makes it desirable to adjourn the Council meeting, they may adjourn the meeting to a

later time on the same day or to some later day as they think proper. In that event, the provisions for adjournment of meetings in these Rules apply.

3.57 REMOVAL FROM CHAMBER

The Chair, or Council in the case of a suspension, may ask the Chief Executive Officer or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the Chair has ordered to be removed from the gallery under these Rules.

3.58 SUSPENSION OF STANDING ORDERS

3.58.1 To expedite the business of a meeting, Council may suspend standing orders.

3.58.2 The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of *Council*. An appropriate motion would be:

"That standing order be suspended to enable discussion on....."

3.58.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders.

3.58.4 Once the discussion has taken place and before any motions can be put, the resumption of standing orders will be necessary. An appropriate motion would be:

"That standing orders be resumed."

3.59 MEETINGS CONDUCTED REMOTELY

If:

3.59.1 by law a meeting may be conducted electronically; and

3.59.2 Council decides that a meeting is to be conducted electronically,

the Chairperson may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

3.60 PROCEDURE NOT PROVIDED IN THIS CHAPTER

In all cases not specifically provided for by these Rules, resort must be had to the Standing Orders and Rules of Practice of the Upper House of the Victorian Parliament (so far as the same are capable of being applied to Council proceedings).

3.61 CRITICISM OF CITY OFFICERS

3.61.1 The Chief Executive Officer may make a brief statement at a Council meeting in respect of any statement by a Councillor made at the Council meeting criticising them or any City officer.

3.61.2 A statement under this Rule must be made by the Chief Executive Officer, through the Chairperson, as soon as it practicable after the Councillor who made the statement finished addressing Council.

CHAPTER 3 – DELEGATED COMMITTEES

1. Election Chairs of Delegated Committees

Any election for the Chair of a Delegated Committee will be regulated by Chapter 2 of these Rules as if the reference to the:

- 1.1 Chief Executive Officer is a reference to the Mayor; and
- 1.2 Mayor is a reference to the Chair of the Delegated Committee (as the case may be).

2. Meeting Procedure Generally

If Council establishes a Delegated Committee:

- 2.1 all of the provisions of Chapter 2 apply to meetings of the Delegated Committee; and
- 2.2 any reference in Chapter 2 to:
 - 2.2.1 a Council meeting is to be read as a reference to a Delegated Committee meeting;
 - 2.2.2 a Councillor is to be read as a reference to a member of the Delegated Committee; and
 - 2.2.3 the Mayor is to be read as a reference to the Chair of the Delegated Committee.

3. Meeting Procedure Can Be Varied

Notwithstanding Rule 1 of this Chapter, if Council establishes a Delegated Committee that is not composed solely of Councillors:

- 3.1 Council may; or
- 3.2 the Delegated Committee may, with the approval of Council

resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the Delegated Committee, in which case the provision or those provisions will not apply until Council resolves, or the Delegated Committee with the approval of Council resolves, otherwise.

CHAPTER 4 – MEETING PROCEDURE FOR COMMUNITY ASSET COMMITTEES

1. Introduction

In this Chapter, “Instrument of Delegation” means an instrument of delegation made by the Chief Executive Officer under section 47(1)(b) of the Act.

2. Meeting Procedure

Unless anything in the instrument of delegation provides otherwise, the conduct of a meeting of a Community Asset Committee is in the discretion of the Community Asset Committee.

CHAPTER 5 – JOINT MEETINGS OF COUCNILS

Regional collaboration provides benefits through collective procurement, increased advocacy and alignment for major projects. While on some matters that are worked on in partnership it's possible for the participating Councils to make their own decisions and determinations, in some circumstances, it may be beneficial to hold Joint Council Meetings as are provided for in the Act.

1. Council may resolve to participate in a Joint Council meeting to consider:
 - 1.1 Collaborative projects;
 - 1.2 Collaborative procurement; and/or
 - 1.3 Emergency Response.
2. If Council has resolved to participate in a Joint Council meeting, the Chief Executive Officer will agree on the applicable governance rules for the meeting with the participating Councils, before the meeting starts.
3. Where the Greater Geelong City Council is the lead Council on a matter to be brought for consideration at a Joint Council meeting, the Mayor will be nominated to Chair the Joint Council meeting
4. At a majority of Councillors will be appointed to represent Council at a Joint Council meeting Consistent information will be provided to Councillors prior to any Joint Meeting and every endeavour will be made by the Chief Executive Officer to facilitate a joint briefing.
5. A joint briefing arranged in accordance with this Rule may be held electronically.

CHAPTER 6 - DISCLOSURE OF CONFLICTS OF INTEREST

1. Introduction

The following Rules in this Chapter apply only upon Division 1A of Part 4 of the Local Government Act 1989 being repealed.¹

2. Definition

In this Chapter:

- 2.1 “meeting conducted under the auspices of Council” means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 6 (whether such a meeting is known as a ‘Councillor Briefing’ or by some other name); and
- 2.2 a member of a Delegated Committee includes a Councillor.

3. 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 they:

- 3.1 are 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
- 3.2 intend to be present must disclose that conflict of interest by providing to the Chief Executive Officer before the Council meeting commences a written notice:
 - 3.2.1 advising of the conflict of interest;
 - 3.2.2 explaining the nature of the conflict of interest; and
 - 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
 - 3.2.3.1 name of the other person;
 - 3.2.3.2 nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 3.2.3.3 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 they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

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

4. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a Delegated Committee who has a conflict of interest in a matter being considered at a Delegated Committee meeting at which they:

- 4.1 are present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Delegated Committee meeting immediately before the matter is considered; or

¹ At the time of making these Rules the date on which Division 1A of Part 4 of the *Local Government Act 1989* is expected to be repealed is 24 October 2020.

- 4.2 intend to present must disclose that conflict of interest by providing to the Chief Executive Officer before the Delegated Committee meeting commences a written notice:
- 4.2.1 advising of the conflict of interest;
 - 4.2.2 explaining the nature of the conflict of interest; and
 - 4.2.3 detailing, if the nature of the conflict of interest involves a member of a Delegated Committee's relationship with or a gift from another person the:
 - 4.2.3.1 name of the other person;
 - 4.2.3.2 nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 4.2.4 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 they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The member of a Delegated Committee must, in either event, leave the Delegated Committee 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.

5. Disclosure of a Conflict of Interest at a Community Asset Committee Meeting

A Councillor who has a conflict of interest in a matter being considered at a Community Asset Committee meeting at which they:

- 5.1 are present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the Community Asset Committee meeting immediately before the matter is considered; or
- 5.2 intend to present must disclose that conflict of interest by providing to the Chief Executive Officer before the Community Asset Committee meeting commences a written notice:
 - 5.2.1 advising of the conflict of interest;
 - 5.2.2 explaining the nature of the conflict of interest; and
 - 5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:
 - 5.2.3.1 name of the other person;
 - 5.2.3.2 nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - 5.2.4 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 they have a conflict of interest and that a written notice has been given to the Chief Executive Officer under this sub-Rule.

The Councillor must, in either event, leave the Committee Asset Committee 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.

6. Disclosure at a Meeting Conducted Under the Auspices of Council

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of Council at which they are present must:

- 6.1 disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the meeting immediately before the matter is considered;
- 6.2 absent themselves from any discussion of the matter; and
- 6.3 as soon as practicable after the meeting concludes provide to the Chief Executive Officer a written notice recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

7. Disclosure by Members of Council Staff Preparing Reports for Meetings

- 7.1 A City officer who, in their capacity as a City officer, has a conflict of interest in a matter in respect of which they are preparing or contributing to the preparation of a Report for the consideration of a:
 - 7.1.1 Council meeting;
 - 7.1.2 Delegated Committee meeting;
 - 7.1.3 Community Asset Committee meeting

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 the nature of the conflict of interest.

- 7.2 The Chief Executive Officer must ensure that the Report referred to in sub-Rule 7.1 records the fact that a City officer disclosed a conflict of interest in the subject-matter of the Report.
- 7.3 If the City officer referred to in sub-Rule 7.1 is the Chief Executive Officer:
 - 7.3.1 the written notice referred to in sub-Rule 7.1 must be given to the Mayor; and
 - 7.3.2 the obligation imposed by sub-Rule 7.2 may be discharged by any other City officer responsible for the preparation of the Report.

8. Disclosure of Conflict of Interest by Members of Council Staff in the Exercise of Delegated Power

- 8.1 A City officer who has a conflict of interest in a matter requiring a decision to be made by the City officer as delegate must, immediately upon becoming aware of the conflict of interest, provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.
- 8.2 If the City officer referred to in sub-Rule 8.1 is the Chief Executive Officer the written notice must be given to the Mayor.

9. Disclosure by a City officer in the Exercise of a Statutory Function

- 9.1 A City officer who has a conflict of interest in a matter requiring a statutory function to be performed under an Act by the City officer must, upon becoming aware of the conflict of interest, immediately provide a written notice to the Chief Executive Officer explaining the nature of the conflict of interest.
- 9.2 If the City officer referred to in sub-Rule 9.1 is the Chief Executive Officer the written notice must be given to the Mayor.

10. Retention of Written Notices

The Chief Executive Officer must retain all written notices received under this Chapter for a period of three years.

CHAPTER 7 – MISCELLANEOUS

11. Informal meetings of Councillors

If there is a meeting of Councillors that:

- 11.1 is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;
- 11.2 is attended by at least one City officer; and
- 11.3 is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting.

the Chief Executive Officer must ensure that a summary of the matters discussed at the meeting are:

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

12. Confidential Information

- 12.1 If, after the repeal of section 77(2)(c) of the Local Government Act 1989, the Chief Executive Officer is of the opinion that information relating to a meeting is confidential information within the meaning of the Act, they may designate the information as confidential and advise Councillors and/or members of Council staff in writing accordingly.
- 12.2 Information which has been designated by the Chief Executive Officer as confidential information within the meaning of the Act, and in respect of which advice has been given to Councillors and/or members of Council staff in writing accordingly, will be presumed to be confidential information.

CHAPTER 8 – ELECTION PERIOD POLICY

THE CITY OF
GREATER GEELONG

ELECTION PERIOD POLICY

VERSION: 6

Approval Date: 1 September 2020

Approved by: Council

Review Date: 1 September 2023

Responsible Officer: Director Governance, Strategy
& Performance

Authorising Officer: Chief Executive Officer

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Introduction

PURPOSE

The purpose of the policy is to provide the community with an understanding of the procedures that will apply during the election period to ensure the fairness of the election, appropriate use of City resources and to prevent inappropriate decision-making. It includes:

- Procedures intended to ensure that Council, a special Committee or a person acting under a delegation given by the Council from making major policy decisions during the election period for a general election
- Procedures intended to prevent the Council and the City from making inappropriate decisions or using resources inappropriately during the election period before a general election;
- Limits on public consultation and the scheduling of Council events;
- Procedures to ensure that City documents published during the Election period do not contain electoral matter;
- Procedures to ensure that access to information held by the City is made equally available and accessible to candidates during the election.

SCOPE

This policy applies to Councillors, candidates, members of Delegated Committees, Community Asset Committees or Advisory Committees and City staff.

The provisions in this policy apply throughout the Election Period unless otherwise stated.

Definitions

This section defines the key terms used in this policy.

ACT

The *Local Government (Vic) 2020*.

ADVISORY COMMITTEE

Means an advisory committee established by the Council that is not a Delegated Committee or a Community Asset Committee.

CEO

The Chief Executive Officer of the City.

CITY

The City of Greater Geelong organisation, led by the CEO.

COMMUNITY ASSET COMMITTEE

A Community Asset Committee is a committee established under section 65 of the Act.

COUNCIL

The City of Greater Geelong Council comprised of elected councillors and led by the Mayor.

COUNCIL EVENTS

Gatherings of internal and external stakeholders organised and run by the City to discuss, review, acknowledge, communicate, celebrate or promote a program, strategy or issue, which is of relevance to the Council and its community including those which may take the form of conferences, workshops, forums, launches, promotional activities, social occasions such as dinners, receptions and balls.

COUNCIL LAND

Council Land means any land vested in, or under the control or management of the Council excluding a Road, but including a Municipal Reserve or other reservation, watercourse, foreshore reserve, jetty, pontoon or boat ramp, and includes any structures, artworks, public decorations or other public displays erected upon or situated at these places including any waterway.

COUNCILLOR DUTIES

Councillor Duties include a councillor attending:

- a. Council Meetings or Committees of Council;
- b. Formal briefing sessions and planning forums;
- c. Civic or ceremonial functions convened by the Council or presided over by the Mayor;
- d. Meetings scheduled by the Council or Mayor;
- e. A meeting, function or other official role as a representative of the Council or Mayor;

- f. Attendance at site inspections in relation to a Council approval process or Council project;
- g. Meetings of community groups, organisations and statutory authorities to which the Councillor has been appointed Council delegate / representative; and
- h. Conferences, study tours, official visits (domestic and overseas), seminars and training sessions as a councillor where attendance has been approved by Council or in accordance with the Councillors' Expenses and Facilities Policy.

DELEGATED COMMITTEE

A Delegated Committee is a committee of Council established under section 63 of the Act.

DOCUMENT

As defined in section 38 of the *Interpretation of Legislation Act 1984*, document includes, in addition to a document in writing:

- a. any book, map, plan, graph or drawing;
- b. any photograph;
- c. any label, marking or other writing which identifies or describes anything of which it forms part, or to which it is attached by any means whatsoever;
- d. any disc, tape, sound track or other device in which sounds or other data (not being visual images) are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom;
- e. any film (including microfilm), negative, tape or other device in which one or more visual images are embodied so as to be capable (with or without the aid of some other equipment) of being reproduced therefrom; and
- f. anything whatsoever on which is marked any words, figures, letters or symbols which are capable of carrying a definite meaning to persons conversant with them.

ELECTIONEERING

Any action, statement and or publication that contains material directly related to, or likely to influence, a Councillor's re-election or a candidate's election.

ELECTION DAY

Section 257(1) states that a general election must be held on the fourth Saturday in October 2020 and thereafter on the fourth Saturday in October in the fourth year after the last general election of Councillors for all Councils.

ELECTORAL MATTER

A matter which is intended or likely to affect voting in an election and includes matter that contains an express or implied reference to, or comment on the election, a candidate in the election or an issues submitted to, or otherwise before, the voters in connection with the election. It does not include electoral material published by the Election Manager for purposes of conducting the election.

ELECTION PERIOD

The period that:

- a. starts at the time that nominations close on nomination day; and
- b. ends at 6 p.m. on election day.

For the 2020 Election nominations close 12 noon on 22nd September.

ELECTORAL SIGN

A device advertising a political candidate or candidates, or a purported political candidate or candidates, a registered political party, or a campaign for a Commonwealth, State or Local Government election.

EXTRAORDINARY CIRCUMSTANCES

Where a decision:

- a. is urgent;
- b. cannot reasonably be deferred without major consequence to the City of Greater Geelong; and/or
- c. relates to the completion of projects or initiatives that have already been endorsed by the Council, including but not limited to projects or initiatives made pursuant to the Budget, City Plan or Business Plan.

MEETING

Meeting means a meeting of Council or a Delegated Committee.

MUNICIPAL BUILDING

Municipal Building means any building and its grounds that is owned, occupied, controlled or managed by the Council, which has some or all areas designated for public or community access but may also have some or all areas designated for employee or staff only access, including a recreation centre.

MUNICIPAL RESERVE

Municipal Reserve means any land, water, waterway or water course either owned or vested in, or under the control and management of the Council, and used or set aside as a reserve, whether for outdoor cultural, environmental, recreational or other purposes, including any artworks, public decorations, other public displays and any structures other than a building, erected upon or situated at these places including any waterway, but excludes a Road.

PROHIBITED DECISIONS

Section 69(2) of the Act prohibits any Council decision during the election period that:

- a. relates to the appointment or remuneration of a Chief Executive Officer (CEO) but not to the appointment or remuneration of an Acting CEO; or
- b. commits the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year; or
- c. the Council considers could be reasonably deferred until the next council is in place; or
- d. the Council considers should not be made during an election period.

This includes any decision that enables the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at an election s 69(3).

PUBLIC CONSULTATION

Means any process conducted by Council or by the City seeking submissions on matters, including issues, proposed actions or proposed policies, from the public, including from individuals, groups, organisations or the community in general.

PUBLIC QUESTION AND SUBMISSION TIME

The period of time allowed for in a Council meeting that is open to the public during which Council takes questions and information submitted by the public relevant to Council actions and decisions.

PUBLISH

Publish means publishing by any means, whether in hard copy or electronically, including publication on the internet.

ROAD

Road has the meaning ascribed to it by section 3 of the Act, as amended from time to time and includes a public highway. Road includes:

- a. a street; and
- b. a right of way; and
- c. any land reserved or proclaimed as a street or road under the *Crown Land (Reserves) Act 1978* or the *Land Act 1958*; and
- d. a public road under the *Road Management Act 2004*; and
- e. a passage; and
- f. a cul de sac; and
- g. a by-pass; and
- h. a bridge or ford; and
- i. a footpath, bicycle path or nature strip; and
- j. any culvert or kerbing or other land; and
- k. works forming part of the Road.

VEC

VEC means the Victorian Electoral Commission.

Policy

ELECTION PERIOD

The Election Period commences on Tuesday 22 September 2020 and concludes at 6pm on Saturday 24 October 2020.

COUNCILLOR TO FULFIL DUTIES DURING ELECTION PERIOD

Councillors:

- a. will continue to fulfil their Councillor Duties (unless they are granted leave of absence);
- b. will continue to engage, and communicate with, the community in their Councillor role;
- c. must comply with the Act and the Councillor Code of Conduct; and
- d. must not use their position to influence City officers, or access City resources or information, in support of any election campaign or candidacy.

COUNCIL DECISIONS AND MEETINGS DURING THE ELECTION PERIOD

Council will not consider or make any Prohibited Decisions during the Election Period.

Invalid decisions and liability

Any decision of Council is invalid if it is made during the Election Period that:

- a. relates to the appointment or remuneration of the CEO, but not to the appointment or remuneration of an Acting CEO; and/or
- b. commits the council to expenditure exceeding 1% of council's income.

If a person suffering loss or damage as a result of acting in good faith on one of these decisions, that person is entitled to compensation for the loss or damage suffered.

Business at Council Meetings during the Election Period

Council meeting papers will be reviewed by the City to ensure that no agenda item is included that could potentially influence voters' intentions at the forthcoming election or could encourage Councillor candidates to use the item as part of their Electioneering.

Matters which may be considered at Council meetings include:

- a. Annual Report; and
- b. Procedural items to complete the Council's term of office, such as Planning Delegations or approvals required for compliance purposes.

Councillors are prohibited from moving motions or raising matters at a Council meeting that could affect voting in the election, or could unfairly commit the incoming council to a major course of action or could have reasonably been made after the election, including notices of motion, urgent items, petitions, rescission motions, reports by councillor delegates and advisory committee reports.

The types of decisions that will not be considered include, but not limited to:

- a. allocating community grants;
- b. allocating direct funding to community organisations;
- c. major planning scheme amendments; and
- d. changes to strategic objectives and strategies in the council plan.

Public question time

There will be no Public Question and Submission Time during the Election Period.

Election period statement in Council reports

Reports submitted to Council or to a Delegated Committee will contain an “Election Period Statement” at the start of the report in the form as follows:

- “The recommended decision is not a Prohibited Decision.”

Implementing decisions

Decisions made prior to the Election Period by Council or by a committee or an officer under delegation can be implemented during the Election Period provided that those decisions do not involve Public Consultation or a Council Event that is likely to run into, or occur during, the Election Period.

Delegated committees

Council has the following Delegated Committees that operate with delegated powers:

- Central Geelong Marketing Committee;
- Geelong Major Events Committee;
- Planning Committee;
- and
- CEO Employment Matters Committee.

Delegated Committees, other than the CEO Employment Matters Committee, will not meet during the Election Period.

The CEO Employment Matters Committee is only permitted to meet to deal with the appointment of an Acting CEO.

Community Asset Committees and Advisory Committees

Community Asset Committees and Advisory Committees will not meet during the Election Period.

USE OF CITY RESOURCES

City resources must not be used for Electioneering, other than City facilities that are normally available for hire by the public.

Using City facilities

City facilities that are normally available for public hire will be able to be hired by candidates (including councillor candidates) at the normal hire rate, terms and conditions of hire set for the facility.

No promotional material related to an election event, apart from simple directional signage, is to be displayed in the common public areas of a City facility being hired.

Electoral signs on Council land and property

The following provisions that govern the placement of Electoral Signs apply equally to all candidates and their associated election campaigns at all times, including during the Election Period. They are consistent with Council's Neighbourhood Amenity Local Law 2014 (clauses 46, 70 and 92), the *Environment Protection Act 1970* (Litter Section), the Greater Geelong Planning Scheme and the General Signage (including Electoral Advertising) On Council Road Reserves and Land Policy.

Electoral Signs are not permitted on Roads, Municipal Buildings, Municipal Reserves or Council Land, including any structures such as bus shelters or light poles within road reserves. In general terms, this means that no Electoral Signs are permitted on roads, parkland or Council property.

The following conditions apply to the placing of Electoral Signs.

- a. No Electoral Signs can be placed or erected on any council Road or Municipal Reserve (including parks) this also includes any VicRoads, roads or reserves;
- b. Mobile billboards, (trailer types and signs that are placed in or on a vehicle) are not to be left standing or stationary as in paragraph (a) above. This type of signage has to be mobile at all times;
- c. Vehicles, other than trailers, that are permanently sign-written may display an Electoral Sign, provided that they meet parking legislation requirements including time limits etc.;
- d. The *Environment Protection Act 1970* (Litter section) prohibits the placing of any form of advertising on the windscreens of vehicles anywhere (public or private land); and
- e. Banners and flags are also prohibited as in paragraph (a) above and are not to be attached to any fixtures located on any of the roads or reserves as in paragraph (a).

Councillor resources & expenses

Councillors will continue to have access to the resources necessary to fulfil their Councillor Duties, in accordance with existing Council policy and the Councillor Code of Conduct.

Reimbursement claims for expenses that support or that could be perceived as supporting, or being connected with, a Councillor's election campaign will not be processed by the City.

Councillors may continue to use their councillor title.

City resources

City resources, including offices, administrative staff, meeting facilities not normally available for public hire, hospitality, electronic equipment, vehicles, email addresses and social media handles, databases, mailing lists, photocopying and stationery will be used exclusively for normal City operational business during the Election Period and are not to be utilised for or connected to any election activities.

City logos, letterheads, photographs and images or associated City insignias and designs are not to be used or linked in any way to a candidate's election campaign.

City staff

It is critical that the City maintains the confidence of the Council, councillors and the wider community at all times. This requirement is even more important in the period leading up to an election.

For the vast majority of City employees, work will continue as normal during the Election Period. However, some may find themselves in situations where the Election Period could have a bearing on their actions.

It is important for City employees who are engaged in political activities related to the election, to avoid any actual, potential or perceived conflict of interest with their City employment. How they do this will depend on the nature of their employment and the nature of their political activities or associations.

City staff must:

- a. Not use their City role and position to influence the outcome of the election;
- b. Not engage in Electioneering during work time;
- c. Not use City resources for Electioneering;
- d. Not use any official information obtained through their City employment for Electioneering;
- e. Not make any public statement on Council or City activity that they are involved in or connected with as a City employee;
- f. Make it clear when making comments related to the election that they are expressing their own views and not making an official comment;
- g. Take leave from their City employment if nominating as a candidate for the election in order to be able to qualify as a candidate for that election; and
- h. If they are a candidate in the general Council election, resign from City employment immediately upon being declared elected in the general Council election in order to become or continue to be a Councillor of the Council.

PUBLIC CONSULTATION

Conducting public consultation

The City will not commence or continue Public Consultation except where there is a legal obligation to do so or the CEO determines that Extraordinary Circumstances exist which warrant the Public Consultation continuing. If this is the case, the Council must, by resolution, justify to the community the Extraordinary Circumstances making it necessary and how the risks of influencing the election will be mitigated or prevented.

Public Consultation will not be commissioned or approved if such consultation is likely to run into the Election Period.

Consultative mechanisms

Forums, other community reference group meetings or similar consultative processes are not permitted.

EVENTS

Conducting or promoting events

The City will not conduct or promote Council Events except where there is a legal obligation to do so.

Ordinary Council meetings and Council Events may be held if they are part of delivering normal services or operational activities of Council and the City e.g. scheduled ordinary council meetings and citizenship ceremonies.

Community Focus Council meetings are suspended. These meetings occur at venues throughout the municipality, in each ward in turn. At these meetings, Council is required to allow and encourage the community to attend, submit information and ask questions on issues that arise at those meetings or raise general issues or questions.

Consequently, there is a significant risk that matters could be raised at the meetings that could influence the election or amount to Electioneering.

Councillor attendance

Councillors may attend events as required by their Councillor Duties, but are not permitted to use these appearances for Electioneering.

Councillors must not speak as an official Council spokesperson at events they attend in relation to their Councillor Duties unless authorised to do so by the CEO.

Speeches prepared for councillors attending events related to their Councillor Duties must be written by City staff and approved by the CEO.

City resources will not be used to prepare speeches, or provide support, for councillors in respect of their attendance at an event that is not required by their Councillor Duties.

PUBLISHED INFORMATION DURING THE ELECTION PERIOD

Publications

The City must not print, Publish or distribute or cause, permit or authorise to be printed, Published or distributed, any advertisement, handbill, pamphlet or notice unless the advertisement, handbill, pamphlet or notice has been authorised by the CEO.

Media releases, statements & publicity

The CEO will be the primary spokesperson for the Council.

City media releases and statements will be authorised and issued in the name of the CEO.

No City-issued media releases will quote or feature Councillors.

Councillors in respect of their Councillor Duties must not make or Publish any public statement that could be interpreted as influencing the election.

City staff must not make or Publish any public statement that could be interpreted as influencing the election.

City communication and marketing activities, other than for the sole purpose of conducting the election process, will be prevented wherever possible.

Delivery of existing City services will continue on a business-as-usual basis, however, there is a prohibition on implementing and promoting new City services.

Where a City communications and marketing activity is considered essential for a City service or function, it must be authorised by the CEO before publication.

Where a City communications or marketing activity is authorised that activity must be limited to promoting existing City services.

No communications or media advice or assistance will be provided by the City in relation to Electioneering or election campaign matters.

Publishing Councillor information

Councillor information published in documents and on websites will be restricted to:

- a. names;
- b. photographs;
- c. contact details;
- d. titles; and
- e. membership of special committees and other bodies to which they have been appointed by the Council.

Councillor correspondence

Councillor correspondence regarding election matters will not receive responses until after the end of the election period. If a Councillor is not re-elected, then correspondence received for that Councillor during the Election Period will be responded to after the Election Period by the CEO.

Councillor correspondence relating to significant, sensitive or controversial matters will be referred to the CEO for action.

City Website and Social Media

At the start of the Election Period a message will be posted on the City's social media channels and website stating that these channels will have no new content added until after the Election Period unless it relates to existing City services.

No electoral material may be placed on the City's website or social media during the Election Period.

Council meeting agendas and minutes will continue to be published on Council's website.

Comments on the City's social media may be removed at the sole discretion of the CEO during the Election Period if those comments may influence the Election.

INFORMATION ACCESS

Information access

Councillors will continue to have access to the information resources necessary to fulfil their Councillor Duties, in accordance with existing Council policy and the Councillor Code of Conduct.

The City will aim to ensure that all candidates have equal access to council information.

Candidate information requests

Candidates must provide requests for council information to the CEO in writing.

Responses to candidate information requests must be authorised by a Director or the CEO.

Council information supplied in response to candidate requests will only consist of publically available and factual information about current City services.

Council information supplied in response to candidate requests will not relate to policy development, new projects or matters that are the subject of public or election debate or that might be perceived to be connected to a candidate's election campaign.

Candidate requests for council information that require significant City resources to be devoted to a response may be refused at the sole discretion of the CEO.

The CEO will maintain an Information Request Register, which will:

- List all candidate requests for information received by the City;
- Summarise the information provided by the City to the candidates in response to requests, including links to requested public documents;
- Record reasons for refusal of candidate council information requests; and
- Be published on the City's website

All enquiries from candidates about the election process are to be made directly to the VEC Election Manager or, where the matter is outside their responsibilities, to the CEO.

Implementation of this Policy

MONITORING AND REPORTING

The City must have adequate processes in place to monitor this policy and associated procedures to ensure they are accurate, consistent and operating as intended.

ADVICE AND ASSISTANCE

The Responsible Officer for this policy manages the provision of advice to the organisation regarding this policy.

A person who is uncertain how to comply with this policy should seek advice from this person or delegate.

The City will ensure that all councillors, candidates and staff involved in applying this policy receive training and support in the operation of this policy. This will include:

- publishing the policy on the Geelong Australia website
- distributing the policy to councillors
- including the policy in candidate information packs
- information about the purpose and requirements of this policy;
- practical guidance on how to comply with this policy, such as procedures that set out the process to be followed;
- provision of tools and templates to be used.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
Information request responses	Retention and Disposal Authority for Records of Common Administrative Functions PROS 07/01 VAR 4	Temporary Destroy 2 years after action completed.	Document Management System

REVIEW

Prior to the next general election will be held on 26 October 2024 or as required.

References

Environment Protection Act 1970

Interpretation of Legislation Act 1984

Local Government Act 2020

Greater Geelong City Council 2014 Neighbourhood Amenity Local Law 2014

Greater Geelong City Council 2016 General Signage (including Electoral Advertising) On Council Road Reserves and Land Policy

Greater Geelong City Council Councillors' Expenses and Facilities Policy

Greater Geelong Planning Scheme

Local Government Inspectorate 2016 Election Period Policy Review

Public Records Office Victoria 2015 Retention and Disposal Authority for Records of Local Government Functions

Public Records Office Victoria 2017 Retention and Disposal Authority for Records of Common Administrative Functions

GOVERNANCE RULES - SUBMISSIONS REPORT



On 22 July, 2020 the City commenced community engagement inviting the community to have their say on the draft Public Transparency Policy & Governance Rules documents.

The engagement was open on the Have Your Say page for a period of 3 weeks and closed on 12 August 2020.

The following submission was received and considered in relation to the Governance Rules

Submission	Officer comments
<i>I question why a councillor must present a petition or submission, and not a member of the public. Many members of the public wish to submit petitions and should not have to go through the process of finding a councillor to approve the petition and then submit it for them</i>	Members of the public are invited to present their petitions and submissions at Council meetings. In response to the submission, clause 3.22.1 has been updated to read: Petitions or joint letters to Council may be presented to Council by a Councillor or a member of the public.

3. ADOPTION OF COUNCIL EXPENSES POLICY

Source: Governance, Strategy & Performance – Mayor and Councillor Support Unit
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. For Council to adopt the Council Expenses Policy.

Background

2. The Local Government Act 2020 (the Act) received Royal Assent on 24 March 2020 and will be proclaimed in four stages commencing on 6 April 2020.
3. Section 41 of the Act requires Council to adopt a Council Expenses Policy by 1 September 2020.
4. The Council Expense Policy (**Attachment 2**) is based on the existing Councillors Expenses, Facilities and Support Council Policy has been reviewed and updated to incorporate the requirements of s41(1) and s41(3) of the Act.

Key Matters

5. The Council Expenses Policy governs what expenses will be reimbursed to a Councillor or a member of a Delegated Committee of Council.
6. The Policy includes provisions relating to the payment for:
 - 6.1 Carer and dependent-related expenses;
 - 6.2 Provision for Working with Children Check; and
 - 6.3 Study supportas well as clearly articulating the process to be followed to seek an expense reimbursement.
7. Expenses incurred in any financial year must be submitted by 7 July the following financial year to ensure the Annual Report reflects these true expenses.
8. The policy provides for transparency of Councillor expenditure, with quarterly publishing of Councillor expenditure reports on the City's website, and regular reporting of Councillor and Delegated Committee member expenses to the City's Audit and Risk Committee.

Cr Harwood moved, Cr Aitken seconded -

9. That Council:

- 9.1 Adopt the Council Expenses Policy (Attachment 2).**
- 9.2 Revoke the previous Council Facilities and Expenses Policy.**

Carried.

Attachment 1

Financial Implications

1. The implementation of the updated Councillor Expenses Policy provides for the provision of equipment, training and support required by a Councillor to carry out their civic duties in line with the current 2020/21 Budget.

Community Engagement

2. There is no requirement for public consultation relation to the adopting the new Council Expenses Policy

Social Equity Considerations

3. The implementation of the Council Expenses Policy provides for a broad range of reimbursable expenses designed to remove cost barriers to carrying our Councillor duties, such as child care and carer expenses. The ability to remove costs barriers which might otherwise prevent or hinder participation in civic life is an important to encourage participation from any member of the community that has an interest in becoming a Councillor or member of a Delegated Committee.

Policy/Legal/Statutory Implications

4. The Council Expenses Policy has been developed in accordance with section 41 of the Act.
5. Council must adopt the Council Expenses Policy by 1 September 2020.

Alignment to Council Plan

6. This report aligns to Council Plan's strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

7. No Council officer had a direct or indirect interest in the contents of this report.

Risk Assessment

8. In adopting the Councillor Expenses Policy, the Council will have an updated policy framework which mitigates the risk of the misuse of Council resources.

Environmental Implications

9. There are no direct environmental implications associated with the contents of this report.

THE CITY OF
GREATER GEELONG

COUNCIL EXPENSES POLICY

VERSION: 1

Approval Date: 1 September 2020

Approved by: Council

Review Date: 1 September 2024

Responsible Officer: Director Governance Strategy
& Performance

Authorising Officer: Chief Executive Officer

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Introduction

PURPOSE

In accordance with section 40(1) of the Act, the City must reimburse a Councillor or a member of a delegated committee for out-of-pocket expenses where the City is satisfied those expenses:

- (a) are bona fide; and
- (b) have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- (c) are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

This policy provides Councillors and, where relevant, members of delegated committees guidance as to:

- (1) the out-of-pocket expenses that can be the subject of funding or reimbursement by the City; and
- (2) the out-of-pocket expenses the City will not meet; and
- (3) the process to be followed in applying for reimbursement and in reimbursing out-of-pocket expenses as required under section 41 of the Act; and
- (4) the resources and facilities the City will make available to the Mayor and Councillors to enable them to effectively perform their role as required under section 42 of the Act.

SCOPE

This policy applies to:

- Councillors; and
- Members of delegated committees.

Definitions

Terms used in this policy	Meaning
Act	Local Government Act 2020
Carer	S41(2)(d) of the Act – a Councillor or delegated committee member who is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012
CEO	Chief Executive Officer
City	The City of Greater Geelong, led by the CEO
Council	The City of Greater Geelong comprised of elected Councillors, led by the Mayor
Councillor	A person who holds the office of member of Council; for the purposes of this policy, it includes the Mayor, unless indicated to the contrary
Councillor Portal	The City's internal intranet facility for Councillors
MCSU	Mayor and Councillor Support Unit
Officer	An employee of the City
Relationship	Family member, as defined in section 126 of the Act, or partner

Policy

1. OUT-OF-POCKET EXPENSES MET BY THE CITY

The City will either:

- 1.1 fund (by paying a third party provider, for example); or
- 1.2 reimburse a Councillor or member of a delegated committee the out-of-pocket expenses to the extent and limits outlined in **Appendix 1**, provided the City is satisfied that the out-of-pocket expenses:
 - 1.2.1 are bona fide; and
 - 1.2.2 have been declared in writing by the Councillor or the member of the delegated committee as being:
 - 1.2.2.1 reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
 - 1.2.2.2 reasonably necessary for the Councillor or member of a delegated committee to perform that role; and
 - 1.2.3 are charged to the financial year in which they occurred (expenses cannot be carried forwarded into the next financial year).

2. OUT-OF-POCKET EXPENSES TO BE MET BY COUNCILLORS AND MEMBERS OF A DELEGATED COMMITTEE

The following out-of-pocket expenses are the responsibility of Councillors or members of delegated committees and cannot be the subject of a claim for funding or reimbursement:

- 2.1 The cost of any road, traffic, parking or public transport infringements or penalties incurred by Councillors or members of Delegated Committees, whether or not in the course of performing their role.
- 2.2 Any private travel, regardless of whether it is conjoined with approved interstate or overseas travel in the course of performing their role.
- 2.3 Other than by specific Council resolution, or in accordance with a Council policy, any legal expenses incurred by a Councillor or member of a delegated committee;
- 2.4 Expenses or other support for an attendance at political party events; or
- 2.5 Any other expenses that are not eligible expenses outlined in **Appendix 1**.

3. PROCESS FOR COUNCILLORS TO CLAIM AN EXPENSE REIMBURSEMENT

- 3.1 All claims must be made online using the approved expense reimbursement form available on the Councillor portal.
- 3.2 A Councillor must submit a properly completed form and declare the claim is in accordance with section 40 of the Act and this policy.
- 3.3 Original tax invoice receipts must be obtained and provided to the MCSU or attached electronically to the online claim for all relevant claims – credit card receipts will not be accepted.
- 3.4 Claims incurred in a financial year must be submitted to the City by 7 July annually. The City encourages claims to be submitted monthly.
- 3.5 The claim will be assessed for compliance with relevant policy by the MCSU team and:
 - 3.5.1 If the claim is approved, reimbursement will be made to the Councillor's nominated bank account by electronic funds transfer; or
 - 3.5.2 If the claim is denied, the Co-ordinator MCSU will advise the Councillor in writing of the reasons.

4. PROCESS FOR MEMBERS OF A DELEGATED COMMITTEE TO CLAIM AN EXPENSE REIMBURSEMENT

- 4.1 All expense claims for members of delegated committees must be requested through the relevant committee secretariat.
- 4.2 Committee secretariats must follow the City's internal process for reimbursement.
- 4.3 A member of a delegated committee must submit a properly completed form authorised for such use by the City, and declare the claim is in accordance with section 40 of the Act and this policy.
- 4.4 Original tax invoice receipts must be obtained and provided to the relevant committee secretariat or attached electronically to the online claim for all relevant claims – credit card receipts will not be accepted.
- 4.5 Claims incurred in a financial year must be submitted to the City by 7 July annually. The City encourages claims to be submitted monthly.
- 4.6 The claim will be assessed against this Policy by the committee secretariat.
- 4.7 If the claim is approved, reimbursement will be made to the member of the delegated committee's nominated bank account by electronic funds transfer.
- 4.8 If the claim is denied, the committee secretariat will advise the delegated committee member in writing of the reasons.

5. RESOURCES AND FACILITIES AVAILABLE TO COUNCILLORS

- 5.1 The resources and facilities available to the Mayor and the Councillors which are reasonably necessary to enable them to effectively perform their role are listed in **Appendix 2**.
- 5.2 If Councillors choose to purchase the equivalent of any resources or facilities made available to them as outlined in **Appendix 2**, Councillors will not be entitled to claim reimbursement for their own purchase of those same resources and facilities.

Implementation of this Policy

MONITORING AND REPORTING

The City will report details of all reimbursement to the Audit and Risk Committee in compliance with its obligations under section 40(2) at least quarterly.

The report will include:

- expenses incurred by Councillors and delegated committee members for the relevant quarter; and
- reimbursement claims submitted by Councillors and delegated committee members approved by the City for the relevant quarter.

Quarterly expense reports for Councillors will be published on the City's website.

Councillors and delegated committee members expenses will be published by the City in its Annual Report in accordance with section 98(2)(f).

ADVICE AND ASSISTANCE

The Responsible Officer for this policy manages the provision of advice to the organisation regarding this policy.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
Council Expense Policy	Director Governance, Strategy and Performance	Retention period – contact Document Management for assistance with the retention periods for different document types	Where will the record be stored – e.g. ReX location

REVIEW

The City will review this policy every four years, prior to Council elections, or as needed from time to time.

References

- 1 Councillor Code of Conduct
- 2 Gifts and Hospitality Policy
- 3 Child Safe Standards Management policy
- 4 *Carers Recognition Act 2012*
- 5 *Local Government Act 2020*
- 6 *Workplace Injury Rehabilitation and Compensation Act 2013*

Appendix 1: Eligible Out-of-Pocket Expenses

The following out-of-pocket expenses are eligible for reimbursement pursuant to the requirements of section 40(1)(a), (b) and (c) of the Act.

1. **Professional development – conferences, workshops and training programs** (Councillors only) – this includes the cost of registration or enrolment fees, travel expenses to attend those conferences, workshops and training programs and any other expenses reasonably associated with that attendance, subject to:
 - 1.1. approval by the CEO upon application by the Councillor through the MSCU, or, where the limit in paragraph 1.1.2 has been exceeded, by the Council at a Council meeting;
 - 1.2. the aggregate expenditure to attend such conferences, workshops and training programs does not exceed \$3,000 per annum. For the purposes of this limit, only the cost of registration or enrolment of the conference, workshop or training program is taken into account; and
 - 1.3. in the case where a Councillor wishes to attend a conference, workshop or training program held either interstate or overseas:
 - 1.3.1. the Councillor has submitted to the Council, for determination at a meeting of the Council, an application for approval accompanied by a suitable business case which sets out:
 - 1.3.1.1. the estimated cost, including all expenses reasonably related to the attendance; and
 - 1.3.1.2. the benefits to the Council, the City and the community of the attendance; and
 - 1.3.2. the Councillor undertakes to table a report at a Council meeting within two months of the attendance that includes:
 - 1.3.2.1. details of the learnings from the conference, workshop or training program and the benefits that the attendance will bring to the municipality; and
 - 1.3.2.2. a summary of the costs of the attendance (including all related expenses).
 - 1.4. From time to time, the CEO may extend opportunities to Councillors to attend professional development opportunities, funded in accordance with the City's working budget. Such opportunities shall not be counted towards a Councillor's \$3,000 annual expenditure limit.
2. **Professional development – Study Support** (Councillors only) – Councillors may be eligible for reimbursement of up to 50% of study fees provided those fees are to attain recognised formal qualifications from a recognised tertiary institution and are specifically related to the role of Councillor. Application is made to the CEO in the agreed form who will determine the Councillor's eligibility for reimbursement for study support and the degree of contribution that the City will make. A Councillor's access to study support will be capped at \$2,000 per annum.
3. **Councillor attendance at meetings, events or functions representing their community or the Council**
 - 3.1. Out-of-pocket expenses for Councillors' attendance at meetings, events or functions where they are representing their community or the Council will be reimbursed by the City:
 - 3.1.1. subject to paragraph 3.2, the aggregate expenditure to attend such meetings, events or functions does not exceed \$3,000 per annum; and
 - 3.1.2. provided that the primary purpose of attendance by a Councillor at the meeting, event or function must be:
 - 3.1.2.1. to officially represent the Council or to perform their role as Councillor; and
 - 3.1.2.2. in compliance with sections 40(1)(b) and (c) of the Act; and
 - 3.1.3. where hospitality is incidental to the attendance, event or function and not the primary purpose for the attendance. Council recognises that the role of Mayor carries the expectation that the incumbent will represent Council at events. Therefore, the \$3000 limit set out above does not

apply to attendances at any activities specific to the role of the Mayor, or any Councillor attending on behalf of the Mayor.

3.2 The aggregate expenditure limit in paragraph 3.1.1 does not apply:

3.2.1 to any activities that are specific to the role of Mayor, including to Councillors attending on behalf of the Mayor (the annual expenditure limit for the activities of the Mayor will be determined in accordance with annual budgets for activities related to the office of the Mayor); or

3.2.2 when attendance is required by a Councillor at Council meetings, events or functions within the municipality (this includes meetings, events and functions with federal government, state government, local government authorities and local government peak bodies).

4. Additional Mayoral expenses

4.1 The City will meet the out-of-pocket expenses of the Mayor (or Deputy Mayor) to attend charity fundraising events. The costs of attending by other Councillor's other than the Mayor (or Deputy Mayor) will be borne by the Councillor's themselves, unless that Councillor has also been invited in addition to the Mayor.

5. Accompanying person (councillors only)

5.1 Subject to paragraph 5.2, the City will meet reasonable expenses incurred for an accompanying person when accompanying a Councillor in the performance of the role of Councillor where the attendance is within Victoria. This includes the accompanying person of a Councillor who is invited to an event or function by the Mayor and/or CEO.

5.2 Reasonable out-of-pocket expenses in paragraph 5.1 are limited to the cost of entry or participation in the event. Costs associated with grooming, special clothing and transportation are not included.

6. Child care and dependent care

6.1 In accordance with sections 41(2)(c) and (d) of the Act, the City will reimburse costs to a Councillor or delegated committee member where:

6.1.2 the provision of child care is reasonably required; or

6.1.3 the provision of care for a dependent is reasonably required; and

6.1.4 it is reasonably required to perform their role.

6.2 The care must be provided by a recognised care provider as defined in the *Carers Recognition Act 2012*. Evidence to support the claim for reimbursement of this out-of-pocket expense must be provided detailing the date and time care was provided and the reason care was needed, for each occasion.

Care expenses that may be claimed include but is not limited to:

6.2.1 Child care centre fees;

6.2.2 Home care;

6.2.3 Hourly fees;

6.2.4 Agency booking fees; and

6.2.5 Reasonable travel expenses for transporting the care to the dependent or the dependent to the carer.

6.2.6 Child care centre fees;

6.3 Care related expenses will not be paid by the City or reimbursed to a Councillor or delegated committee member where the care provider:

6.3.1 resides either permanently or temporarily with the Councillor or delegated committee member; or;

6.3.2 has any financial or pecuniary interest with the Councillor or delegated committee member; or

6.3.3 has a familial or like relationship with the Councillor or delegated committee member or their partner.

7. Councillor welfare support

- 7.1 The CEO can approve any Councillor out-of-pocket expenses relating to any particular guidance or coaching that may be required to enhance that person's performance as a Councillor.
- 7.2 A Councillor experiencing difficulties with performing their role, or personal difficulties that may impact on their ability to perform their role, may access free and confidential counselling services through the City's Employee Assistance Program.

8. Travel, accommodation and meals

- 8.1 Eligible out-of-pocket travel expenses reasonably incurred in the performance of the role of Councillor or member of a delegated committee, includes public transport (train, bus, taxi, ride share), air travel and airport transfers, car parking fees, tolls, etc. When travelling interstate or overseas, the City will reimburse the equivalent of a discounted economy class fare unless otherwise determined as necessary or appropriate by Council.
- 8.2 Where overnight accommodation is necessary and reasonably incurred in the performance of the role of Councillor or member of a delegated committee, the amount covered will be limited to 4-star accommodation (or equivalent).
- 8.3 Where long distance travel necessitating an overnight stay is reasonably necessary for the Councillor or member of a delegated committee to perform their role, the City will pay a per diem rate of \$75.00 for meals.

9. Car mileage

Where a Councillor or member of a delegated committee claims the use of a private vehicle to undertake the performance of their role, mileage will be reimbursed at the rate specified by the Commissioner of Taxation from time to time.

10. Working with Children Check

The City will meet the costs of a Councillor or member of a delegated committee undertaking a Working With Children Check upon presentation of a relevant receipt.

11. Insurance

When performing their roles, Councillors and delegated committee members are covered by the following insurance policies:

- 10.1 Personal Accident Insurance;
- 10.2 Public Liability Insurance;
- 10.3 Professional Indemnity Insurance;
- 10.4 Councillors and Officers Liability Insurance; and
- 10.5 Travel Insurance;

The City will meet the insurance policy excess in respect of any claim made against a Councillor or delegated committee member arising from performing their role where any claim is accepted by the City's Insurers, whether defended or not. Insurance is not a reportable expense.

12. WorkCover (Councillors only)

When performing their roles, Councillors are covered by the City's WorkCover insurance policy in accordance with section 46(2)(f) of the Act. The City will meet the insurance policy excess in respect of any claim made by a Councillor arising from performing their role. WorkCover is not a reportable expense.

Appendix 2: Resources and Facilities Available to Councillors

DEFINITIONS

In this part the following definition is relevant:

Terms used in this Appendix 2	Meaning
Council Business	Duties performed by a Councillor as a necessary part of their role, including but not limited to: <ul style="list-style-type: none">• attendance at meetings of Council and its committees• attendance at meetings, briefing sessions, workshops, civic and ceremonial events, and functions convened by Council• attendance at conferences, workshops and training programs related to the role of Councillor, Mayor or Deputy Mayor• attendance at meetings, events or functions representing Council• duties in relation to constituents concerning Council business

1. RESOURCES AND SUPPORT

1.1 Administrative Support for the Mayor and Councillors

The MCSU team will provide administrative support to the Mayor and Councillors.

1.1.1 Office of the Mayor

As the leader of the Council, the Mayor has additional responsibilities over and above other Councillors.

The City will provide dedicated administrative support to the Mayor reasonably required to enable the Mayor to perform their role.

The City will pay for reasonable expenses incurred in discharging Mayoral responsibilities, in accordance with this Policy. An annual budget will be set and approved by Council for the reasonable expenses of the Mayor.

1.1.2 Mayor and Councillors

The City will provide administrative support to assist the Mayor and Councillors reasonably required to perform their role, including support to:

- Manage and responding to correspondence;
- Manage invitations to attend events and functions;
- Use the Councillor Portal;
- Respond to requests for information or service, in accordance with the relevant organisational standards, protocols and processes;
- Arrange travel and accommodation reservations in accordance with this Policy;
- Access training and development opportunities in accordance with the Council Expenses Policy; and
- Process claims for expense reimbursement in accordance with the Council Expenses Policy.

1.2 Councillor Portal

Access to information and administrative support will be streamlined by the provision of a dedicated Councillor Portal.

The Councillor Portal will provide information, services and support that will assist Councillors to perform their role. Councillor requests for service or information must be made through the Councillor Portal.

The MCSU will be responsible for the day-to-day management of the Councillor Portal and will support, inform and educate Councillors on using the Councillor Portal.

To support Council's commitment to environmental sustainability and our Clever and Creative Vision, Councillors will be provided with IT devices to support mobility and accessibility and to reduce the use of paper.

2. FACILITIES AND EQUIPMENT

Councillors will be provided with the following facilities and equipment to support Councillors to perform their role.

2.1 Councillor Workspace and Meeting Rooms

An appropriate workspace and meeting rooms will be provided for Councillors to perform their role and undertake Council Business.

2.2 Refreshments

Refreshments (excluding alcohol) will be provided in the Councillor workspace for the use of Councillors and their official guests.

Where Council meetings or briefings are conducted between 5pm and 7pm, or where the Mayor is carrying out Council Business between 12pm and 2pm, Councillors in attendance will be provided with a meal (excluding alcohol) prior to any such meeting or briefing.

All Council buildings and events are alcohol free, unless authorised by the CEO.

2.3 Devices, Equipment and Support

Councillors will be provided with the following devices, equipment and support, consistent with the City's standards and policies, for Council Business:

- A laptop computer, or equivalent;
- A mobile phone;
- Mobile internet access and supporting telecommunications to support continuous connectivity;
- Support and consumables for City supplied devices;
- Reasonable stationery;
- Business cards, issued in the current corporate branding of the City; and
- Name badge, issued in the current corporate branding of the City, for use while undertaking Council Business.

The following provisions apply:

- All accounts for City supplied devices will be established and remain on the City's corporate accounts;
- All equipment remains the property of the City and must be returned once a Councillor's term ends;
- Use of City supplied devices and equipment for non-Council Business is not permitted;
- City supplied devices and equipment may only be used by Councillors and Officers;
- ICT devices and equipment not provided by the City will not be supported by the City. Councillors; will be responsible for the purchase costs, consumables and support required for such devices;
- The City will not pay any ongoing service charges for any devices once a Councillor's term ends. The cost of removing any equipment installed at a Councillor's home will be borne by the City, unless otherwise agreed;
- Councillors will be provided with a copy of their telephone and data charges on a regular basis and:

- within 14 days of receiving this information, must identify and inform the MCSU of any costs incurred which do not relate to Council Business; and
 - repay to the City any costs identified as unrelated to Council Business within a further 14 days.
- A Councillor may request network access on each occasion when travelling internationally (international roaming) to enable them to perform their role; requests for international roaming will be approved by the CEO;
- Facilities and equipment, including consumables and replacements, provided by the City in accordance with this Policy are reportable expenses in accordance with the Act.

4. ADOPTION OF THE UPDATED AUDIT AND RISK COMMITTEE CHARTER

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. For Council to adopt the updated Audit and Risk Committee Charter.

Background

2. Section 53 of the Local Government Act 2020 (the Act) requires Council to establish an Audit and Risk Committee. Section 54 of the Act requires Council to adopt an Audit and Risk Committee Charter by 1 September 2020.
3. The Council established an Audit and Risk Committee in 2016 and an updated Charter (Attachment 2) has now been prepared to meet the requirements of the Act.

Key Matters

4. The Charter was presented to the Council's Audit and Risk Committee at its meeting on 19 August 2020. The Committee endorsed the Charter for adopted by Council.
5. The updated Charter includes all requirements of the Local Government Act 2020 and a summary of the new requirements is provided at **Attachment 3**
6. Important changes required by the Act include:
 - 6.1 The functions and responsibilities of the Committee include:
 - 6.1.1 Monitoring compliance with Council policies and procedures with the overarching governance principles and the Act;
 - 6.1.2 Monitoring financial performance and reporting;
 - 6.1.3 Monitor and provide advice on risk management and fraud prevention systems and controls; and
 - 6.1.4 Oversee internal and external audit functions.
 - 6.2 Improved reporting to the Council from the Committee, including biannual reports on the Committees activities; and
 - 6.3 Mandates an annual assessment of Committee performance.

Cr Aitken moved, Cr Mason seconded -

7. That Council:

- 7.1 **On the recommendation from the Audit and Risk Committee, adopt the updated Audit and Risk Committee Charter; and**
- 7.2 **Revoke the previous Audit and Risk Committee Charter.**

Carried.

Attachment 1

Financial Implications

1. There are no financial implications associated with the contents of this report.

Community Engagement

2. No community engagement was undertaken in updating the Audit and Risk Committee Charter and is not required by the Act.
3. The Charter was presented to, considered by and endorsed by the Council's Audit and Risk committee Charter.

Social Equity Considerations

4. The Audit and Risk Committee Charter requires the Committee to monitor compliance with Council policies and procedures with the overarching governance principles and the Act which requires... *the social ... sustainability of the municipal district* and to ensure that *priority is to be given to achieving the best outcomes for the municipal community, including future generations.*

Policy/Legal/Statutory Implications

5. The Audit and Risk Committee Charter has been developed in accordance with and reflect the requirements of section 58 of the Act.

Alignment to Council Plan

6. This report aligns to Council Plan's strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

7. No Council officer had a direct or indirect interest in the contents of this report.

Risk Assessment

8. Council must adopt the Audit and Risk Committee Charter by 1 September 2020 to ensure compliance with the Act.
9. A fundamental function of the Committee is to oversee and monitor the City's risk management policies, procedures and practices.

Environmental Implications

10. There are no direct environmental implications associated with the contents of this report.

THE CITY OF
GREATER GEELONG

AUDIT AND RISK COMMITTEE CHARTER

VERSION: 2

Approval Date: DRAFT

Approved by: COUNCIL

Review Date: NOV 2022

Responsible Officer: MANAGER INTEGRITY AND RISK

Authorising Officer: DIRECTOR GOVERNANCE STRATEGY
AND PERFORMANCE

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Introduction

BACKGROUND

The Committee's previous Charter was reviewed and approved by Council on 20 November 2019. This Charter has been developed in accordance with the Section 54(7) of the *Local Government Act (Vic) 2020* (the Act), which states: *A Council must approve the first Audit and Risk Committee Charter and establish the first Audit and Risk Committee on or before 1 September 2020.*

PURPOSE

The City of Greater Geelong (Council) has established an Audit & Risk Committee (Committee) pursuant to section 53(1) of the Act.

The purpose of the Committee is to provide a structured, systematic oversight of Council's governance, assurance, risk management and internal control practices to assist Council to discharge its obligations in relation to these matters. This oversight mechanism also serves to provide confidence in the integrity of these practices, the Council and the City.

COMMITTEE'S RESPONSIBILITIES

The Committee is responsible for¹:

- Monitoring compliance of Council policies and procedures with:
 - The overarching governance principles set out in section 9 of the Act; and
 - The Act and the regulations and any Ministerial Directions;
- Monitoring Council financial and performance reporting;
- Monitoring and providing advice on risk management and fraud prevention systems and controls; and
- Oversight of the internal and external auditor functions.

¹ Section 54(2) LGA 2020
D19-646472

Definitions

This section defines the key terms used in this Charter.

ACT

The *Local Government Act (Vic) 2020*

CITY

The City of Greater Geelong organisation, led by the Chief Executive Officer.

COMMITTEE

The Audit and Risk Committee established pursuant to section 53(1) of the Act.

COUNCIL

The City of Greater Geelong Council comprised of elected Councillors and led by the Mayor.

DELEGATED COMMITTEE

Means a committee established by Council pursuant to section 63 of the Act.

The Charter

1. AUTHORITY

The Committee is directly responsible to the Council for its performance in discharging its responsibilities as set out in this Charter.

The Committee has no delegated authority from Council² unless specifically provided by Council from time to time. Any delegated authority shall be temporary and may only relate to specific matters as directed by Council.

The Committee has no executive authority to implement actions in areas over which management has responsibility and has no delegated financial responsibilities.

The Committee has no management functions and is independent of management.

2. SUPPORT

The Committee will have access to appropriate management support to enable it to discharge its responsibilities effectively, including³:

- 2.1 Appropriate support for development of meeting agendas and papers, minute taking during meetings and follow up actions arising from meetings;
- 2.2 The provision of any information that it deems necessary including records, data and reports;
- 2.3 Attendance of management and other relevant employees at meetings as appropriate; and
- 2.4 Access to independent experts where it considers that necessary to execute its duties, subject to prior agreement with the Chief Executive Officer.

3. OBJECTIVE

The Committee's objective is to oversee the matters detailed in clause 4 below as well as:

- 3.1 The integrity of external reporting, including both periodic management financial reports and external financial reports;
- 3.2 The scopes of work, objectivity, performance and independence of the external and internal auditors;
- 3.3 The maintenance of effective systems and controls to safeguard Council's financial and physical resources;
- 3.4 The maintenance of policies, systems and procedures designed to ensure that Council complies with relevant statutory and regulatory requirements and best practice guidelines; and

² Section 53(2) LGA 2020

³ Section 54(2) LGA 2020
D19-646472

- 3.5 The maintenance of frameworks, strategies and systems that enable effective recognition of material risks arising from Council's strategies and operations and actions taken to manage those risks.

In carrying out its work, the Committee must promote the City's values and appropriate ethical and governance standards and practices.

4. OVERSIGHT

The Committee will provide oversight of a number of governance and operational functions as detailed below.

4.1 Financial Reporting

The Committee will:

- 4.1.1 Review significant accounting and external reporting issues, including complex or unusual transactions and highly judgemental areas, changes to accounting policies, recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the annual financial report;
- 4.1.2 Review the annual financial report and performance statement and consider whether they are complete, consistent with information known to Committee members and reflects appropriate accounting treatments;
- 4.1.3 Review with management and the external auditors the results of the audit, including any difficulties encountered by the auditors;
- 4.1.4 Recommend the adoption of the annual financial report and performance statement to Council; and
- 4.1.5 Review the appropriateness of the framework and content of periodic management financial reporting to Council.

4.2 Risk Management and Business Continuity

The Committee will:

- 4.2.1 Review the risk management framework, strategy and action plan biannually;
- 4.2.2 Review the business continuity frameworks of the City annually;
- 4.2.3 Review management's assessment of the risk profile of the City;
- 4.2.4 Review management's programme of business risks assessment to ensure that key risks for both strategic and operational areas are identified and managed effectively to mitigate exposures of the City;
- 4.2.5 Review the insurance programme annually prior to renewal; and
- 4.2.6 Oversees management process and systems in relation to cyber security, including strategy, assets protection, testing and recovery.

4.3 Systems and controls to safeguard the City's resources

The Committee will:

- 4.3.1 Review the adequacy and effectiveness of systems and controls for providing a sound internal control framework;

- 4.3.2 Consider management processes for identification of the need to revise systems and controls;
- 4.3.3 Determine whether systems and controls are reviewed regularly and updated where required;
- 4.3.4 Ensure that a programme is in place to sample test, at least annually, compliance with systems and controls;
- 4.3.5 Review policies and procedures in place for the setting and management of delegations of authority annually;
- 4.3.6 Keep informed of any actual or suspected instances of fraud or corruption within the City;
- 4.3.7 Review the Chief Executive Officer's expense reports; and
- 4.3.8 Review the expense reports for Councillors and all members of Delegated Committees in accordance with the Act⁴.
- 4.3.9

4.4 External Audit

The Committee will:

- 4.4.1 Annually review the audit scope and approach proposed by the external auditor, including the extent of reliance on internal audit activity;
- 4.4.2 Discuss with the external auditor any audit issues encountered in the normal course of audit work, including any restriction on scope or access to information;
- 4.4.3 Ensure that significant findings and recommendations made by the external auditor, and management's responses to them, are appropriate and acted upon in a timely manner;
- 4.4.4 Consider the findings and results of any relevant performance audits undertaken by the external auditor and monitor implementation of recommendations by Council; and
- 4.4.5 Meet with the external auditor at least annually in the absence of management.

4.5 Internal Audit

The Committee will:

- 4.5.1 Review with management the Internal Audit Charter, activities, resourcing and organisational structure supporting the internal audit function;
- 4.5.2 Review the provision of internal audit services and the performance of the Internal Auditor annually;
- 4.5.3 Review and recommend to the Council for approval the three-year rolling strategic internal audit plan, the annual internal audit plan and any major changes to them, ensuring the proposed strategic internal audit plan appropriately considers the City's strategic risks;

- 4.5.4 Review and approve proposed scopes for each review in the annual internal audit plan;
- 4.5.5 Review all reports and provide advice to Council on significant issues identified in audit reports and action being taken on issues raised, including identification and dissemination of good practice;
- 4.5.6 Monitor action by management on significant internal audit findings and recommendations;
- 4.5.7 Meet with the Internal Auditor at least twice per year in the absence of management;
- 4.5.8 Review the effectiveness of the internal audit function and ensure that it has appropriate authority within the business and no unjustified limitations on its work;
- 4.5.9 Monitor processes and practices to ensure that the independence of the internal audit function is maintained; and
- 4.5.10 Be consulted during any procurement process for internal audit services.

4.6 Compliance Management

The Committee will:

- 4.6.1 Review the systems and processes implemented by management for monitoring compliance with legislation and regulations and the results of management's follow up of any instances of non-compliance; and
- 4.6.2 Keep informed of the findings of any examinations by regulatory or integrity agencies (whether related to investigations at Council or other agencies) and monitor management's response to the findings.

4.7 Other Matters Referred by Council

The Committee will undertake any other activities as requested by the Council from time to time.

4.8 Work Plan

A work plan will be established to ensure that the responsibilities of the Committee are carried out, including oversight of the functions in this section.⁵

The work plan will be reviewed and approved at least annually by the Committee.

5. COMMITTEE MEMBERSHIP

Committee Members and Tenure

- 5.1 The Committee will be comprised of five voting members, being three independent members, and two Councillor members being the Mayor and one Councillor⁶.
- 5.2 Committee members will be appointed by the Council and:
 - 5.2.1 Councillor Committee members will be appointed annually by Council; and
 - 5.2.2 Independent members will be appointed for a period of up to three years.

⁵ Section 54(4) LGA 2020

⁶ Section 53(3- LGA 2020
D19-646472

- 5.3 Independent members may serve a maximum of two consecutive three- year terms. Independent members seeking reappointment for a second term must express their interest in doing so to the Chief Executive Officer no later than 4 months before the end of their current term.

Chairperson

- 5.4 The Chairperson will be an independent member⁷ and will be elected by the Committee annually.

Skills, Experience and Knowledge of Committee Members

- 5.5 Committee Members should collectively possess sufficient knowledge of audit, risk, IT, law, governance, finance and performance reporting, control environments and assurance processes as well as specific industry knowledge.
- 5.6 Independent members must collectively have experience in:
- 5.6.1 public sector management⁸; and
 - 5.6.2 financial management and risk.

Recruitment of Independent Members

- 5.7 Independent members will be appointed by a public expression of interest process run by the City. The interview panel for the recruitment of independent members shall include one current Committee member.

Remuneration of Independent Members

- 5.8 Remuneration will be paid to independent members⁹. Fees will be based on a fee per meeting, set by the Chief Executive Officer, which will be indexed by 2% each 1 July.

City Employees Ineligible for Membership

- 5.9 City employees are not eligible to be members of the Committee¹⁰.

Termination of Membership

- 5.10 A Committee member who does not comply with their obligations under the Act may have their membership terminated.

6. MEETINGS

Meeting Frequency

- 6.1 The Committee should meet as required but will hold at least four scheduled meetings per annum plus a meeting to consider the annual financial accounts.
- 6.2 A schedule of meetings will be determined on an annual basis.
- 6.3 With the approval of the Committee Chairperson, the Committee may meet at other times at the request of any Committee member, the Mayor, Council or the external or internal auditors.

⁷ Section 53(4) LGA 2020

⁸ Section 53(3)(i) LGA 2020

⁹ Section 53(6) LGA 2020

¹⁰ Section 53(3)(c) LGA 2020

- 6.4 The Committee may hold a meeting by correspondence to consider matters between scheduled meetings. The meeting will be conducted by circulating resolution. The report outlining the matter and a request to vote on the item will be sent by email.

Meeting Attendance

- 6.5 A quorum of the Committee will be three Committee members consisting at least of two independent members and at least one Councillor.
- 6.6 All members are expected to attend meetings. Members who are unable to attend a meeting they must notify the Chairperson as early as possible.
- 6.7 The Chairperson must notify the Chief Executive Officer if they are unable to attend the meeting. If the Chairperson is unable to attend a meeting, the Committee shall appoint an acting Chairperson for the meeting at which the Chairperson is absent.
- 6.8 If a Councillor member is unable to attend a Committee meeting, any Councillor may attend the Committee meeting as an authorised delegate for the Councillor member who is unable to attend.
- 6.9 Any Councillor may attend as an observer.
- 6.10 The Committee may invite any person to attend meetings.
- 6.11 The Chief Executive Officer and the Director Governance Strategy & Performance are required to attend meetings.
- 6.12 City officers who have prepared reports for the Committee, and their Director, will be required to attend the meeting to present their report at the allocated time.
- 6.13 Attendance at a meeting may be in person, via teleconference or video conference.
- 6.14 All Committee members are expected prepare adequately to participate in meetings.

Meeting Administration

- 6.15 The meeting agenda will be set by the City in consultation with the Committee Chairperson.
- 6.16 Meeting agendas and papers should be available to Committee members at least one week prior to meetings.
- 6.17 The Chief Executive Officer will be responsible for preparation and maintenance of agendas, minutes and reports of the Committee¹¹.

7. MINUTES & REPORTING

- 7.1 Minutes of each meeting will be provided to the Chairperson within 7 days of each meeting, and following the Chairperson's approval:
- 7.1.1 Shall be circulated to all Committee members; and
- 7.1.2 Be reported to the Council and the next Council meeting under a confidential report.
- 7.2 The Committee must prepare a biannual audit and risk report that describes the activities of the Committee and includes its findings and recommendations¹² and provide a copy of

¹¹ Section 54(6)(a) LGA 2020

¹² Section 54(5)(a) LGA 2020

the biannual report to the Chief Executive Officer, who must table the report at the next Council meeting¹³.

- 7.3 The Chief Executive Officer must table a copy of the Committee's annual performance assessment at the next Council meeting¹⁴.
- 7.4 Before the Annual Report is approved each year, the Committee shall report in writing to the Council on its activities for the year.
- 7.5 The Chairperson will attend meetings and/or briefings as required by the Council to brief Councillors on the Committee's activities.

8. INDUCTION AND TRAINING

- 8.1 Council will provide newly appointed members with appropriate induction information to assist them in gaining an understanding of the business.
- 8.2 The Chief Executive Officer will provide opportunities for ongoing development of independent members which may include the opportunity to attend relevant Council briefing sessions, site visits, industry conferences, regulatory briefings and other organisational briefings or updates.

9. PERFORMANCE EVALUATION

The Committee shall undertake an annual assessment of its performance against the charter and report the results to the Chief Executive Officer¹⁵.

10. CONFLICTS OF INTEREST AND REGISTER OF INTERESTS

Members of the Committee must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper management of any conflicts of interest as and when they may arise.

Members of the Committee must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in Division 1A of the Act.

Members of the Committee are required to comply with sections 123 (misuse of position), 125 (confidential information) and Division 2 of Part 6 (conflict of interest) of the Act¹⁶, which includes, among other things, the following requirements:

Conflict of Interest

Committee members must disclose any conflicts of interest to the Chairperson. Where the conflict is related to the Chairperson, it must be disclosed to the Mayor.

Once a conflict of interest is identified the member of the Committee must:

- 10.1 Disclose the conflict of interest immediately before the matter is considered in the meeting, including the:
 - 10.1.1 Type of interest and class; and
 - 10.1.2 The nature of the interest.

¹³ Section 54(5)(b) LGA 2020

¹⁴ Section 54(4)(b) LGA 2020

¹⁵ Section 54(4)(a) LGA 2020

¹⁶ Section 53(5) LGA 2020

- 10.2 Notify the Chairperson that they are leaving the meeting;
- 10.3 Leave the room and vicinity while the matter is being considered and await the Chairperson's direction to return; and
- 10.4 Notify the Chairperson prior to the meeting if they are not going to be present at the meeting.

If details are private in nature then the nature of the interest can be declared to the Chairperson in writing prior to the meeting and the disclosure will simply be the type of interest and class.

Disclosure of conflicts of interest must be recorded in the minutes.

Independent members will be required to sign an Initial Persons Interest Form upon commencement of their term, and a Biannual Personal Interests Return as required under the Act.

Misuse of Position

Audit Committee Members must not intentionally misuse their position to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person, or cause, or attempt to cause, determinant to council or another person.

Confidential Information

Audit Committee Members must not intentionally or recklessly disclose information that they know, or should reasonably know, is confidential information.

Independent members will be required to sign a Confidentiality Agreement upon commencement of their term.

Failure to comply with the provisions of the Act regarding conflicts of interest may result in prosecution for breach of the Act and the member's appointment being terminated by Council.

Implementation of this Charter

MONITORING AND REPORTING

The Manager Integrity and Risk is responsible for monitoring and reporting against this Charter.

ADVICE AND ASSISTANCE

The Manager Integrity and Risk manages the provision of advice to the organisation regarding this Charter.

A person who is uncertain how to comply with this Charter should seek advice from this person.

RECORDS

The City must retain records associated with this policy and its implementation for at least the period shown below.

Record	Retention / Disposal Authority	Retention Period	Location
Agendas	Director, Governance Strategy and Performance	Permanent	REX
Minutes	Director, Governance Strategy and Performance	Permanent	REX
Correspondence	Director, Governance Strategy and Performance	7 years	REX
Letters of Appointment	Director, Governance Strategy and Performance	Permanent	REX

REVIEW

The Committee shall review and assess the adequacy of the Charter every two years or earlier if necessary and submit requests for revisions and improvements to the Council for approval.

References

- *Local Government Act (Vic) 2020*
- Internal Audit Charter
- Internal Audit Policy
- Risk Management Policy
- Risk Management Strategy and Action Plan
- Fraud and Corruption Control Framework

AUDIT & RISK COMMITTEE CHARTER

Check list

Proclamation date	Part	Division	Section	Sub-section	Title	In new ARC Charter?	Compliance Date	Section(s) of Charter it is featured & page number
01-May-20	Part 2—Councils	Division 8 - Audit and Risk Committee	53		Council must establish an Audit and Risk Committee		01-Sep-20	
			53	1	A Council must establish an Audit and Risk Committee	Yes		Introduction / Purpose (p3) Definitions / Committee (p4)
			53	2	An Audit and Risk Committee is not a delegated committee	Yes		The Charter / Authority (p5)
			53	3(a)	An Audit and Risk Committee must include members who are Councillors of the Council	Yes		The Charter / Committee Membership - s5.1 (p8)
			53	3(b)(i)	An Audit and Risk Committee must consist of a majority of members who are not Councillors of the Council and who collectively have expertise in financial management and risk	Yes		The Charter / Committee Membership - s5.2 (p8), s5.5 & s5.6 (p9)
			53	3(b)(ii)	An Audit and Risk Committee must consist of a majority of members who are not Councillors of the Council and who collectively have expertise in public sector management	Yes		The Charter / Committee Membership - s5.2 (p8), s5.5 & s5.6 (p9)
			53	3(c)	An Audit and Risk Committee must not include any person who is a member of Council staff of the Council	Yes		The Charter / Committee Membership - s5.9 (p9)
			53	4	The chairperson of an Audit and Risk Committee must not be a Councillor of a Council	Yes		The Charter / Committee Membership - s5.4 (p9)
			53	5	Sections 123 and 125 and Division 2 of Part 6 apply to a member of the Audit and Risk Committee who is not a Councillor as if the member were a member of a delegated committee	Yes		The Charter / Conflicts of Interest & Register of Interests - s10 (p11)
			53	6	A Council may pay a fee to a member of an Audit and Risk Committee who is not a Councillor of the Council	Yes		The Charter / Committee Membership - s5.8 (p9)

AUDIT & RISK COMMITTEE CHARTER

Check list

Proclamation date	Part	Division	Section	Sub-section	Title	In new ARC Charter?	Compliance Date	Section(s) of Charter it is featured & page number
01-May-20	Part 2—Councils	Division 8 - Audit and Risk Committee	54		Audit and Risk Committee Charter		01-Sep-20	
			54	1	A Council must prepare and approve an Audit and Risk Committee Charter	Yes		Introduction / Background (p3)
			54	2(a)(i)	The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee including the following-monitor the compliance of Council policies and procedures with-the overarching governance principles	Yes		Introduction / Committee's Responsibilities (p3) The Charter / Objective - 3.4 (p5)
			54	2(a)(ii)	The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee including the following-monitor the compliance of Council policies and procedures with-this Act and the regulations and any Ministerial directions	Yes		Introduction / Committee's Responsibilities (p3)
			54	2(b)	The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee including the following-monitor Council financial performance reporting	Yes		Introduction / Committee's Responsibilities (p3) The Charter / Objective - s3.1 & s3.3 (p5) The Charter / Oversight - 4.1 (p6)
			54	2(c)	The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee including the following-monitor and provide advice on risk management and fraud prevention systems and controls	Yes		Introduction / Committee's Responsibilities (p3) The Charter / Support - s3.3 (p5) The Charter / Oversight - s4.2 (p6) & s4.3 (p7)
			54	2(d)	The Audit and Risk Committee Charter must specify the functions and responsibilities of the Audit and Risk Committee including the following-oversee internal and external audit functions	Yes		Introduction / Committee's Responsibilities (p3) The Charter / Oversight - s4.4 (p7) & s4.5 (p7-8)
			54	3	An Audit and Risk Committee must adopt an annual work program	Yes		The Charter / Oversight - s4.8 (p8)

AUDIT & RISK COMMITTEE CHARTER

Check list

Proclamation date	Part	Division	Section	Sub-section	Title	In new ARC Charter?	Compliance Date	Section(s) of Charter it is featured & page number
			54	4(a)	An Audit and Risk Committee must-undertake an annual assessment of its performance against the Audit and Risk Committee Charter	Yes		The Charter / Oversight - s4.8 (p8) The Charter / Performance Evaluation - s9 (p11)
			54	4(b)	An Audit and Risk Committee must-provide a copy of the annual assessment to the Chief Executive Officer for tabling at the next Council meeting	Yes		The Charter / Minutes & Reporting - s7.3 (p11)
			54	5(a)	An Audit and Risk Committee must-prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations	Yes		The Charter / Minutes & Reporting - s7.2 (p10)
			54	5(b)	An Audit and Risk Committee must-provide a copy of the biannual audit and risk report to the Chief Executive Officer for tabling at the next Council meeting	Yes		The Charter / Minutes & Reporting - s7.2 (p10-11)
			54	6(a)	The Chief Executive Officer must—ensure the preparation and maintenance of agendas, minutes and reports of the Audit and Risk Committee	Yes		The Charter / Meetings - s6.17 (p10)
			54	6(b)	The Chief Executive Officer must-table reports and annual assessments of the Audit and Risk Committee at Council meetings when required by this Act and when requested by the chairperson of the Audit and Risk Committee	Yes		The Charter / Minutes & Reporting - s7.2 (p10); s7.3 (p11); s7.4 (p11)
			54	7	A Council must approve the first Audit and Risk Committee Charter and establish the first Audit and Risk Committee on or before 1 September 2020.	Yes		Introduction / Background (p3)
			54	8	Despite the repeal of section 139 of the Local Government Act 1989, the audit committee established by a Council under that section in existence before that repeal continues in operation until the first Audit and Risk Committee is established by the Council under section 53.	Yes	30-Sep-20	Must be established / endorsed by Council by 1 September 2020 to comply

AUDIT & RISK COMMITTEE CHARTER

Check list

Proclamation date	Part	Division	Section	Sub-section	Title	In new ARC Charter?	Compliance Date	Section(s) of Charter it is featured & page number

5. GEELONG MAJOR EVENTS DELEGATED COMMITTEE

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To establish the Geelong Major Events Delegated Committee (**Delegated Committee**) as a Delegated Committee in accordance with Section 63 of the *Local Government Act 2020* (the Act) and delegate powers to the Committee in accordance with the Instrument of Delegation (**Attachment 3**).

Background

2. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to the members of a delegated committee.
3. The new powers to create delegations under the Act commenced 1 May 2020, however existing delegations made under the *Local Government Act 1989* remain in force until 1 September 2020.
4. The Geelong Major Events Committee was previously established as a Special Committee in accordance with section 86 of the *Local Government Act 1989*.

Key Matters

5. The terms of reference (**Attachment 2**) for the Geelong Major Events Delegated Committee have been updated to ensure compliance with section 63 of the Act, including:
 - 5.1 Appointment of at least two Councillors as members;
 - 5.2 Appointment of a Councillor as chair; and
 - 5.3 Meetings to be conducted in accordance with the Governance Rules.
6. The Instrument of Delegation (**Attachment 3**) has been updated to reflect the new requirements of the Act.

Cr Harwood moved, Cr Nelson seconded -

7. That Council:

- 7.1 Establish the Geelong Major Events Delegated Committee (Committee) in accordance with Section 63 of the Act.**
- 7.2 Approve the Terms of Reference for the Committee (Attachment 2).**
- 7.3 Appoint the members of the Delegated Committee as follows:**
 - 7.3.1. Cr Murrphy, Cr Sullivan, Cr Nelson and Cr Harwood; and**
 - 7.3.2. External members as listed in Attachment 4.**
- 7.4 Appoint Cr Murrphy as the Chairperson of the Committee.**
- 7.5 Delegate to the members of the Committee the powers duties and functions set out in the attached Instrument of Delegation (Attachment 3), which:**
 - 7.5.1 comes into force immediately upon the date of this resolution; and**
 - 7.5.2 remains in force until Council determines to vary or revoke it.**
- 7.6 Notes that the powers, duties and functions conferred on the Committee by the Instrument of Delegation must be exercised in accordance with any guidelines or polices Council may from time to time adopt.**
- 7.7 Authorise the Chief Executive Officer to sign the instrument of Delegation on behalf of Council.**
- 7.8 Revoke the previous Terms of Reference and Instrument of Delegation for the Committee issued under the Local Government Act 1989.**

Carried.

Attachment 1

Financial Implications

1. The Instrument of Delegation sets out the limits of financial decision making to be made by the Committee.

Community Engagement

2. There are no proposed changes to the delegations that effect existing community engagement practices.
3. Updated Terms of Reference have been prepared in consultation with the special Committee's secretariat.

Social Equity Considerations

4. There are no social considerations relative to this report.

Policy/Legal/Statutory Implications

5. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to the members of a delegated committee.
6. Council must establish the Geelong Major Events Delegated Committee and adopt the Instrument of Delegation by 1 September 2020 when the provisions of section 86 of the *Local Government Act 1989* expire.

Alignment to Council Plan

7. This report aligns to Council Plan strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

8. No officer in the preparation of this report has a direct or indirect interest.

Risk Assessment

9. Establishing the Geelong Major Events Delegated Committee and updating the Terms of Reference and Instrument of Delegation minimises the likelihood of the Delegated Committee acting outside their powers and exposing Council to unacceptable risk.

Environmental Implications

10. There are no environmental implications relative to this report.

ATHE CITY OF
GREATER GEELONG

GEELONG MAJOR EVENTS DELEGATED COMMITTEE

TERMS OF REFERENCE

VERSION: 01

Approval Date	1 September 2020
Approved by	Council
Review Date	24 October 2021
Responsible Officer	Director, Economy, Investment and Attraction
Authorising Officer	Chief Executive Officer

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1. BACKGROUND

- 1.1 By this Terms of Reference document, the Greater Geelong City Council (Council) establishes the Geelong Major Events (GME) Delegated Committee (Committee) pursuant to section 63 of the Local Government Act 2020 (LGA).
- 1.2 The Committee has the powers, duties and functions of Council as set out in these Terms of Reference and its Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3 These Terms of Reference are authorised by a resolution of Council passed on 1 September 2020

2. DEFINITIONS

Event:

An occasion where people gather with a common purpose that aims to enhance community life through participation of residents, measurable economic benefits, and potential to market Geelong outside the municipality. Within the context of the operation of the Geelong Major Events Committee an event shall include Geelong signature events, hallmark major events and major events. Events outside the scope of GME are community events. As provided by Appendix 1.

The Act:

Local Government Act 2020.

3. PURPOSE

The Committee is established for the purpose of:

- 3.1 Coordinating matters related to the attraction, support and funding of events, on behalf of the Greater Geelong City Council.

4. OBJECTIVES

The objectives of the Committee are:

- 4.1 GME will strive to stimulate and encourage events that offer the best opportunity to provide measurable economic benefits, potential to market Geelong outside the municipality and enhance local community life through participation of residents.
- 4.2 GME will support the development and sustainability of events while focusing its activities on a clearly defined strategic program.
- 4.3 GME will establish and maintain strong links with the private sector, government and our communities to achieve high levels of stakeholder investment and engagement required to realise the potential of the events sector in Geelong.
- 4.4 Specific actions to the achievement of the objectives include:
 - 4.4.1 A Geelong Major Events Strategy and Annual Business Plan in accordance with the terms of reference;
 - 4.4.2 Maintenance of a funding submissions and evaluation process;
 - 4.4.3 The development and attraction of new events;
 - 4.4.4 The continuous improvement of current events;
 - 4.4.5 Facilitation of state and federal government and private sector funding wherever possible;
 - 4.4.6 Recommendations to Council regarding event infrastructure needs; and

- 4.4.7 Allocation of funds from the budget or make recommendations to the Chief Executive Officer or Council for funding of proposals that have satisfied the criteria and are in accord with the strategy.
- 4.5 In accordance with Council's Policy for the Community Investment Support Fund (CISF) and the GME Guidelines, GME shall not fund the following activities:
 - 4.5.1 Capital or infrastructure works;
 - 4.5.2 Events of a charitable nature – GME does not provide donations;
 - 4.5.3 Religious, political or racial events;
 - 4.5.4 Events that are not open to the general public; or
 - 4.5.5 Events not held in the Municipality.

5. ROLES AND RESPONSIBILITY

The role of the Committee is:

- 5.1 To exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation, for matters related to events.

6. DELEGATION OF POWERS, DUTIES AND FUNCTIONS

- 6.1 In order to fulfil and carry out its purposes and objectives Council has delegated to the Committee, pursuant to section 63 of the LGA, the powers, duties and functions set out in the Instrument of Delegation made by Council on 1 September 2020 and attached to these Terms of Reference.
- 6.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that council may from time to time adopt.

7. MEMBERSHIP

- 7.1 The Committee will consist of:
 - 7.1.1 Up to six (6) external representatives of the business/media/arts or events community;
 - 7.1.2 Up to four Councillors of Council (which includes the Chair);
 - 7.1.3 The Executive Director of Tourism Greater Geelong and the Bellarine; and
 - 7.1.4 The Chief Executive Officer (or a CEO Proxy).as appointed by Council from time to time.
- 7.2 Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 7.3 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 7.4 Each external representative shall be appointed for a term of up to four years, following the public advertising of calling for expressions of interest every two years.

8. MEETINGS

- 8.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 8.1.1 Council's Governance Rules;
 - 8.1.2 Part 3, Division 2 of the LGA; and
 - 8.1.3 The Committee's discretion, as exercised from time to time.
- 8.2 The Committee will meet monthly, as agreed by the Committee from time to time.
- 8.3 A quorum of the Committee will be half of the members plus one.
- 8.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 8.5 Sub committees may be appointed by the Committee and meet between general meetings and as authorised by the full Committee. Sub committees do not have any delegated powers.
- 8.6 All members of the Committee shall be notified in writing not less than 48 hours before the meeting of the time, place and purpose of each meeting provided that where urgent circumstances exist, the Executive Officer may at the instruction of the Chair convene a meeting within a lesser timeframe following contact with members and circulation of any issues to be considered at the meeting.

9. FINANCIAL RECORDS

- 9.1 The Committee's financial records will form part of the accounts of Council and therefore be subject to audit to the Municipal Auditor.

10. REPORTING

- 10.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
- 10.1.1 Council's Governance Rules;
 - 10.1.2 Part 3, Division 2 of the LGA; and
 - 10.1.3 The Committee's discretion, as exercised from time to time.
- 10.2 Minutes of Committee meetings will be published on Council's website and must be forwarded to Council's Governance Services as soon as practicable after adoption by the Committee.
- 10.3 The Committee must prepare and present to Council a report of its activities and financial position upon being required to do so by Council and, in any event, at least once per year.

11. FACILITIES AND RESOURCES

- 11.1 An Executive Officer shall provide secretariat support to the Committee.
- 11.2 An Executive Officer as deemed appropriate by the Chief Executive Officer shall be appointed to support GME in the achievement of its objectives.
- 11.3 Adequate resources shall be provided to ensure the effective operation of the GME Committee.

12. CREATION AND DISSOLUTION

- 12.1 By these Terms of Reference, the:
- 12.1.1 Committee is established; and
 - 12.1.2 Powers, duties and functions of the Committee, as set out in the Instrument of Delegation, are delegated.

12.2 These Terms of Reference and the Instrument of Delegation:

12.2.1 Come into force immediately upon the resolution of Council; and

12.2.2 Remain in force until Council determines to vary or revoke both or either of them.

12.3 The Committee must be dissolved by a resolution of Council.

Appendix 1: GME Event Matrix & GME Funding Criteria

The GME Event Matrix is a framework for identifying and classifying events that fall within the scope of GME.

Table 1

MATRIX OF GEELONG MAJOR EVENTS			
GME CATEGORIES:	GEELONG SIGNATURE EVENT	HALLMARK MAJOR EVENT	MAJOR EVENT
ELIGIBLE FOR FUNDING TYPE:	SPONSORSHIP	SPONSORSHIP	SPONSORSHIP
FUNDING TERMS:	NO LIMIT	NO LIMIT	NO LIMIT

What GME will not fund:

GME will not provide funding to Community Events (refer below for definition).

GME will not provide funding to organisations which do not have an Australian Business Number (ABN). GME can only provide funding to legal entities, such as Incorporated Associations and Companies.

GME will not fund:

- Capital or infrastructure works
- Events (primarily) of a charitable nature – GME does not provide donations
- Religious, political or racial events
- Events that are not open to the general public
- Events not held in the municipality

Events outside the scope of GME, including community events, may be eligible for financial support through Council's Community Investment & Support Fund.

Table 2

COMMUNITY EVENTS
<ul style="list-style-type: none"> • May be an event that celebrates an aspect of community life in Geelong. • May be an event that features a singular cultural or sporting activity. • May be an event that showcases a strategic local industry sector. • May be a new event which aspires to develop into a Major Event. • May be a Special one-off Event – which requires a moderate hosting fee or seed funding for up to 3 years. • May not attract participants or spectators from outside the Region. • Limited likelihood of media exposure outside Geelong. • Generally seeking sponsorship under \$20,000 per event

The GME Funding Criteria is a framework to assess whether an event is eligible for funding from Geelong Major Events by allocating it to a GME Event Category.

Table 3

GME EVENT CATEGORIES	GEELONG SIGNATURE EVENT	HALLMARK MAJOR EVENT	ANNUAL MAJOR EVENT
CRITERIA	<p>Must be staged within the municipality of Geelong.</p> <p>Must be open to the public</p> <p>Occurs annually, biennially or one-off event.</p> <p>May be an International title or brand.</p> <p>Unique and exclusive to Victoria or Australia.</p> <p>May be a Geelong-grown event and synonymous only with Geelong.</p> <p>Estimated Economic Benefit to \$5M to \$50M.</p> <p>Significant non-local attendance and extended visitation.</p> <p>Significant media exposure including television or web based broadcasts</p> <p>Exposure for Geelong's brand and reputation outside of the region.</p> <p>Strong alignment with CoGG's City Plan and GME strategic objectives.</p> <p>Aligns with Victoria's and Australia's events and tourism objectives and will attract State or Federal Gov't funding.</p> <p>Exclusive opportunity for local engagement through participation or spectating.</p> <p>Event is likely to continue indefinitely in Geelong.</p> <p>Event may contain a civic component.</p>	<p>Must be staged within the municipality of Geelong.</p> <p>Must be open to the public</p> <p>Occurs annually or biennially or one-off event.</p> <p>An Internationally recognised event.</p> <p>Unique to Victoria.</p> <p>Estimated Economic Benefit to be a minimum of \$5million.</p> <p>Significant interstate (and some international) visitation in Geelong Region for multiple nights.</p> <p>Significant media exposure outside of Geelong and television or web based broadcasts</p> <p>Exposure for Geelong's brand and reputation outside of the region.</p> <p>Strong alignment with CoGG's City Plan and GME strategic objectives.</p> <p>Aligns with Victoria's major event and tourism objectives and has the potential to also attract State or Federal Gov't funding.</p> <p>Exclusive opportunity for local engagement through participation or spectating.</p> <p>Legacy benefits to the region.</p>	<p>Must be staged within the municipality of Geelong.</p> <p>Must be open to the public</p> <p>Nationally recognised (and may be internationally recognised) event.</p> <p>Event's unique benefits align with GME strategic plan and may position Geelong for other events.</p> <p>Demonstrated significant economic benefit generator up to \$5million.</p> <p>Significant interstate and intrastate visitation by participants and spectators.</p> <p>Likely to receive non-local media coverage.</p> <p>Exposure for Geelong's brand and reputation outside of the region.</p> <p>Event is of strategic value and may position Geelong for other events.</p> <p>Provide some opportunity for local engagement through participation or spectating.</p> <p>Can be hosted by a local Club, Group or Association or at a Council owned or Strategic venue.</p>
FUNDING TERMS:	NO LIMIT	NO LIMIT	NO LIMIT
FUNDED BY:	GME OR COUNCIL	GME OR COUNCIL	GME
FUNDING TYPE:	SPONSORSHIP	SPONSORSHIP	SPONSORSHIP
EXPECTED ECONOMIC BENEFIT RANGE:	UPWARDS OF \$5M	UPWARDS OF \$5M	UP TO \$5M

Instrument of Delegation

**Greater Geelong City Council
Instrument of Delegation
Geelong Major Events Delegated Committee**

Greater Geelong City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 1 September 2020 and known as the "Geelong Major Events Delegated Committee" (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 1 September 2020;
2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
3. the delegation:
 - 3.1 comes into force immediately upon the resolution of Council;
 - 3.2 remains in force until Council resolves to vary or revoke it; and
 - 3.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
4. all members of the Delegated Committee will have voting rights on the Delegated Committee.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the conduct and support of events in the City, and for those purposes:

1. coordinating matters related to the attraction, support and funding of events, on behalf of the Greater Geelong City Council in accordance with the Terms of Reference;
2. the Committee shall make recommendations for any funding outside of the current budget year to the Chief Executive Officer (under financial delegation) or refer to Council;
3. the Committee acknowledges that Council's Chief Executive Officer and staff are authorised to approve and/or incur expenditure or income or enter contracts or contract variations in relation to GME, up to a value as defined from time to time by "CEO sub-delegation to Staff";
4. the Committee shall, where pursuant to the provisions of any Act, there are conditions precedent to the exercise by Council of any of its functions, duties and powers, satisfy those conditions precedent prior to the exercise of its functions, duties and powers;
5. the Committee shall, in carrying out its functions, duties and responsibilities have appropriate regard to policies adopted by the Council or the Chief Executive as it relates to the administrative function of Council; and
6. to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

7. The Committee is not authorised by this Instrument to:
 - 7.1 exercise its functions, duties and powers outside the financial parameters set out in the budget;
 - 7.2 enter into any contracts requiring the expenditure of funds unless such expenditure is provided for in the budget;
 - 7.3 enter into any contracts, including leases, licences and like contracts which provide for the receipt of funds if the sum to be received falls short of (without necessarily having to be set out as a separate item in) the statement of anticipated income forming part of the budget; and
 - 7.4 exercise the powers which, by force section 11(2) of the *Local Government Act 2020*, cannot be delegated.

Attachment 4

Geelong Major Events Delegated Committee – External Membership as at 1 September 2020:

1. Julie Maxwell
2. Russell Morris
3. Leigh McClusky
4. Robyn Birrell
5. Natalie Valentine
6. Brenden Caligari

6. CENTRAL GEELONG MARKETING DELEGATED COMMITTEE

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To establish the Central Geelong Marketing Delegated Committee (**Delegated Committee**) as a Delegated Committee in accordance with Section 63 of the *Local Government Act 2020 (the Act)* and delegate powers to the Committee in accordance with the Instrument of Delegation (**Attachment 3**).

Background

2. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to the members of a delegated committee.
3. The new powers to create delegations under the Act commenced 1 May 2020, however existing delegations made under the *Local Government Act 1989* remain in force until 1 September 2020.
4. The Central Geelong Marketing Committee was previously established as a Special Committee in accordance with section 86 of the *Local Government Act 1989*.

Key Matters

5. The terms of reference (**Attachment 2**) for the Central Geelong Marketing Delegated Committee have been updated to ensure compliance with s 63 of the Act, including:
 - 5.1 Appointment of at least two Councillors;
 - 5.2 Appointment of a Councillor as chair; and
 - 5.3 Meetings to be conducted in accordance with the Governance Rules.
6. The Instrument of Delegation (**Attachment 3**) has been updated to reflect the new requirements of the Act.

Cr Murrhiy moved, Cr Sullivan seconded -

That Council:

- 7. Establish the Central Geelong Marketing Delegated Committee (Committee) in accordance with Section 63 of the Act.**
- 8. Approve the Terms of Reference for the Committee (Attachment 2).**
- 9. Appoint the members of the Delegated Committee as follows:**
 - 9.1 Cr Murrhiy and Cr Sullivan; and**
 - 9.2 External members as per Attachment 5.**
- 10. Appoint Cr Murrhiy as the Chairperson of the Committee.**
- 11. Delegate to the members of the Committee the powers duties and functions set out in the attached Instrument of Delegation (Attachment 3), which:**
 - 11.1 comes into force immediately upon the date of this resolution; and**
 - 11.2 remains in force until Council determines to vary or revoke it.**
- 12. Note that the powers, duties and functions conferred on the Committee by the Instrument of Delegation must be exercised in accordance with any guidelines or policies Council may from time to time adopt.**
- 13. Authorise the Chief Executive Officer to sign the Instrument of Delegation on behalf of Council.**
- 14. Revoke the previous Terms of Reference and Instrument of Delegation for the Committee issued under the Local Government Act 1989.**

Carried.

Attachment 1

Financial Implications

1. The Instrument of Delegation sets out the limits of financial decision making to be made by the Committee.

Community Engagement

2. There are no proposed changes to the delegations that effect existing community engagement practices.
3. Updated Terms of Reference have been prepared in consultation with the special Committee's secretariat.

Social Equity Considerations

4. There are no social considerations relative to this report.

Policy/Legal/Statutory Implications

5. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to the members of a delegated committee.
6. Council must establish the Central Geelong Marketing Delegated Committee and adopt the Instrument of Delegation by 1 September 2020 when the provisions of section 86 of the *Local Government Act 1989* expire.

Alignment to Council Plan

7. This report aligns to Council Plan strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

8. No officer in the preparation of this report has a direct or indirect interest.

Risk Assessment

9. Establishing the Central Geelong Marketing Delegated Committee and updating the Terms of Reference and Instrument of Delegation minimises the likelihood of the Delegated Committee acting outside their powers and exposing Council to unacceptable risk.

Environmental Implications

10. There are no environmental implications relative to this report.

THE CITY OF
GREATER GEELONG

CENTRAL GEELONG MARKETING DELGATED COMMITTEE



TERMS OF REFERENCE

VERSION: 01

Approval Date	1 September 2020
Approved by	Council
Review Date	24 October 2021
Responsible Officer	Director, Economy, Investment and Attraction
Authorising Officer	Chief Executive Officer

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1. BACKGROUND

- 1.1 By this Terms of Reference document, the Greater Geelong City Council (Council) establishes the Central Geelong Marketing Delegated Committee (Committee) pursuant to section 63 of the Local Government Act 2020 (LGA).

The Committee is committed to maintaining the Central Geelong Area as the commercial centre for the Geelong Region, representing the hub for a number of higher-order activities. It has made it quite clear from the outset however, that to achieve this will require business helping itself and therefore the success of the whole program will depend upon the harnessing of a partnership between Council, Central Geelong businesses and the community.

Council has established a Centre Marketing Body that will play a major role in helping shape and promote the business environment.

Centre Marketing deals with the way the centre operates, the mix of businesses, the way businesses are promoted and marketed and the image of the centre. It enables the centre to act as a single entity for its combined strength and resources to be focused in the most efficient fashion.

Management systems similar to this already exist in more than 60 business/retail activity centres in Victoria. These management bodies are generally funded through special rate schemes levied on the property owners in the centre through a variety of mechanisms. The Committee is drawn from the businesses and property owners in the centre and is supported and facilitated by the local Council. The Central Geelong Marketing Coordinator will be employed to manage its functions including the development, implementation and resourcing of the committee's marketing and development initiatives as detailed in the strategic plan. Adequate resources shall be provided to assist the effective operation of the Central Geelong Marketing Committee including council support services such as IT, OD and Finance and the physical provision of appropriate office accommodation and facilities.

- 1.2 The Committee has the powers, duties and functions of Council as set out in these Terms of Reference and its Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3 These Terms of Reference are authorised by a resolution Council passed on 1 September 2020.

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 Overseeing the development of a five year strategic plan for Central Geelong Marketing; and
- 2.2 Overseeing the development and implementation of an annual activities plan for Central Geelong Marketing.

3. OBJECTIVES

Mission Statement:

The role of the Central Geelong Marketing Committee is to market and promote Central Geelong in a coordinated and integrated manner aimed at enhancing its economic and social viability and its general amenity, making it an exciting and vibrant focus for the whole of the Geelong region.

The Central Geelong Marketing Committee will be considered by Council and other stakeholders as the peak body representing the traders and property owners in the Central Geelong area.

The Committee will pursue and initiate activities aimed at:

- 3.1 Increasing the number of visitors to Central Geelong e.g. to streamline Council's decision-making processes;
- 3.2 Promoting business activities in Central Geelong;
- 3.3 Providing opportunities for the businesses and organisations in Central Geelong to network, exchange information and work in a cooperative fashion;
- 3.4 To provide the businesses in the City with a central marketing focus;
- 3.5 To improve Stakeholders Perceptions of Central Geelong; and

3.6 To establish an ongoing viable Marketing Program for Central Geelong.

4. ROLES AND RESPONSIBILITY

The role of the Committee is:

4.1 to exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation, for Central Geelong Marketing.

5. DELEGATION OF POWERS, DUTIES AND FUNCTIONS

5.1 In order to fulfil and carry out its purposes and objectives Council has delegated to the Committee, pursuant to section 63 of the LGA, the powers, duties and functions set out in the Instrument of Delegation made by Council on 1 September 2020 and attached to these Terms of Reference.

5.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that council may from time to time adopt.

6. EXPECTED/DEFINITE LIFE OF THE COMMITTEE

6.4 The Committee will have a life span of five-years. This period represents the lifespan of the Special Rate (the current special rate scheme is due for expire 30 June 2021).

7. MEMBERSHIP

7.1 The Committee is to comprise the following representatives. Depending upon the area of representation the member may be nominated, selected via a postal ballot of contributors to the special rate or inherit the membership as part of the core function of the position. Voting members are expected to have a commercial interest in the scheme boundaries (**Attachment 4** – Central Geelong Marketing Area Plan) to be eligible for appointment to the Committee.

7.2 The Committee will consist of a minimum of 14 members comprising:

7.2.1 at least two Councillors of Council (one which is Chair);

7.2.2 one member of the Geelong Chamber of Commerce;

7.2.3 one member of the Victorian Employers Chamber of Commerce and Industry – South-west region (VECCI);

7.2.4 one representative of the shopping centre known as Westfield Geelong;

7.2.5 one representative of the shopping centre known as Market Square;

7.2.6 one representative of the Arts/Culture sector and based within the special rate scheme boundaries;

7.2.7 four representatives of strip retail/business premises within the special rate scheme boundaries;

7.2.8 one representative from the property management sector and based with the special rate scheme boundaries

7.2.9 A representative nominated by Tourism Greater Geelong and the Bellarine; and

- 7.2.10 One representative from the Accommodation sector and based within the special rate scheme boundaries.
- 7.3 Membership to the committee is for a period of two years, concluding at June 30 in the year of expiry. Prior to the completion of these periods, nominations will be sought from the representative organisations and via an election process for nominated positions.
- 7.4 Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 7.5 The Central Geelong Marketing Coordinator will act as Executive Officer to the group.
- 7.6 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 7.7 Should a vacancy arise within the strip retail and arts sector areas the vacancy may be filled by the next eligible candidate in order of votes cast at the previous election. Otherwise nominations for these positions will be sought via a general ballot of contributors.
- 7.8 The Committee may invite additional individuals or representatives including Council Officers to attend meetings in order to respond to issues that arise during its lifespan.
- 7.9 The Committee will, from time to time, review the membership and structure and identify the most appropriate composition for the ongoing management of the centre with approval from Council.
- 7.10 The failure to attend 3 consecutive meetings in any one-year without reasonable grounds will result in dismissal from the Committee. In such instances a replacement for the position will be sought as per the process applicable to the position on the Committee.

8. MEETINGS

- 8.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
- 8.1.1 Council's Governance Rules;
- 8.1.2 Part 3, Division 2 of the LGA; and
- 8.1.3 the Committee's discretion, as exercised from time to time.
- 8.2 The Committee will meet on a monthly basis or as agreed by the Committee from time to time.
- 8.3 A quorum of the Committee will be half of the members plus one.
- 8.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 8.5 Sub committees may be appointed by the Committee and meet between general meetings and as authorised by the full Committee. Sub committees do not have any delegated powers.

9. REPORTING

- 9.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
- 9.1.1 Council's Governance Rules;
- 9.1.2 Part 3, Division 2 of the LGA; and
- 9.1.3 the Committee's discretion, as exercised from time to time.
- 9.2 Minutes of all Committee meetings will be posted on the Geelong Australia website and must be forwarded to Council's Governance Services as soon as practicable after adoption by the Committee.

9.3 The Committee must prepare and present to Council a report of its activities and financial position upon being required to do so by Council and, in any event, at least once per year.

10. FINANCIAL RECORDS

10.1 The Committee's financial records will form part of the accounts of Council and therefore be subject to audit by the Municipal Auditor.

11. CREATION AND DISSOLUTION

11.1 By these Terms of Reference the:

11.1.1 Committee is established; and

11.1.2 powers, duties and functions of the Committee, as set out in the Instrument of Delegation, are delegated.

11.2 These Terms of Reference and the Instrument of Delegation:

11.2.1 come into force immediately upon the resolution of Council; and

11.2.2 remain in force until Council determines to vary or revoke both or either of them.

11.3 The Committee must be dissolved by a resolution of Council.

Instrument of Delegation

**Greater Geelong City Council
Instrument of Delegation
Central Geelong Marketing Delegated Committee**

Greater Geelong City Council (**Council**) delegates to each person who is from time to time appointed as a member of the Delegated Committee established by resolution of Council passed on 1 September 2020 and known as the "Central Geelong Marketing Delegated Committee" (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 1 September 2020;
2. a delegate can only exercise the delegations contained in this Instrument of Delegation while acting as a member of the Committee at a meeting of the Committee;
3. the delegation:
 - 3.1 comes into force immediately upon the resolution of Council;
 - 3.2 remains in force until Council resolves to vary or revoke it; and
 - 3.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
4. all members of the Delegated Committee will have voting rights on the Delegated Committee.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to the administration of the special rate scheme declared by Council:

1. for the purposes of defraying expenses incurred by Council in relation to the operation and administration of the Central Geelong Marketing Delegated Committee including marketing and promotion, provision of business information, training and networking, loyalty program and miscellaneous administrative activities;
2. for the area constituted by all those properties bounded by McKillop Street, Bellerine Street, the Waterfront, Fenwick and Cavendish Street as shown on the Central Geelong Marketing Area Plan (**Attachment 4**);
3. in relation to the land within the above area this is rateable other than properties used solely for private, residential purposes; and
4. for a period of five years.

Exceptions, conditions and limitations

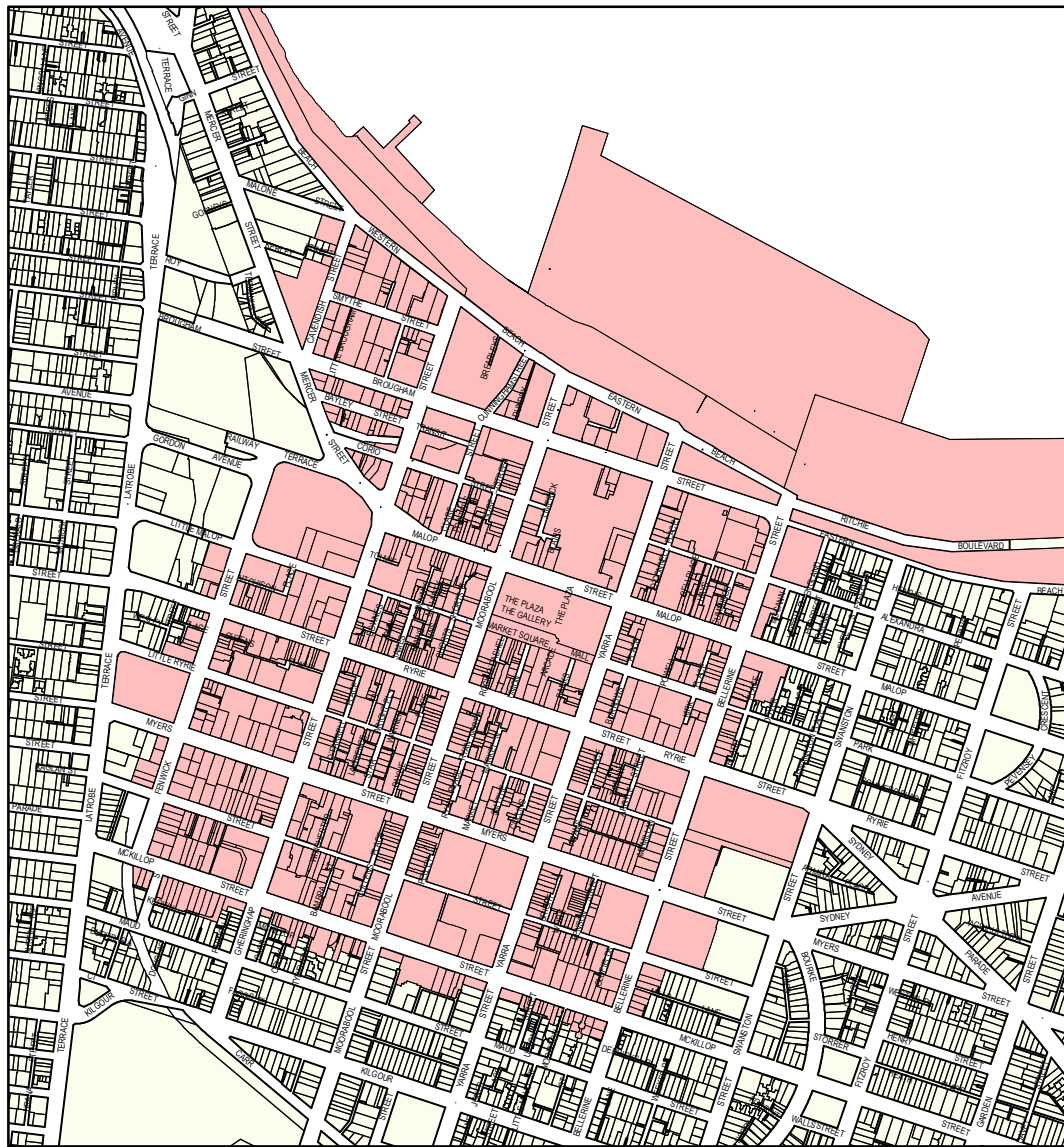
The Committee is not authorised by this Instrument:

5. to enter into contracts or incur expenditure:
 - 5.1 unless solely in advertising of Council's central activities area, promotion of Council's central activities area, business development programs (including training, advice and guidance for businesses located in Council's central activities area), engaging or employing a person to implement advertising, promotion and business development activities and promoting and encouraging access to and movement around Council's central activities district by the public;
 - 5.2 for an amount which, in conjunction with other expenditure incurred during a financial year, would exceed the revenue raised by:
 - 5.2.1 the special rate for that financial year; and
 - 5.2.2 any additional revenue received for that financial year whether by way of fundraising, sponsorship, grants or other means.
- 5.3 to undertake activities in a manner which does not benefit the whole of Council's central activities area;
6. exercise the powers which, by force section 11(2) of the *Local Government Act 2020*, cannot be delegated.
7. determine an issue, take an action or do a thing which is already the subject of exclusive delegation to another Committee.

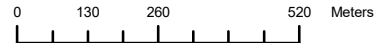
Guidelines

1. The powers, duties and functions set out in the Instrument are delegated to the Committee. This means that the Committee can only act under delegation when sitting in a formally constituted meeting.
2. This means that a meeting must be called and conducted in a manner that complies with the provisions of the Act and with the Council's Governance Rules.
3. This Committee cannot exercise its delegated powers when gathered outside the formal meeting structure as described above. For example, an informal coming together of members could not resolve to act under delegation.
4. Similarly the delegations do not extend to individual members of the Committee.
5. The Committee must not exercise its delegated powers unless it has first been the item of business on an agenda for transaction at a meeting of the Committee.
6. All delegations must be read in conjunction with this document and any policies and guidelines that may be adopted by the Council from time to time.
7. The Committee must report to Council in writing at least annually.

Plan – Central Geelong Marketing Area



All properties in Central
Activities Area Special Rate Scheme
(Plan includes residential properties in
area not subject to the rate)



Attachment 5

Central Geelong Marketing Delegated Committee – External Membership as at 1 September 2020:

1. Ben Flynn, Geelong Chamber of Commerce
2. Lucy Wilson, VCCI
3. Amber Smith, Arts/Culture Sector
4. Narelle Needham, Tourism Geelong
5. Stephanie Davie, Commercial Property Management Sector
6. Heidi Flaherty, Shopping Centre - Westfield
7. Felicity McMeekin, Shopping Centre - Market Square
8. Greg Alymore, Accommodation Sector
9. Hugh T Armstrong, Strip Retail/Business Operator
10. Rachel Drady, Strip Retail/Business Operator
11. Bernard Perry, Strip Retail/Business Operator
12. Stephanie Reynolds, Strip Retail/Business Operator

7. PLANNING DELEGATED COMMITTEE

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To establish the Planning Committee (**Delegated Committee**) as a Delegated Committee in accordance with Section 63 of the *Local Government Act 2020 (The Act)* and Section 188 of the *Planning and Environment Act 1987*. To delegate powers to the Committee in accordance with the Instrument of Delegation (**Attachment 3**).

Background

2. Section 11(1)(a) of the Act and section 188 of the *Planning and Environment Act 1987* provides for Council to delegate powers, duties and functions to a delegated committee.
3. The new powers of delegation under the Act commenced 1 May 2020, however existing delegations made under the *Local Government Act 1989* remain in force until 1 September 2020.
4. The Planning Committee was previously established as a Special Committee in accordance with section 86 of the *Local Government Act 1989*.

Key Matters

5. The terms of reference (**Attachment 2**) for the Planning Delegated Committee have been updated to ensure compliance with s 63 of the Act, including:
 - 5.1 Annual appointment of a Councillor as chair; and
 - 5.2 Meetings to be conducted in accordance with the Governance Rules.
6. The Instrument of Delegation (**Attachment 3**) has been updated to reflect the new requirements of the Act.
7. A further review of the Planning Delegated Committee Terms of Reference is due to be presented to Council by 21 September 2020 which will consider how the Committee has been operating over the last 12 months.

Cr Sullivan moved, Cr Mason seconded -

8. That Council:

- 8.1 Establish the Planning Delegated Committee (Committee) in accordance with Section 63 of the Act.**
- 8.2 Approve the Terms of Reference for the Committee (Attachment 2).**
- 8.3 Appoint all Councillors as the members of the Delegated Committee.**
- 8.4 Appoints Cr Sullivan as the Chairperson of the Committee.**
- 8.5 Delegate to the members of the Committee the powers duties and functions set out in the attached Instrument of Delegation (Attachment 3), which:**
 - 8.5.1 comes into force immediately upon the date of this resolution; and**
 - 8.5.2 remains in force until Council determines to vary or revoke it.**
- 8.6 Notes that the powers, duties and functions conferred on the Committee by the Instrument of Delegation must be exercised in accordance with any guidelines or policies Council may from time to time adopt.**
- 8.7 Authorises the Chief Executive Officer to sign the Instrument of Delegation on behalf of Council.**
- 8.8 Revoke the previous Terms of Reference and Instrument of Delegation for the Committee issued under the Local Government Act 1989.**

Carried.

Attachment 1

Financial Implications

1. There is no financial delegation to the Committee.

Community Engagement

2. There are no proposed changes to the delegations that effect existing community engagement practices.
3. Updated Terms of Reference have been prepared in consultation with the relevant department.

Social Equity Considerations

4. There are no social considerations relative to this report.

Policy/Legal/Statutory Implications

5. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to the members of a delegated committee.
6. Council must establish the Planning Delegated Committee and adopt the Instrument of Delegation by 1 September 2020 when the provisions of section 86 of the *Local Government Act 1989* expire.

Alignment to Council Plan

7. This report aligns to Council Plan strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

8. No officer in the preparation of this report has a direct or indirect interest.

Risk Assessment

9. Establishing the Planning Delegated Committee and updating the Terms of Reference and Instrument of Delegation minimises the likelihood of the Delegated Committee acting outside their powers and exposing Council to unacceptable risk.

Environmental Implications

10. There are no environmental implications relative to this report.

THE CITY OF
GREATER GEELONG

PLANNING COMMITTEE

TERMS OF REFERENCE

VERSION: 07

Approval Date	1 September 2020
Approved by	Council
Review Date	24 October 2021
Responsible Officer	Director, Planning, Design and Development
Authorising Officer	Chief Executive Officer

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1. BACKGROUND

- 1.1 By this Terms of Reference document, the Greater Geelong City Council (Council) establishes the Planning Committee (Committee) as a delegated committee pursuant to section 63 of the Local Government Act 2020 (LGA). The Committee is established to consider and decide planning permit applications which have been called in by a Councillor.
- 1.2 The Committee has the powers, duties and functions of Council as set out in these Terms of Reference and its Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of Council.
- 1.3 These Terms of Reference are authorised by a resolution of Council passed on 1 September 2020.

2. DEFINITIONS

Call In:

The process of initiating a Council intervention in the consideration of a planning permit application through referral of the planning permit application to the Planning Committee.

Application of Interest:

The data base distributed by the Manager City Development on a fortnightly basis that provides all Councillors with a list of planning applications of interest, which could include those that:

- raise an issue of significant public interest, opportunity, concern or controversy, or are likely to do so. Such issues would normally involve an assessed high or extreme risk rating and are likely to impact on people and the places they live, work and play; or
- have given rise to substantial public objection or appear likely to do so; or
- involve an issue of policy which affects the community in some way where there is no existing Council policy to guide the delegate; or
- would lead to a delegate decision inconsistent with, or appearing to be inconsistent with, a previous decision or previous decisions made by or on behalf of Council regarding the matter or similar matters; or
- the delegate otherwise considers would be more appropriately decided by Council resolution.

3. PURPOSE

The Committee is established for the purpose of:

- 3.1 Considering and determining planning permit applications which have been called in by a Councillor under the Committee terms of reference.

4. OBJECTIVES

The objective of the Committee are:

- 4.1 to broadly represent and involve the community in Council's decision-making processes.

5. ROLES AND RESPONSIBILITY

The role of the Committee is:

- 5.1 to exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation, for planning matters.

6. DELEGATION OF POWERS, DUTIES AND FUNCTIONS

- 6.1 In order to fulfil and carry out its purposes and objectives Council has delegated to the Committee, pursuant to section 63 of the LGA, the powers, duties and functions set out in the Instrument of Delegation made by Council on [insert date and resolution number] and attached to these Terms of Reference.
- 6.2 The powers, duties and functions of Council conferred on the Committee by these Terms of Reference and Instrument of Delegation must be exercised in accordance with any guidelines or policies that council may from time to time adopt.

7. MEMBERSHIP

- 7.1 The Committee shall consist of all Councillors.
- 7.2 Council Officers who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 7.3 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 7.4 The Chairperson is to be appointed annually by Council.

8. MEETINGS

- 8.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
 - 8.1.1 Council's Governance Rules;
 - 8.1.2 Part 3, Division 2 of the LGA; and
 - 8.1.3 the Committee's discretion, as exercised from time to time.
- 8.2 The Committee will meet on a monthly basis as agreed by the Committee from time to time.
- 8.3 A quorum of the Committee will be half of the members plus one.
- 8.4 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes.
- 8.5 The process for submitters to be heard by the Committee:
 - 8.5.1 The officer to present the report;
 - 8.5.2 the objectors to present submissions. A three minute time limit applies to each person addressing the meeting;
 - 8.5.3 the applicant to present a submission. A ten minute time limit applies to the applicant addressing the meeting; and
 - 8.5.4 at the discretion of the Chairperson, the applicant may be permitted to make points of clarification. A three minute time limit applies.
- 8.6 Sub committees may be appointed by the Committee and meet between general meetings and as authorised by the full Committee. Sub committees do not have any delegated powers.

9. SECRETARIAT

- 9.1 The Co-ordinator Mayor & Councillor Support is responsible for convening meetings in consultation with the Manager City Development.
- 9.2 The Manager City Development is responsible for preparing and delivering the meeting agenda, ensuring planning officer attendance and providing advice at meetings, recording of minutes and implementation of decisions of the Committee.

10. INFORMATION TO COUNCILLORS

- 10.4 On a fortnightly basis the Manager City Development will furnish all Councillors with a list of planning applications of interest.
- 10.5 On an as required basis the Manager City Development will furnish all Councillors with a list of officers intention to make a decision on planning applications with 6 or more objections or applications for refusal.

11. CALLING IN APPLCIATIONS TO THE PLANNING COMMITTEE

- 11.4 A Councillor may only request to call in planning permit applications which have 6 or more objections lodged or applications for refusal.
- 11.5 The process for a Councillor to call-in a matter to be heard by the Committee is as follows: (see flow chart in Attachment):
 - 11.5.1 Councillors requesting call in notify of intention to call in an application. This information will be recorded in the register for call ins.
 - 11.5.2 A minimum of two ward Councillors and the Committee Chairperson are all required to agree to a call in, or the Mayor where the Committee Chairperson is one of the two ward Councillors requesting a call in.
 - 11.5.3 Committee chairperson advises Manager City Development.
 - 11.5.4 Officers will contact applicants and objectors to notify them of the meeting and details.

12. REPORTING

- 12.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
 - 12.1.1 Council's Governance Rules;
 - 12.1.2 Part 3, Division 2 of the LGA; and
 - 12.1.3 the Committee's discretion, as exercised from time to time.
- 12.2 Minutes of all Committee meetings will be published on the Geelong Australia website and must be forwarded to Council's Governance Services as soon as practicable after adoption by the Committee.
- 12.3 The Committee must report to Council as soon as practicable after each meeting.

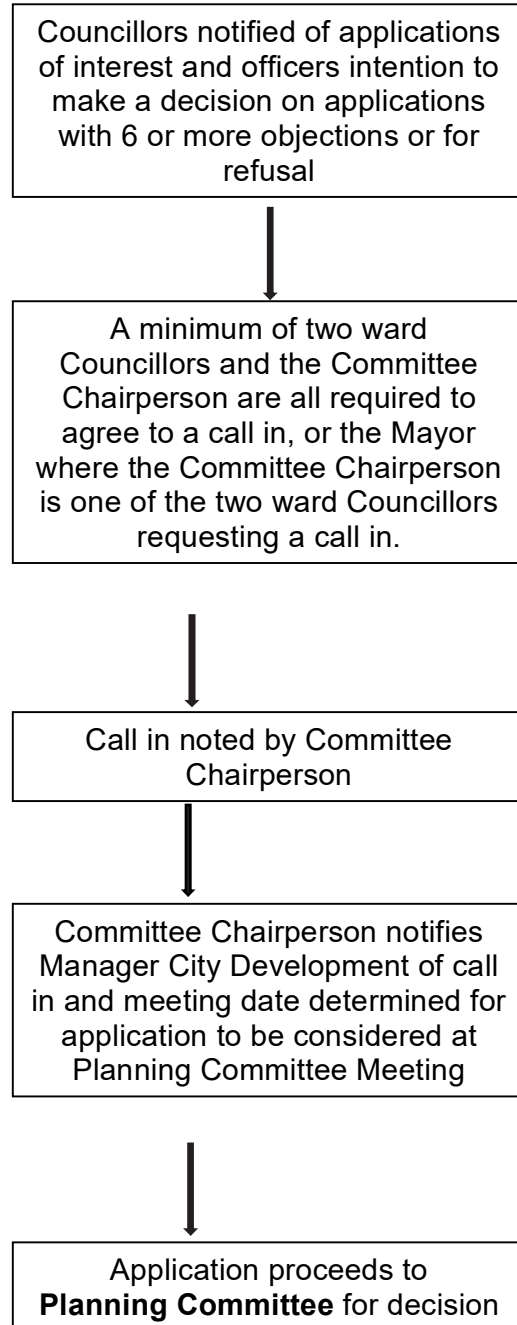
13. CREATION AND DISSOLUTION

- 13.1 By these Terms of Reference the:
 - 13.1.1 Committee is established; and
 - 13.1.2 powers, duties and functions of the Committee, as set out in the Instrument of Delegation, are delegated.
- 13.2 These Terms of Reference and the Instrument of Delegation:
 - 13.2.1 come into force immediately upon the resolution of Council; and

13.2.2 remain in force until Council determines to vary or revoke both or either of them.

13.3 The Committee must be dissolved by a resolution of Council.

“Call in” process



**Greater Geelong City Council
Instrument of Delegation
Planning Committee**

Greater Geelong City Council (**Council**) delegates to each person who is from time to time appointed as a member of the committee established by resolution of Council passed on 1 September 2020 and known as the "Planning Committee " (**the Committee**), the powers, discretions and authorities set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 1 September 2020
2. the delegation:
 - 2.1 comes into force immediately the resolution of Council;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

SCHEDULE

Purpose

To exercise Council's powers, discretions and authorities to perform Council's functions under the *Planning and Environment Act 1987*, in accordance with relevant policies and guidelines of the Council and to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. Operate outside the Planning Delegated Committee Terms of Reference; and
2. Exercise the powers which, under section 11(2) of the *Local Government Act 2020* or section 188 of the *Planning and Environment Act 1987*, cannot be delegated to the Committee.

8. CHIEF EXECUTIVE OFFICER EMPLOYMENT MATTERS DELEGATED COMMITTEE

Source: Governance, Strategy & Performance – Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To establish the Chief Executive Officer (CEO) Employment Matters Delegated Committee (**Delegated Committee**) as a Delegated Committee in accordance with Section 63 of the Local Government Act 2020 (**the Act**) and delegate powers to the members of the Committee in accordance with the Instrument of Delegation (**Attachment 2**).

Background

2. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to the members of a delegated committee.
3. The new powers to create delegations commenced 1 May 2020, however existing delegations made under the *Local Government Act 1989* remain in force until 1 September 2020.
4. The CEO Employment Matters was previously established as Special Committee in accordance with section 86 of the *Local Government Act 1989*.

Key Matters

5. The CEO Employment Matters Policy was recently reviewed and adopted by Council 30 June 2020.
6. The Instrument of Delegation has been updated to reflect the new provisions of the Act.

Cr Grzybek moved, Cr Kontelj seconded -

7. That Council:

7.1 Establish the CEO Employment Matters Delegated Committee (Committee) in accordance with Section 63 of the Act;

7.2 Appoint the members of the Delegated Committee as follows:

7.2.1 Cr Asher, Mayor, Cr Grzybek, Deputy Mayor, Cr Aitken, Cr Kontelj and Cr Mason; and

7.2.2 One independent member, Mike McKinstry.

7.3 Appoint the Mayor as the Chairperson of the Committee;

7.4 Delegate to the members of the Committee the powers duties and functions set out in the attached Instrument of Delegation (Attachment 2), which:

7.4.1 comes into force immediately upon the date of this resolution; and

7.4.2 remains in force until Council determines to vary or revoke it.

7.5 Note that the powers, duties and functions conferred on the members of the Delegated Committee by the Instrument of Delegation must be exercised in accordance with any guidelines or polices Council may from time to time adopt;

7.6 Authorise the Chief Executive Officer to sign the Instrument of Delegation on behalf of Council; and

7.7 Revoke the previous Instrument of Delegation for the Committee issued under the Local Government Act 1989.

Carried.

Attachment 1

Financial Implications

1. The Instrument of Delegation sets out any financial decision making to be made by the Committee.

Community Engagement

2. There are no proposed changes to the delegations that effect existing community engagement practices.
3. Council staff have engaged with the relevant Committee secretariat on the updates to their committees.

Social Equity Considerations

4. There are no social considerations relative to this report.

Policy/Legal/Statutory Implications

5. Section 11(1)(a) of the Act provides for Council to delegate powers, duties and functions to members of Delegated Committees.
6. Council must adopt the Instrument of Delegation by 1 September 2020.
7. In accordance with section 63 of the Act establishes the CEO Employment Matters Delegated Committee.

Alignment to Council Plan

8. This report aligns to Council Plan strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

9. No officer in the preparation of this report has a direct or indirect interest.

Risk Assessment

10. Establishing the CEO Employment Matters Delegated Committee and updating the Instrument of Delegation minimises the likelihood of the Delegated Committee acting outside their powers and exposing Council to unacceptable risk.

Environmental Implications

11. There are no environmental implications relative to this report.

**Greater Geelong City Council
Instrument of Delegation
Chief Executive Officer (CEO) Employment Matters Delegated
Committee**

Greater Geelong City Council (**Council**) delegates to each person who is from time to time appointed as a member of the committee established by resolution of Council passed on 1 September 2020 and known as the "CEO Employment Matters Delegated Committee" (**the Committee**), the powers, discretions and authorities set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 1 September 2020
2. the delegation:
 - 2.1 comes into force immediately the resolution of Council;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the exceptions, conditions and limitations set out in the Schedule and with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

SCHEDULE

Purpose

The purpose of the Committee is set out in the Council Chief Executive Officer Employment Matters Policy.

To exercise Council's powers, discretions and authorities to perform Council's functions under the *Local Government Act 2020*, in accordance with relevant policies and guidelines of the Council and to do all things necessary or convenient to be done for or in connection with the performance those functions, duties and powers.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. Operate outside the Chief Executive Officer Employment Matters Policy; and
2. Exercise the powers which, under section 11(2) of the *Local Government Act 2020* cannot be delegated to the Committee.

9. BELLARINE MULTI-ARTS FACILITY COMMUNITY ASSET COMMITTEE

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To establish the Bellarine Multi-Arts Facility Community Asset Committee (**Committee**) as a Community Asset Committee in accordance with Section 65 of the *Local Government Act 2020 (The Act)*.

Background

2. Section 47 (1)(b) of the Act provides for the Chief Executive Officer to sub delegate powers, duties and functions to the members of a community asset committee.
3. The new powers to create delegations under the Act commenced 1 May 2020, however existing delegations made under the *Local Government Act 1989* remain in force until 1 September 2020.
4. The Bellarine Multi-Arts Facility (also known as the Potato Shed) operates under a Joint User Agreement and was previously established as a Special Committee in accordance with section 86 of the *Local Government Act 1989*.

Key Matters

5. The terms of reference (**Attachment 2**) for the Committee have been updated to ensure compliance with section 65 of the Act.
6. The Community Asset Committee is established for the purpose of managing the Bellarine Multi-Arts Facility.
7. The Instrument of Delegation for the Committee will be executed by the Chief Executive Officer in accordance with the Act. A copy is included in **Attachment 3**.

Cr Mason moved, Cr Sullivan seconded -

8. That Council:

- 8.1 Establish Community Asset Committee the Bellarine Multi-Arts Facility Community Asset Committee (Committee) in accordance with Section 65 of the Act;**
- 8.2 Approve the Terms of Reference for the Committee (Attachment 2);**
- 8.3 Appoint the members of the Delegated Committee as follows:**
 - 8.3.1 Cr Sullivan, Cr Murrhiy (Deputy Chair);**
 - 8.3.2 Manager, Arts & Culture; and**
 - 8.3.3 External members listed in Attachment 4.**
- 8.4 Appoint Cr Sullivan as the Chairperson of the Committee; and**
- 8.5 Note the Instrument of Delegation to be approved by the Chief Executive Officer for the Committee.**
- 8.6 Revoke the previous Terms of Reference and Instrument of Delegation for the Committee issued under the Local Government Act 1989.**

Carried.

Attachment 1

Financial Implications

1. Financial delegations for the Committee will be specified in the Instrument of Delegation set by the Chief Executive Officer.

Community Engagement

2. There are no proposed changes to the Committee that effect existing community engagement practices.
3. Updated Terms of Reference have been prepared in consultation with the Committee's secretariat.

Social Equity Considerations

4. There are no social considerations relative to this report.

Policy/Legal/Statutory Implications

5. Council must establish the Bellarine Multi-Art Facility Community Asset Committee by 1 September 2020 when the provisions of section 86 of the *Local Government Act 1989* expire.

Alignment to Council Plan

6. This report aligns to Council Plan strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

7. No officer in the preparation of this report has a direct or indirect interest.

Risk Assessment

8. Establishing the Bellarine Multi-Arts Facility Committee and updating the Terms of Reference minimises the likelihood of the Committee acting outside their powers and exposing Council to unacceptable risk.

Environmental Implications

9. There are no environmental implications relative to this report.

THE CITY OF
GREATER GEELONG

BELLARINE MULTI-ARTS COMMUNITY ASSET COMMITTEE (POTATO SHED)

COMMUNITY ASSET COMMITTEE
TERMS OF REFERENCE

VERSION:01

Approval Date	1 September 2020
Approved by	Council
Review Date	24 October 2021
Responsible Officer	Rob MacLeod Venue Manager POTATO SHED
Reporting Officer	Chief Executive Officer

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11.	STANDARD OF CONDUCT	6

1. BACKGROUND

- 1.1 Greater Geelong City Council (Council) has established the Bellarine Multi-Arts (Potato Shed) Community Asset Committee (Committee) pursuant to section 65 of the Local Government Act 2020 (LGA) for the purpose of managing the Potato Shed.
- 1.2 On 28 March 2000, the City of Greater Geelong entered into a Development and Joint Use Agreement for the development of a multi-arts facility at the Bellarine Sub-Regional Centre, Drysdale, now known as The Potato Shed. Joint venture partners are the Bellarine Secondary College and the Roman Catholic Trusts Corporation.
- 1.3 The Agreement makes provision for the establishment of a Committee of Management for the facility.
- 1.4 The Terms of Reference reflect the Joint Use Agreement, however, due to a number of practical constraints in exercising the exact terms of the Agreement, appropriate measures to operate the facility have been developed in consultation with the Committee. Where necessary, the administration process currently undertaken by Council on behalf of the Committee, is noted in brackets
- 1.5 The Committee has the powers, duties and functions of Council as set out in these Terms of Reference and its Instrument of Delegation. These Terms of Reference set out the structure and basis on which the Committee can make decisions for and on behalf of members of the Joint User Agreement.

2. PURPOSE

The Committee is established for the purpose of:

- 2.1 The management and promotion of the Bellarine Multi Arts Facility known as Potato Shed (the Facility).

3. OBJECTIVES

The objectives of the Committee are to ensure:

- 3.1 the operation of the facility in a reputable manner;
- 3.2 responsible scheduling of its use;
- 3.3 establishment and maintenance of operating and capital reserve accounts; and
- 3.4 financial powers and obligations are in accordance with the Agreement.

4. ROLES AND RESPONSIBILITY

The role of the Committee is to (20):

- 4.1 to exercise Council's powers and carry out Council's duties and functions, in accordance with these Terms of Reference and as permitted by the Instrument of Delegation, for the management of the Facility;
- 4.2 operate the Facility in a reputable manner appropriate to a facility in the nature of the Facility, and not permitting it to be used for any purpose other than a Permitted Use (*undertaken by Council and reported to the Committee*);
- 4.3 promote and market the Facility (*recommended by the Committee and undertaken by Council*);
- 4.4 fix the terms and conditions for the use of the Facility including, but not limited to, the general fees for its use and requiring that all users leave the Facility in a tidy condition (*undertaken by Council and reported to the Committee*);
- 4.5 hire the Facility out for use by members of the public (*undertaken by Council and reported to the Committee*);
- 4.6 collect fees for the use of the Facility (*collected by Council through the City of Greater Geelong's standard invoicing processes or in accordance with cash management protocols, reported back to Finance Subcommittee and then to Committee*);

- 4.7 pay all costs in respect of the Facility, including Operating Costs and Capital Costs (*undertaken by Council, reported back to Finance Sub-committee and then to Committee*);
- 4.8 employ staff and engage contractors to provide services for the purposes of the Facility. (*Administered by Council. Appointment of key staff ie Project Officer, undertaken by Council representative and the School*);
- 4.9 ensure the general operating, cleaning, maintenance, repair and security of the Facility, and for the landscaping and cleanliness of the area immediately surrounding the Facility, to meet a standard not less than that generally considered appropriate for a facility in the nature of the Facility (*undertaken by Council, reported to the Committee*);
- 4.10 comply with and observe all statutes, ordinances, proclamations, orders and regulations, present or future, and all notices, orders, demands, directions, requests or requirements made by any authority having jurisdiction or authority over or in respect of the Facility, including all health and safety policies and guidelines of the Department of Education, which apply in respect of a facility in the nature of the Facility;
- 4.11 approve the establishment of a kiosk or other facilities to sell food and beverages, if thought appropriate, provided that the operation of those facilities during School Hours is:
 - 4.11.1 approved by the Principals; and
 - 4.11.2 in accordance with all relevant legal requirements, including necessary municipal and other approvals for operating those facilities and selling food and beverages.
- 4.12 encourage the discretionary use of the Facility by user groups, with such use to be administered by the Committee, provided that such use does not conflict with any curricular activities of the College or Catholic Schools and that reasonable fees are charged in respect of such use, subject to the overriding obligations in the Agreement (*administered by Council*).

5. DELEGATION OF POWERS, DUTIES AND FUNCTIONS

- 5.1 In order to fulfil and carry out its purposes and objectives Council's Chief Executive Officer has delegated to the members of the Committee, pursuant to section 47(1)(b) of the LGA, the powers, duties and functions set out in the Instrument of Delegation made by the Chief Executive Officer on 1 September 2020 and attached to these Terms of Reference.

6. MEMBERSHIP

- 6.1 The Committee will consist of (16.2):
 - 6.1.1 two representatives of Council (one of which is a Councillor as Chair);
 - 6.1.2 Bellarine Secondary College Principal or nominee;
 - 6.1.3 one member of the College Council nominated by the Bellarine Secondary College;
 - 6.1.4 two persons nominated by the most senior officer of the Association of Conical Administrators for the St Ignatius College Geelong, one of whom must be the Principal of St Ignatius College; and
 - 6.1.5 no more than two community representatives appointed by Council.
- 6.2 The parties to the Agreement shall each notify the secretariat of the committee of the persons nominated for or appointed to the Committee (16.3).

- 6.3 Venue staff who attend the meetings of the Committee are to provide advice and support to the Committee and are not considered Committee members and do not have voting rights.
- 6.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 6.5 A member of the Committee being a person nominated under 6.1.5 will hold office for a period not exceeding 2 years but will be eligible for reappointment.
- 6.6 Appointments may be revoked or terminated in accordance with the Agreement (16.8, 16.9, 16.10).

7. MEETINGS

- 7.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with:
 - 7.1.1 Council's Governance Rules; and
 - 7.1.2 the Committee's discretion, as exercised from time to time.
- 7.2 The Committee will meet at least four times each financial year as agreed by the Committee from time to time (16.4).
- 7.3 The Secretariat will provide written notice of each meeting to each member of the Committee at least 72 hours prior to the meeting (16.11).
- 7.4 A quorum of the Committee will be half of the members plus one, comprising at least one of the members referred to in 6.1.1, 6.1.2, 6.1.3 and 6.1.4 (16.13).
- 7.5 Voting will be by a majority of votes by a show of hands. Only members in attendance are entitled to vote. The Chairperson shall have the casting vote in the event of an equality of votes (16.14).
- 7.6 Sub committees may be appointed by the Committee and meet between general meetings and as authorised by the full Committee. Sub committees do not have any delegated powers.

8. FACILITIES AND RESOURCES

- 8.1 This document provides guidelines for the Committee, however, the Agreement sets out the detailed obligations and responsibilities of the Committee in performing its functions under the Agreement.
- 8.2 The Manager Arts and Culture will provide the secretariat to the Committee.

9. FINANCIAL RECORDS

- 9.1 The Committee will keep books of account and such records will form part of the accounts of Council and therefore be subject to audit to the Municipal Auditor.
- 9.2 The Committee will prepare an annual financial statement as part of the audit process.
- 9.3 The Committee will immediately comply with any request from Council to provide access to, or copies of, the Committee's books of account.

10. REPORTING

- 10.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:
 - 10.1.1 Council's Governance Rules; and
 - 10.1.2 the Committee's discretion, as exercised from time to time.
- 10.2 The Secretariat shall keep minutes of meetings and circulate copies to members within one month of each meeting (16.19).

10.3 Minutes of all Committee meetings will be published on Council's website and must be forwarded to Council's Governance Services as soon as practicable after adoption by the Committee.

10.4 The Committee must prepare and present to Council, at least once per year.

11. STANDARD OF CONDUCT

11.1 Committee members act in the public interest at all times and in the best interests of managing the Facility.

11.2 Each member of the Committee is required to:

11.2.1 act honestly, with integrity, in a financially responsible manner, with a reasonable degree of care, diligence and skill, and in good faith in the best interests of managing the Facility;

11.2.2 maintain confidentiality, even after their appointment expires or otherwise terminates; and

11.2.3 avoid improperly using their position or any information acquired in their role as a Committee member to gain advantage for themselves or another person or to cause detriment to the Committee.

11.3 The committee must:

11.3.1 inform Council of any known major risks (existing or emerging) to the effective management of the Facility; and

11.3.2 unless prohibited by law, provide Council with any information relating to the Committee and its operations that is requested.

Greater Geelong City Council

Instrument of Delegation

by the Chief Executive Officer

to the Bellarine Multi-Arts Facility Community Asset Committee

In exercise of the power conferred by s 47(1)(b) of the *Local Government Act 2020 (Act)*, I, as Chief Executive Officer of Greater Geelong City Council, by this Instrument of Sub-Delegation –

1. delegate to each person who is from time to time appointed as a member of the Community Asset Committee, established by resolution of Council passed on **1 September 2020** and known as the Bellarine Multi-Arts Facility Community Asset Committee (**Community Asset Committee**), each power and/or function and/or duty set out in the Schedule;
2. declare that a delegate can only exercise the delegations contained in this Instrument of Sub-Delegation while acting as a member of the Community Asset Committee at a meeting of the Community Asset Committee;
3. declare that this Instrument of Sub-Delegation –
 - 3.1 comes into force immediately upon its execution;
 - 3.2 remains into force until varied or revoked; and
 - 3.3 is subject to the conditions and limitations set out in paragraph 4 and 5, and in the Schedule;
4. declare that the delegate must comply with specified governance requirements to ensure appropriate standards of probity are met and monitor and report on the activities and performance of the Community Asset Committee;
5. declare that the delegate must not determine the issue, take action or do the act or thing 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 s 47 of the Act or otherwise.

This Instrument of Sub-Delegation is dated **1 September 2020** and is made by the Chief Executive Officer.

Signed by MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

SCHEDULE

Powers and functions

To manage the Bellarine Multi-Arts Facility Community Asset

And for that purpose:

1. to exercise the powers, duties and functions that are necessary for the Committee to perform its duties under the Development and Joint Use Agreement (the **Agreement**) dated 28 March 2000.
2. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

Requirements

The members of the Community Asset Committee must, when exercising the powers, functions and duties delegated to them:

3. comply with the Terms of Reference and the Agreement.

Exceptions, conditions and limitations

The Community Asset Committee is not authorised by this Instrument to:

4. operate outside the terms of the Agreement; and
5. enter into contracts, or incur expenditure, for an amount which exceeds the approved budget.

Attachment 4

Bellarine Multi-Arts Facility Community Asset Committee – External Membership as at 1 September 2020:

1. Wayne Johannesen, Principal Bellarine Secondary College
2. Kerri McCluskey, Bellarine Secondary College
3. Michael Exton, Principal St Ignatius College
4. David Fitzgerald, St Ignatius College
5. Emma Watson, Community Representative
6. Chris Reynolds, Community representative

10. DELEGATIONS - COUNCIL TO CHIEF EXECUTIVE OFFICER

Source: Governance, Strategy & Performance – Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To review and update the Greater Geelong City Council (**Council**) instrument of delegation to the Chief Executive Officer (**CEO**), **Attachment 2**.

Background

2. Section 11(1)(b) of the *Local Government Act 2020 (Act)* provides for Council to delegate powers, duties and functions to the CEO.
3. The new powers of delegation under the Act commenced 1 May 2020, however existing delegations made under the *Local Government Act 1989* remain in force until 1 September 2020.
4. This Instrument of Delegation updates Council to CEO delegations passed by resolution of Council 23 October 2018 and executed on 31 October 2018 in accordance with the *Local Government Act 1989*.

Key Matters

5. Council as a legal entity can only act in one of two ways, by resolution or through others acting on its behalf. To enable effective and efficient functioning of local government, decision making powers are allocated by formal delegation.
6. The instrument of delegation from Council to the CEO considers matters that cannot be delegated by the CEO pursuant to section 11(2) of the Act, these are listed as conditions and limitations.
7. Section 11(3) of the Act provides for Council to delegate to the CEO the power to appoint an Acting Chief Executive Officer for a period exceeding 28 days and this is reflected in the Instrument.
8. Section 11(5) of the Act requires that the delegation for contracts or expenditure must specify a maximum monetary limit. This limit is \$2 million consistent with the previous Council to CEO delegation.
9. The Act is less prescriptive than section 98 of the *Local Government Act 1989*. To ensure consistency with previous Council to CEO delegation, the following have been added as conditions and limitations:
 - 9.1 limitations to the power to adopt the Community Vision, Financial Plan, Asset Plan and Revenue and Rating Plan;
 - 9.2 the power to approve expenditure that is in a budget approved by the Council; and
 - 9.3 the exercise of any power that is subject to section 223 of *Local Government Act 1989* (except the administrative procedures necessary to enable Council to carry out its functions under that section).

Cr Mansfield moved, Cr Grzybek seconded -

10. In the exercise of the power conferred by s 11(1)(b) of the *Local Government Act 2020* (the Act), the Greater Geelong City Council (Council) resolves that:

10.1 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;

10.2 The instrument comes into force immediately upon the resolution of Council;

10.3 The Instrument be signed by the Chief Executive Officer on behalf of Council;

10.4 On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and

10.5 The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

Carried.

Attachment 1

Financial Implications

1. Section 11(5) of the Act requires that the delegation for contracts or expenditure must specify a maximum monetary limit. The limit is consistent with the previous Council to CEO delegation, that being \$2 million.

Community Engagement

2. There are no proposed changes to the delegations that effect existing community engagement practices, the Instrument has been written to ensure that provisions relating to section 223 of the *Local Government Act 1989* will remain in place until specifically repealed in accordance with the Act.

Social Equity Considerations

3. There are no social considerations relative to this report.

Policy/Legal/Statutory Implications

4. Section 11(1)(b) of the Act provides for Council to delegate powers, duties and functions to the CEO. This Instrument has been prepared based on a model prepared by Maddocks Lawyers.
5. Council must adopt the Instrument of Delegation by 1 September 2020.

Alignment to Council Plan

6. This report aligns to Council Plan strategic priority 'Organisational leadership, strategy and governance'.

Conflict of Interest

7. No officer in the preparation of this report has a direct or indirect interest.

Risk Assessment

8. A properly prepared system of delegations minimises the likelihood of the CEO acting outside their powers and exposing Council to unacceptable risk.

Environmental Implications

9. There are no environmental implications relative to this report.

Attachment 2

Greater Geelong City Council

Instrument of Delegation

to

The Chief Executive Officer

Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Greater Geelong City 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 1 September 2020;
2. the delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 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 for GREATER GEELONG CITY COUNCIL
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

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
 - 1.1.1 entering into a contract exceeding the value of \$2,000,000 (excluding GST), or exceeding \$1,000,000 (excluding GST) where it is proposed not to accept the lowest tender;
 - 1.1.2 making any expenditure that exceeds \$2,000,000 (excluding GST), unless it is expenditure made under a contract already entered into or is expenditure which Council is, by or under legislation, required to make in which case it must not exceed the specific amount provided for that item in a budget approved by the Council;
 - 1.1.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.1.4 electing a Mayor or Deputy Mayor;
 - 1.1.5 granting a reasonable request for leave under s 35 of the Act;
 - 1.1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.1.7 approving or amending the Council Plan;
 - 1.1.8 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.1.9 adopting or amending the Governance Rules;
 - 1.1.10 appointing the chair or the members to a delegated committee;
 - 1.1.11 making, amending or revoking a local law;
 - 1.1.12 approving the Budget or Revised Budget;
 - 1.1.13 approving the borrowing of money;
 - 1.1.14 approving or amending the Community Vision;
 - 1.1.15 approving or amending the Financial Plan;

- 1.1.16 approving or amending the Asset Plan;
 - 1.1.17 approving or amending the Revenue and Rating Plan;
 - 1.1.18 the exercise of any power that is subject to section 223 of *Local Government Act 1989* except the administrative procedures necessary to enable Council to carry out its functions under section 223; or
 - 1.1.19 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, action, 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
 - 4.1.1 policy; or
 - 4.1.2 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 s 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.

11. COUNCIL TO STAFF DELEGATIONS

Source: Governance, Strategy & Performance - Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To review and update the Greater Geelong City Council (**Council**) Instrument of Delegation (**Instrument**) to members of Council staff.

Background

2. Delegation provisions under section 98(1) of the *Local Government Act 1989* were repealed by *Local Government Act 2020* (the Act) on 1 May 2020.
3. Existing delegations remain in force until 1 September 2020, unless revoked sooner.
4. Council last reviewed the delegation to members of Council staff on 28 January 2020.

Key Matters

5. The updated Instrument (**Attachment 2**) ensures compliance with the Act.
6. The powers conferred on the Council under some legislative Instruments cannot be delegated through the CEO and must be delegated by resolution directly to members of council staff.
7. It is important to ensure that Council has properly delegated powers, duties and functions, in order to avoid any issues arising regarding the legality of a decision or an action purportedly made or taken on behalf of the council.
8. The schedule to the Instrument has been updated to reflect minor legislative changes as advised by Maddocks lawyers.

Cr Mansfield moved, Cr Grzybek seconded -

9. In the exercise of the powers conferred by the legislation referred to in the attached Instrument of Delegation, the Greater Geelong City Council (Council) RESOLVES THAT:

- 9.1 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 (Attachment 2);**
- 9.2 The Instrument comes into force immediately upon the resolution of Council;**
- 9.3 The Instrument be signed by the Chief Executive Officer on behalf of Council;**
- 9.4 On the coming into force of the instrument all previous delegations from Council to members of Council staff (other than the Chief Executive Officer) are revoked; and**
- 9.5 The duties and functions set out in the Instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.**

Carried.

Attachment 1

Financial Implications

1. Financial delegation limits are set out in the Instrument of Delegation.

Community Engagement

2. The attached Instrument to members of Council staff has been prepared to reflect consultation with relevant Council officers.

Social Equity Considerations

3. There are no social equity issues arising from the subject of this report.

Policy/Legal/Statutory Implications

4. The powers conferred on the Council under some legislative instruments cannot be delegated through the CEO and must be delegated by resolution directly to Council officers.
5. The Acts and Regulations referred to in Attachment 2 are among those which require direct delegation.
6. Legislative updates as advised by Maddock's lawyers, include:
 - 6.1 Repeal of the *Rail Safety (Local Operations) Act 2006* (Vic);
 - 6.2 New provisions the *Residential Tenancies Act 1997* (Vic); and
 - 6.3 Amendments to the *Road Management Act 2014* (Vic).

Alignment to Council Plan

7. The recommendation furthers the Council Plan 2018-22 strategic priority of organisational leadership, strategy and governance by supporting the key priority of making our processes more effective and efficient.
8. There are many Acts and Regulations, which confer a responsibility on councils to take action or determine matters. It is not practical for Council alone to exercise the many statutory powers, duties and functions bestowed on the Council.
9. Given the extensive variety of services provided by local government it would be practically impossible for the council to make all decisions. Local government everywhere use delegations to senior officers to provide an appropriate level of service within acceptable time frames.

Conflict of Interest

10. No Council officers or contractors who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Risk Assessment

11. There are no high or extreme risks associated with the subject of this report.

Environmental Implications

12. There are no environmental implications identified for the subject of this report.

Greater Geelong City Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

In exercise of the power conferred by the legislation referred to in the attached Schedule, the Greater Geelong City 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. declares that:
 - 2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 1 September 2020; and
 - 2.2 the delegation:
 - 2.2.1 comes into force immediately upon the resolution of Council;
 - 2.2.2 remains in force until varied or revoked;
 - 2.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and
 - 2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 2.3.1 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; or
 - 2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategyadopted by Council; or
 - 2.3.3 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
 - 2.3.4 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.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

SCHEDULE

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DOMESTIC ANIMALS ACT 1994

Column 1					Column 2					Column 3					Column 4									
Statute or Source					Provision					Matter delegated					Delegate by Position					Conditions and Limitations				
DOMESTIC ANIMALS ACT 1994					s.41A(1)					power to declare a dog to be a menacing dog					Manager Health & Local Laws Co-ordinator Parking & Animal Compliance Co-ordinator Amenity Protection.					Council may delegate this power to a Council authorised officer				

ENVIRONMENT PROTECTION ACT 1970

ENVIRONMENT PROTECTION ACT 1970				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ENVIRONMENT PROTECTION ACT 1970	s.53M(3)	power to require further information	Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	Not applicable
ENVIRONMENT PROTECTION ACT 1970	s.53M(4)	duty to advise applicant that application is not to be dealt with	Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	
ENVIRONMENT PROTECTION ACT 1970	s.53M(5)	duty to approve plans, issue permit or refuse permit	Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	
ENVIRONMENT PROTECTION ACT 1970	s.53M(6)	power to refuse to issue septic tank permit	Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	refusal must be ratified by Council or it is of no effect
ENVIRONMENT PROTECTION ACT 1970	s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	

FOOD ACT 1984

FOOD ACT 1984				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	If section 19(1) applies
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	If section 19(1) applies
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health	If section 19(1) applies Only in relation to temporary food premises or mobile food premises
FOOD ACT 1984	s.19(4)(a)	power to direct that an order made under section 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	Manager Health & Local Laws Co-ordinator Environmental Health	If section 19(1) applies
FOOD ACT 1984	s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	If section 19(1) applies

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	If section 19(1) applies
FOOD ACT 1984	s.19AA(2)	power to direct, by written order, that a person must take any of the actions described in (a)-(c).	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	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
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.19CB(4)(b)	power to request copy of records	Manager Health & Local Laws Co-ordinator Environmental Health	where council is the registration authority
FOOD ACT 1984	s.19E(1)(d)	power to request a copy of the food safety program	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	s.19GB	power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.19M(4)(a) & (5)	power to conduct a food safety audit and take actions where deficiencies are identified	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	s.19NA(1)	power to request food safety audit reports	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.19U(3)	power to waive and vary the costs of a food safety audit if there are special circumstances	Manager Health & Local Laws Co-ordinator Environmental Health	
FOOD ACT 1984	s.19UA	power to charge fees for conducting a food safety assessment or inspection	Manager Health & Local Laws Co-ordinator Environmental Health	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.
FOOD ACT 1984	s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	s.19W(3)(a)	power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	---	power to register, renew or transfer registration	Manager Health & Local Laws Co-ordinator Environmental Health	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	Manager Health & Local Laws Co-ordinator Environmental Health	where council is the registration authority
FOOD ACT 1984	s.38A(4)	power to request a copy of a completed food safety program template	Manager Health & Local Laws Co-ordinator Environmental Health	where council is the registration authority
FOOD ACT 1984	s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	s.38D(3)	power to request copies of any audit reports	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	s.38E(2)	power to register the food premises on a conditional basis	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority not exceeding the prescribed time limit defined under subsection (5).
FOOD ACT 1984	s.38E(4)	duty to register the food premises when conditions are satisfied	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.39A	power to register, renew or transfer food premises despite minor defects	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health	
FOOD ACT 1984	s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer Environmental Health Technical Officer Food Safety Assessment Officer Food Safety Officer	where council is the registration authority
FOOD ACT 1984	s.40D(1)	power to suspend or revoke the registration of food premises	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health Environmental Health Officer	where council is the registration authority
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health	where council is the registration authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health	where council is the registration authority
FOOD ACT 1984	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	Manager Health & Local Laws Co-ordinator Environmental Health Team Leader Environmental Health	where council is the registration authority

HERITAGE ACT 2017

HERITAGE ACT 2017				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
HERITAGE ACT 2017	s.116	power to sub-delegate Executive Director's functions, duties or powers	Not Delegated.	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

LOCAL GOVERNMENT ACT 1989				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
LOCAL GOVERNMENT ACT 1989	s.181H	power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO ¹	
LOCAL GOVERNMENT ACT 1989	s.185L(4)	power to declare and levy a cladding rectification charge	CEO ²	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

² The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987

PLANNING AND ENVIRONMENT ACT 1987				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.4B	power to prepare an amendment to the Victoria Planning Provisions	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation .	if authorised by the Minister
PLANNING AND ENVIRONMENT ACT 1987	s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	Director Planning, Design & Development. Manager City Development Manager Planning and Growth. Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation. Team Leader Statutory Planning Principal Planner Senior Strategic Planner Senior Statutory Planner Subdivision Officer Town Planner. Student Town Planner Customer Service Town Planner.	
PLANNING AND ENVIRONMENT ACT 1987	s.4H	duty to make amendment to Victoria Planning Provisions available	Director Planning, Design & Development. Manager City Development Manager Planning and Growth. Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation. Team Leader Statutory Planning Principal Planner Senior Strategic Planner Senior Statutory Planner Subdivision Officer Town Planner. Student Town Planner Customer Service Town Planner.	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.41	duty to keep Victorian Planning Provisions and other documents available	Director Planning, Design & Development. Manager City Development Manager Planning and Growth. Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery. Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	Manager City Development Co-ordinator Strategic Implementation Senior Strategic Planner Strategic Planner.	
PLANNING AND ENVIRONMENT ACT 1987	s.8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	Director Planning, Design & Development. Manager City Development Manager Planning and Growth. Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery.	
PLANNING AND ENVIRONMENT ACT 1987	s.8A(5)	function of receiving notice of the Minister's decision	Director Planning, Design & Development Manager City Development Manager Planning and Growth Manager Urban Design and Heritage. Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Team Leader Statutory Planning Principal Planner Senior Strategic Planner Senior Statutory Planner Subdivision Officer Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Senior Strategic Planner Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Senior Strategic Planner Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.12(3)	power to carry out studies and do things to ensure proper use of land in which Council is the planning authority and consult with other persons to ensure co-ordination of planning scheme with these persons	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery. Project Manager Northern and Western Geelong Growth Areas Senior Strategic Planner Strategic Planner.	
PLANNING AND ENVIRONMENT ACT 1987	s.12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the Planning and Environment (Planning Schemes) Act 1996)	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.12B(1)	duty to review planning scheme	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.12B(2)	Duty to review planning scheme at direction of Minister	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation. Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Planning Investigations Officer Planning Investigations Officer Customer Service Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.17(1)	duty of giving copy amendment to the planning scheme	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.17(2)	duty of giving copy s.173 agreement	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	Manager City Development Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.18	duty to make amendment etc. available	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Senior Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	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 section 19 to a planning scheme	Manager Planning and Growth Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.19	function of receiving notice of preparation of an amendment to a planning scheme	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	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 ACT 1987	s.20(1)	power to apply to Minister for exemption from the requirements of section 19	Director Planning, Design & Development Manager Planning and Growth Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.21(2)	duty to make submissions available	Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.21A(4)	duty to publish notice in accordance with section	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Co-ordinator Strategic Planning	
PLANNING AND ENVIRONMENT ACT 1987	s.22	duty to consider all submissions	Director Planning, Design & Development Manager, City Development Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Team Leader Statutory Planning Principal Planner Senior Statutory Planner Subdivision Officer Town Planner. Student Town Planner Customer Service Town Planner	except submissions which request a change to the items in s.22(5)(a) and (b)

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.23(1)(b)	duty to refer submissions which request a change to the amendment to a panel	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.23(2)	power to refer to a panel submissions which do not require a change to the amendment	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Strategic Planner Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.26(1)	power to make report available for inspection	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.26(2)	duty to keep report of panel available for inspection	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.27(2)	power to apply for exemption if panel's report not received	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.28	duty to notify the Minister if abandoning an amendment	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.30(4)(a)	duty to say if amendment has lapsed	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.30(4)(b)	duty to provide information in writing upon request	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.32(2)	duty to give more notice if required	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.33(1)	duty to give more notice of changes to an amendment	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.36(2)	duty to give notice of approval of amendment	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.38(5)	duty to give notice of revocation of an amendment	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.39	function of being a party to a proceeding commenced under s.39 and duty to comply with determination by VCAT	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.40(1)	function of lodging copy of approved amendment	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.41	duty to make approved amendment available	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.46AS(ac)	power to request the Victorian Planning Authority to provide advice on any matter relating to land in Victoria or an objective of planning in Victoria	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.46AW	function of being consulted by the Minister	Director Planning, Design & Development Manager City Development Manager Planning and Growth	where Council is a responsible public entity
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development	where Council is a responsible public entity

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner	where Council is a responsible public entity
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Customer Service Town Planner	where Council is a responsible public entity
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Manager Planning and Growth	where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GJ(1)	function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GK	duty to comply with a Minister's direction that applies to Council as the planning authority	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.46GN(1)	duty to arrange for estimates of values of inner public purpose land	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46GO(1)	duty to give notice to owners of certain inner public purpose land	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GP	function of receiving a notice under s.46GO	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Customer Service Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GR(1)	duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Customer Service Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.46GR(2)	power to consider a late submission duty to consider a late submission if directed to do so by the Minister	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Development Contributions Accountant	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46GT(2)	duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46GT(6)	function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GV(3)(b)	power to enter into an agreement with the applicant	Director Planning, Design and Development Manager Planning and Growth Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GV(4)(a)	power to enter into an agreement with the applicant	Director Planning, Design and Development Manager Planning and Growth Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	where Council is the development agency

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GV(4)(b)	power to enter into an agreement with the applicant	Director Planning, Design and Development Manager Planning and Growth Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Senior Strategic Planner Snr Strategic Planner/Project Officer Strategic Planner Development Contributions Accountant Senior Strategic Planner – Planning Delivery Growth Area Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Customer Service Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Director Planning, Design and Development	where Council is the collecting agency

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GX(1)	power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Manager Planning and Growth	where Council is the collecting agency Limited to instances where the value of works, services, land or facilities do not exceed value of levy payable.
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GY(1)	duty to keep proper and separate accounts and records	Manager City Development Manager Planning and Growth Chief Financial Officer Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GY(2)	duty to keep the accounts and records in accordance with the Local Government Act 1989	Manager City Development Manager Planning and Growth Chief Financial Officer Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is that planning authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GZ(2)(a)	function of receiving the monetary component	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where the Council is the planning authority this duty does not apply where Council is also the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GZ(2)(b)	duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	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
PLANNING AND ENVIRONMENT ACT 1987	s.46GZ(2)(b)	function of receiving the monetary component	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the development agency under an approved infrastructure contributions plan this provision does not apply where Council is also the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	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)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	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

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GZ(5)	function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant.	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
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	if any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s.46GV(4) where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GZ(9)	function of receiving the fee simple in the land	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GZA(1)	duty to keep proper and separate accounts and records	Manager City Development Manager Planning and Growth Chief Financial Officer Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is a development agency under an approved infrastructure contributions plan

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GZA(2)	duty to keep the accounts and records in accordance with the Local Government Act 1989	Manager City Development Manager Planning and Growth Chief Financial Officer Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is a development agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZB(3)	duty to follow the steps set out in s.46GZB(3)(a) & (c)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is a development agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZB(4)	duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	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
PLANNING AND ENVIRONMENT ACT 1987	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)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the development agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZD(3)	duty to follow the steps set out in s.46GZD(3)(a) and (b)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46GZD(5)	duty to make payments under s.46GZD(3) in accordance with ss.46GZD(5)(a) and 46GZD(5)(b)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the development agency under an approved infrastructure contributions plan this duty does not apply where Council is also the collecting agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GZE(2)	function of receiving the unexpended land equalisation amount	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan this duty does not apply where Council is also the development agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GZE(3)	duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s.46GZE(3)(a) and (b)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the development agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZF(3)	duty, if land is sold under s.46GZF(2)(b), to follow the steps in s.46GZF(3)(a) and (b)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the development agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZF(3)	s.46GZF(3)(a) function of receiving proceeds of sale	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collection agency under an approved infrastructure contributions plan this provision does not apply where Council is also the development agency
PLANNING AND ENVIRONMENT ACT 1987	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)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZF(6)	duty to make the payments under s.46GZF(4) in accordance with s.46GZF(6)(a) and (b)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Planning Delivery Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Development Contributions Accountant	where Council is the collecting agency under an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.46GZI	duty to prepare and give a report to the Minister at the times required by the Minister	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is a collecting agency or development agency
PLANNING AND ENVIRONMENT ACT 1987	s.46GZK	power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Director Planning, Design and Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	where Council is a collecting agency or development agency
PLANNING AND ENVIRONMENT ACT 1987	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)	Manager Planning and Growth Co-ordinator Planning Delivery Development Contributions Accountant	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Development Contributions Accountant Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Customer Service Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	Director Planning, Design and Development Manager City Development Manager Planning and Growth	
PLANNING AND ENVIRONMENT ACT 1987	s.46O(1)(a) & (2)(a)	power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permits	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	Director Planning, Design and Development Manager City Development Manager Planning Strategy & Urban Growth	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	Director Planning, Design and Development Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Manager Planning and Growth	Limited to instances where the value of works, services, land or facilities do not exceed value of levy payable
PLANNING AND ENVIRONMENT ACT 1987	s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	Director Planning, Design and Development	
PLANNING AND ENVIRONMENT ACT 1987	s.46Q(1)	duty to keep proper accounts of levies paid	Director Planning, Design and Development Manager City Development Manager Planning and Growth Chief Financial Officer Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	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 or plan preparation costs incurred by a development agency	Director Planning, Design and Development Manager City Development Manager Planning and Growth Chief Financial Officer Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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.	Director Planning, Design and Development Manager City Development Manager Planning and Growth Chief Financial Officer Manager Social Planning and Investment Manager Engineering Services Manager Environment and Waste Manager Property, Procurement and Assets Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Strategic Implementation Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	Director Planning, Design & Development Manager Planning and Growth	only applies when levy is paid to Council as a 'development agency'
PLANNING AND ENVIRONMENT ACT 1987	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)	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Co-ordinator Strategic Planning Development Contributions Accountant	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
PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Development Contributions Accountant	must be done in accordance with Part 3

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.46Q(4)(e)	duty to expend that amount on other works etc.	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Development Contributions Accountant	with the consent of, and in the manner approved by, the Minister
PLANNING AND ENVIRONMENT ACT 1987	s.46QC	power to recover any amount of levy payable under Part 3B	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Planning Delivery Development Contributions Accountant	
PLANNING AND ENVIRONMENT ACT 1987	s.46QD	duty to prepare report and give a report to the Minister	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Planning Delivery Development Contributions Accountant	where council is a collecting agency or development agency
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.46Y	duty to carry out works in conformity with the approved strategy plan	Director Planning, Design & Development Manager Planning and Growth	
PLANNING AND ENVIRONMENT ACT 1987	s.47	power to decide that an application for a planning permit does not comply with that Act	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Subdivision Officer Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.49(2)	duty to make register available for inspection	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.50(4)	duty to amend application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.50(5)	power to refuse to amend application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.50(6)	duty to make note of amendment to application in register	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.50A(1)	power to make amendment to application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.50A(4)	duty to note amendment to application in register	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.51	duty to make copy of application available for inspection	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally effected	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.52(3)	power to give any further notice of an application where appropriate	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.53(1A)	power to require the applicant to give the notice under section 52(1AA)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.54(1)	power to require the applicant to provide more information	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.54(1A)	duty to give notice in writing of information required under section 54(1)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.54(1B)	duty to specify the lapse date for an application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.54A(3)	power to decide to extend time or refuse to extend time to give required information	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.54A(4)	duty to give written notice of decision to extend or refuse to extend time under section 54A(3)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	Not Delegated.	
PLANNING AND ENVIRONMENT ACT 1987	s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.57(5)	duty to make available for inspection copy of all objections	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.57A(4)	duty to amend application in accordance with applicant's request, subject to s.57A(5)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.57A(5)	power to refuse to amend application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.57A(6)	duty to note amendments to application in register	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.57B(1)	duty to determine whether and to whom notice should be given	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.57B(2)	duty to consider certain matters in determining whether notice should be given	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.57C(1)	duty to give copy of amended application to referral authority	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.58	duty to consider every application for a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.58A	power to request advice from the Planning Application Committee	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.60	duty to consider certain matters	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.60(1A)	duty to consider certain matters before deciding on application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.60(1B)	duty to consider number of objectors in considering whether use or development may have significant social effect	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage At 2006
PLANNING AND ENVIRONMENT ACT 1987	s.61(2)	duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	Not Delegated.	
PLANNING AND ENVIRONMENT ACT 1987	s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.62(1)	duty to include certain conditions in deciding to grant a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.62(2)	power to include other conditions	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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 section 173 agreement	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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 section 62(5) or section 46N	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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 section 62(1)(a)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.63	duty to issue the permit where made a decision in favour of the application (if no one has objected)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.64(1)	duty to give notice of decision to grant a permit to applicant and objectors	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Team Leader Statutory Planning	Subject to advising all Councillors prior to any delegated decision being made in respect of applications with 6 or more objections with the right for any Councillor to refer an application to the Planning Committee in accordance with the Planning Committee terms of reference
PLANNING AND ENVIRONMENT ACT 1987	s.64(3)	duty not to issue a permit until after the specified period	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	This provision applies also to a decision to grant an amendment to a permit - see section 75

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.64(5)	duty to give each objector a copy of an exempt decision	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	this provision applies also to a decision to grant an amendment to a permit - see section 75A
PLANNING AND ENVIRONMENT ACT 1987	s.65(1)	duty to give notice of refusal to grant permit to applicant and person who objected under section 57	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	Subject to advising all Councillors prior to any delegated decision being made in respect of refusal of applications with the right for any Councillor to refer an application to the Planning Committee in accordance with the Planning Committee terms of reference
PLANNING AND ENVIRONMENT ACT 1987	s.66(1)	duty to give notice under section 64 or section 65 and copy permit to relevant determining referral authorities	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.66(2)	duty to give a recommending referral authority notice of its decision to grant a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	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
PLANNING AND ENVIRONMENT ACT 1987	s.66(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	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
PLANNING AND ENVIRONMENT ACT 1987	s.66(6)	duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under section 64 or 65	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	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
PLANNING AND ENVIRONMENT ACT 1987	s.69(1)	function of receiving application for extension of time of permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.69(1A)	function of receiving application for extension of time to complete development	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.69(2)	power to extend time	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.70	duty to make copy permit available for inspection	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.71(1)	power to correct certain mistakes	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.71(2)	duty to note corrections in register	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.73	power to decide to grant amendment subject to conditions	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.74	duty to issue amended permit to applicant if no objectors	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.76	duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	Manager City Development Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.76A(1)	duty to give relevant determining referral authorities copy of amended permit and copy of notice	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.76A(2)	duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	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
PLANNING AND ENVIRONMENT ACT 1987	s.76A(4)	duty to give a recommending referral authority notice of its decision to refuse a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	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
PLANNING AND ENVIRONMENT ACT 1987	s.76A(6)	duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under section 64 or 76	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Administration / Technical Officer	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
PLANNING AND ENVIRONMENT ACT 1987	s.76D	duty to comply with direction of Minister to issue amended permit	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Team Leader Statutory Planning	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.83	function of being respondent to an appeal	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.83B	duty to give or publish notice of application for review	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.84(1)	power to decide on an application at any time after an appeal is lodged against failure to grant a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.84(6)	duty to issue permit on receipt of advice within 3 working days	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.84AB	power to agree to confining a review by the Tribunal	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Planning Delivery Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Town Planner. Student Town Planner.	
PLANNING AND ENVIRONMENT ACT 1987	s.86	duty to issue a permit at order of Tribunal within 3 working days	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Town Planner. Student Town Planner.	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Planning Investigations Officer Planning Investigations Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.91(2)	duty to comply with the directions of the VCAT	Manager City Development Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Planning Investigations Officer Planning Investigations Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.91(2A)	Duty to issue amended permit to owner if Tribunal so directs	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.93(2)	duty to give notice of VCAT order to stop development	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer Senior Planning Investigations Officer Planning Investigations Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.95(3)	function of referring certain applications to the Minister	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.95(4)	duty to comply with an order or direction	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.96(1)	duty to obtain a permit from the Minister to use and develop its land	Manager Engineering Manager Connected Communities Manager Environment & Waste Services Manager Social Planning & Investment Manager, Property Procurement & Assets	
PLANNING AND ENVIRONMENT ACT 1987	s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	Manager Engineering Manager Connected Communities Manager Environment & Waste Services Manager Social Planning & Investment Manager, Property Procurement & Assets	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator.	
PLANNING AND ENVIRONMENT ACT 1987	s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation	
PLANNING AND ENVIRONMENT ACT 1987	s.96F	duty to consider the panel's report under section 96E	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.96G(1)	power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under section 23 of the Planning and Environment (Planning Schemes) Act 1996)	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation	
PLANNING AND ENVIRONMENT ACT 1987	s.96H(3)	power to give notice in compliance with Minister's direction	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.96J	power to issue permit as directed by the Minister	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.96K	duty to comply with direction of the Minister to give notice of refusal	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.96Z	duty to keep levy certificates given to it under ss. 47 or 96A for no less than 5 years from receipt of the certificate		N/A Metropolitan Planning Levy
PLANNING AND ENVIRONMENT ACT 1987	s.97C	power to request Minister to decide the application	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation	
PLANNING AND ENVIRONMENT ACT 1987	s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.97L	duty to include Ministerial decisions in a register kept under section 49	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.97MH	duty to provide information or assistance to the Planning Application Committee	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator.	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.97O	duty to consider application and issue or refuse to issue certificate of compliance	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Town Planner. Student Town Planner Senior Statutory Planner Senior Planning Investigations Officer Planning Investigations Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Planning Investigations Officer Planning Investigations Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.97Q(4)	duty to comply with directions of VCAT	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.97R	duty to keep register of all applications for certificate of compliance and related decisions	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner Senior Administration / Technical Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	Director Planning, Design & Development Manager City Development Manager Planning & Growth Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	Director Planning, Design & Development Manager City Development Manager Planning & Growth Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.101	function of receiving claim for expenses in conjunction with claim	Director Planning, Design & Development Manager City Development Manager Planning & Growth Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.103	power to reject a claim for compensation in certain circumstances	Director Planning, Design & Development Manager City Development Manager Planning and Growth	
PLANNING AND ENVIRONMENT ACT 1987	s.107(1)	function of receiving claim for compensation	Director Planning, Design & Development Manager City Development Manager Planning & Growth Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.107(3)	power to agree to extend time for making claim	Director Planning, Design & Development Manager City Development Manager Planning & Growth Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	s.114(1)	power to apply to the VCAT for an enforcement order	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.117(1)(a)	function of making a submission to the VCAT where objections are received	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner Subdivision Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.123(1)	power to carry out work required by enforcement order and recover costs	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	Director Planning, Design & Development Manager City Development Chief Financial Officer .	except Crown Land
PLANNING AND ENVIRONMENT ACT 1987	s.129	function of recovering penalties	Director Planning, Design & Development Manager City Development Chief Financial Officer Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator.	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.130(5)	power to allow person served with an infringement notice further time	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Customer Service Town Planner Town Planner. Student Town Planner Senior Statutory Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.149A(1)	power to refer a matter to the VCAT for determination	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Senior Planning Investigations Officer Planning Investigations Officer Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Subdivision Officer Town Planner. Student Town Planner Senior Planning Investigations Officer Planning Investigations Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (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 subsection (2B) power to ask for contribution under subsection (3) power to abandon amendment or part of it under subsection (4)	Manager City Development Manager Planning & Growth Co-ordinator Strategic Planning Co-ordinator Planning Delivery Senior Strategic Planner Strategic Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.171(2)(f)	power to carry out studies and commission reports	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Subdivision Officer Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.171(2)(g)	power to grant and reserve easements	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Subdivision Officer Town Planner. Student Town Planner	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.172C	power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Director Planning, Design & Development. Manager City Development Manager Planning and Growth Co-ordinator Planning Delivery	where Council is a development agency specified in an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	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)	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	
PLANNING AND ENVIRONMENT ACT 1987	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)	Director Planning, Design & Development. Manager City Development Manager Planning and Growth Co-ordinator Planning Delivery	where Council is the development agency specified in an approved infrastructure contributions plan
PLANNING AND ENVIRONMENT ACT 1987	s.173(1)	power to enter into agreement covering matters set out in section 174	Director Planning, Design & Development Manager City Development Manager Planning & Growth	
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Manager Planning & Growth	where council is the relevant responsible authority

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987		power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Subdivision Officer Planning Investigations Officer Senior Planning Investigations Officer Town Planner. Student Town Planner Principle Development Engineer Senior Development Engineer Development Engineer	
PLANNING AND ENVIRONMENT ACT 1987		power to give consent on behalf of Council, where an agreement made under section 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	Manager City Development Manager Planning and Growth Manager Urban Design and Heritage Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Planning Co-ordinator Planning Delivery Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Subdivision Officer Planning Investigations Officer Senior Planning Investigations Officer Town Planner. Student Town Planner Principle Development Engineer Senior Development Engineer Development Engineer	
PLANNING AND ENVIRONMENT ACT 1987	s.177(2)	power to end a section 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	Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Planning Delivery	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Manager Planning & Growth	
PLANNING AND ENVIRONMENT ACT 1987	s.178A(1)	function of receiving application to amend or end an agreement	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Team Leader Statutory Planning	
PLANNING AND ENVIRONMENT ACT 1987	s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Team Leader Statutory Planning	
PLANNING AND ENVIRONMENT ACT 1987	s.178A(5)	power to propose to amend or end an agreement	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Team Leader Statutory Planning	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.178C(4)	function of determining how to give notice under s.178C(2)	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	Director Planning, Design & Development Manager City Development Manager Planning & Growth	If no objections are made under s.178D Must consider matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Director Planning, Design & Development Manager City Development Manager Planning & Growth	If no objections are made under s.178D Must consider matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178E(2)(c)	power to refuse to amend or end the agreement	Director Planning, Design & Development Manager City Development Manager Planning & Growth	If no objections are made under s.178D Must consider matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	Director Planning, Design & Development Manager City Development Manager Planning & Growth	After considering objections, submissions and matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	Director Planning, Design & Development Manager City Development Manager Planning & Growth	After considering objections, submissions and matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	Director Planning, Design & Development Manager City Development Manager Planning & Growth	After considering objections, submissions and matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178E(3)(d)	power to refuse to amend or end the agreement	Director Planning, Design & Development Manager City Development Manager Planning & Growth	After considering objections, submissions and matters in s.178B
PLANNING AND ENVIRONMENT ACT 1987	s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.178G	duty to sign amended agreement and give copy to each other party to the agreement	Director Planning, Design & Development	
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.181	duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.182	power to enforce an agreement	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Planning Investigations Officer Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Senior Planning Investigations Officer Subdivision Officer Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.183	duty to tell Registrar of Titles of ending/amendment of agreement	Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Manager Planning & Growth	
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	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	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.184G(2)	duty to comply with a direction of the Tribunal	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Senior Planning Investigations Officer Planning Investigations Office	
PLANNING AND ENVIRONMENT ACT 1987	s.184G(3)	duty to give notice as directed by the Tribunal	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.201(1)	function of receiving application for declaration of underlying zoning	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.201(3)	duty to make declaration	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning Statutory Planning Projects Co-ordinator Co-ordinator Strategic Implementation Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987		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	Manager City Development Manager Planning and Growth Manager Urban Design and Heritage Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Development Planning Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Principal Development Engineer Senior Development Engineer Engineering Technical Officer Business Support Officer Senior WSUD Development Engineer Senior Traffic Development Engineer Traffic Development Engineer Principal Stormwater Planning Officer Development Engineer Coordinator Open Space Planning Senior Open Space Planner Open Space Planner Parks Planning Officer Subdivision Officer Town Planner. Student Town Planner Environmental Planning Team Leader Environmental Planning Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987		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	Manager City Development Manager Planning and Growth Manager Urban Design and Heritage Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Planning Delivery Co-ordinator Strategic Planning Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Subdivision Officer Planning Investigations Officer Senior Planning Investigations Officer Town Planner. Student Town Planner	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987		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	Manager City Development Manager Planning and Growth Manager Urban Design and Heritage Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery Co-ordinator Development Planning Principal Planner Senior Statutory Planner Team Leader Statutory Planning Customer Service Town Planner Principal Development Engineer Senior Development Engineer Development Engineer Engineering Technical Officer Business Support Officer Senior WSUD Development Engineer Senior Traffic Development Engineer Traffic Development Engineer Principal Stormwater Planning Officer Coordinator Open Space Planning Senior Open Space Planner Open Space Planner Parks Planning Officer Subdivision Officer Town Planner. Student Town Planner Environmental Planning Team Leader Environmental Planning Officer	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987		power to give written authorisation in accordance with a provision of a planning scheme	Manager City Development Manager Planning and Growth Manager Urban Design and Heritage Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT ACT 1987	s.201UAB(1)	function of providing the Victoria Planning Authority with information relating to any land within municipal district	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT ACT 1987	s.201UAB(2)	duty to provide the Victoria Planning Authority with information requested under subsection (1) as soon as possible	Director Planning, Design & Development Manager City Development Manager Planning and Growth Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery Customer Service Town Planner Team Leader Statutory Planning Principal Planner Senior Statutory Planner Town Planner. Student Town Planner Subdivision Officer	
PLANNING AND ENVIRONMENT ACT 1987	-----	power to determine whether or not a document or series of documents constitute a Development Plan for the purposes of the Greater Geelong Planning Scheme is to the satisfaction of the Responsible Authority	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator.	
PLANNING AND ENVIRONMENT ACT 1987		exercise all the powers, duties and functions of a referral authority under the Planning and Environment Act	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Team Leader Statutory Planning Principal Planner Senior Statutory Planner Customer Service Town Planner Subdivision Officer Town Planner. Student Town Planner	

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	r.19	power to waive or rebate a fee relating to an amendment of a planning scheme	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation	
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	r.20	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation	
PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016	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	Director Planning, Design & Development Manager City Development Co-ordinator Strategic Implementation Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation	

PLANNING AND ENVIRONMENT REGULATIONS 2015

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT REGULATIONS 2015	r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	Manager City Development Manager Planning and Growth Co-ordinator Strategic Planning Co-ordinator Strategic Implementation Co-ordinator Planning Delivery	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 REGULATIONS 2015	r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Team Leader Statutory Planning Principal Planner Customer Service Town Planner Senior Statutory Planner Town Planner. Student Town Planner	
PLANNING AND ENVIRONMENT REGULATIONS 2015	r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Team Leader Statutory Planning Principal Planner Customer Service Town Planner Senior Statutory PlannerTown Planner. Student Town Planner	where Council is the responsible authority
PLANNING AND ENVIRONMENT REGULATIONS 2015	r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	Director Planning, Design & Development Manager City Development Co-ordinator Statutory Planning. Statutory Planning Projects Co-ordinator. Co-ordinator Strategic Implementation Team Leader Statutory Planning Principal Planner Customer Service Town Planner Senior Statutory PlannerTown Planner. Student Town Planner	where Council is not the responsible authority but the relevant land is within Council's municipal district

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
PLANNING AND ENVIRONMENT REGULATIONS 2015	r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	Manager City Development Manager Planning and Growth Co-ordinator Strategic Implementation Co-ordinator Strategic Planning Co-ordinator Planning Delivery	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.

RESIDENTIAL TENANCIES ACT 1997

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES ACT 1997	s 91ZU(1)	Power to give a renter a notice to vacate rented premises	Manager Property, Procurement and Assets	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
RESIDENTIAL TENANCIES ACT 1997	s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	Manager Property, Procurement and Assets	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
RESIDENTIAL TENANCIES ACT 1997	s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	Manager Property, Procurement and Assets	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
RESIDENTIAL TENANCIES ACT 1997	s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	Manager Property, Procurement and Assets	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
RESIDENTIAL TENANCIES ACT 1997	s 142D	Function of receiving notice regarding an unregistered rooming house	Manager Health & Local Laws Co-ordinator Environmental Health	
RESIDENTIAL TENANCIES ACT 1997	s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	Manager Health & Local Laws Co-ordinator Environmental Health	
RESIDENTIAL TENANCIES ACT 1997	s.142G(2)	power to enter certain information in the Rooming House Register	Manager Health & Local Laws Co-ordinator Environmental Health	
RESIDENTIAL TENANCIES ACT 1997	s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	Manager Health & Local Laws Co-ordinator Environmental Health	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES ACT 1997	s 206AZA(2)	Function of receiving written notification	Manager, Environment & Waste Services	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
RESIDENTIAL TENANCIES ACT 1997	s 207ZE(2)	Function of receiving written notification	Manager, Environment & Waste Services	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
RESIDENTIAL TENANCIES ACT 1997	s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	Not Delegated	Where Council is a public statutory authority engaged in the provision of housing Where Council is the landlord
RESIDENTIAL TENANCIES ACT 1997	s.262(1)	power to give tenant a notice to vacate rented premises	Not Delegated	Where Council is a public statutory authority engaged in the provision of housing Where Council is the landlord
RESIDENTIAL TENANCIES ACT 1997	s 311A(2)	Function of receiving written notification	Manager, Environment & Waste Services	
RESIDENTIAL TENANCIES ACT 1997	s 317ZDA(2)	Function of receiving written notification	Manager, Environment & Waste Services	
RESIDENTIAL TENANCIES ACT 1997	s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	Manager City Development Co-ordinator Building Services (Municipal Building Surveyor)	
RESIDENTIAL TENANCIES ACT 1997	s.522(1)	power to give a compliance notice to a person	Manager City Development Co-ordinator Building Services (Municipal Building Surveyor)	Not applicable
RESIDENTIAL TENANCIES ACT 1997	s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	Manager City Development Co-ordinator Building Services (Municipal Building Surveyor)	
RESIDENTIAL TENANCIES ACT 1997	s.525(4)	duty to issue identity card to authorised officers	Manager City Development Co-ordinator Building Services (Municipal Building Surveyor)	
RESIDENTIAL TENANCIES ACT 1997	s.526(5)	duty to keep record of entry by authorised officer under section 526	Manager City Development Co-ordinator Building Services (Municipal Building Surveyor)	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES ACT 1997	s.526A(3)	function of receiving report of inspection	Manager City Development Co-ordinator Building Services (Municipal Building Surveyor)	
RESIDENTIAL TENANCIES ACT 1997	s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	Director Planning, Design & Development Manager City Development Manager Health & Local Laws Co-ordinator Building Services (Municipal Building Surveyor)	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.7	function of entering into a written agreement with a caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.11	function of receiving applications for registration	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.13(4) & (5)	duty to issue certificate of registration	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(1)	function of receiving notice of transfer of ownership	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.15(3)	power to determine where notice of transfer is displayed	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(1)	duty to transfer registration to new caravan park owner	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.16(2)	duty to issue a certificate of transfer of registration	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.18	duty to keep register of caravan parks	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(4)	power to determine where the emergency contact person's details are displayed	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.19(6)	power to determine where certain information is displayed	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	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	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.22A(2)	duty to consult with relevant emergency services agencies	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.24	power to determine places in which caravan park owner must display copy of public emergency warnings	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.25(3)	duty to consult with relevant floodplain management authority	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.26	duty to have regard to any report of the relevant fire authority	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.28(c)	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.39	function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.39(b)	power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.40(4)	function of receiving installation certificate	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	r.42	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	
RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010	Schedule 3 clause 4(3)	power to approve the removal of wheels and axles from unregistrable movable dwelling	Co-ordinator Building Services (Municipal Building Surveyor) Team Leader Senior Building Surveyor (Governance) Team Leader Senior Building Surveyor/Permits Technical Officer Assistant Building Surveyor Building Surveyor	

ROAD MANAGEMENT ACT 2004

ROAD MANAGEMENT ACT 2004				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.11(1)	power to declare a road by publishing a notice in the Government Gazette	Chief Financial Officer Manager Engineering Services Co-ordinator Revenue Property & Valuations	obtain consent in circumstances specified in section 11(2)
ROAD MANAGEMENT ACT 2004	s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	Manager Engineering Services Property & Valuations Supervisor	Not applicable
ROAD MANAGEMENT ACT 2004	s.11(9)(b)	duty to advise Registrar	Manager Engineering Services Property & Valuations Supervisor	
ROAD MANAGEMENT ACT 2004	s.11(10)	duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	Manager Engineering Services Co-ordinator Revenue Property & Valuations	clause subject to section 11(10A)
ROAD MANAGEMENT ACT 2004	s.11(10A)	duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.12(2)	power to discontinue road or part of a road	Not Delegated	were council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	Manager Property, Procurement & Assets Manager Engineering Services	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
ROAD MANAGEMENT ACT 2004	s.12(5)	duty to consider written submissions received within 28 days of notice	Manager Property, Procurement & Assets Manager Engineering Services	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
ROAD MANAGEMENT ACT 2004	s.12(6)	function of hearing a person in support of their written submission	Manager Property, Procurement & Assets Manager Engineering Services	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
ROAD MANAGEMENT ACT 2004	s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	Manager Property, Procurement & Assets Manager Engineering Services	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.12(10)	duty to notify of decision made	Manager Property, Procurement & Assets Manager Engineering Services	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
ROAD MANAGEMENT ACT 2004	s.13(1)	power to fix a boundary of a road by publishing notice in Government Gazette	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate
ROAD MANAGEMENT ACT 2004	s.14(4)	function of receiving notice from the Head, Transport for Victoria	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.14(7)	power to appeal against decision of the Head, Transport for Victoria	Manager Engineering Services	Not applicable
ROAD MANAGEMENT ACT 2004	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	Co-ordinator Development Planning Co-ordinator Design & Services Co-ordinator Infrastructure Planning	Not applicable
ROAD MANAGEMENT ACT 2004	s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	Co-ordinator Development Planning Co-ordinator Design & Services Co-ordinator Infrastructure Planning	Not applicable
ROAD MANAGEMENT ACT 2004	s.15(2)	duty to include details of arrangement in public roads register	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.16(7)	power to enter into an arrangement under section 15	Manager Engineering Services	Not applicable
ROAD MANAGEMENT ACT 2004	s.16(8)	duty to enter details of determination in public roads register	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Development Planning Co-ordinator Transport	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.17(2)	duty to register public road in public roads register	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.17(3)	power to decide that a road is reasonably required for general public use	Not Delegated	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.17(3)	duty to register a road reasonably required for general public use in public roads register	Not Delegated	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.17(4)	power to decide that a road is no longer reasonably required for general public use	Co-ordinator Infrastructure Planning Co-ordinator Development Planning Co-ordinator Transport	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.17(4)	duty to remove road no longer reasonably required for general public use from public roads register	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Development Planning Co-ordinator Transport	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.18(1)	power to designate ancillary area	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
ROAD MANAGEMENT ACT 2004	s.18(3)	duty to record designation in public roads register	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.19(1)	duty to keep register of public roads in respect of which it is the coordinating road authority	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.19(4)	duty to specify details of discontinuance in public roads register	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Development Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.19(5)	duty to ensure public roads register is available for public inspection	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.21	function of replying to request for information or advice	Manager Engineering Services Co-ordinator Design & Services Co-ordinator Development Planning Co-ordinator Infrastructure Planning Co-ordinator Transport	obtain consent in circumstances specified in section 11(2)
ROAD MANAGEMENT ACT 2004	s.22(2)	function of commenting on proposed direction	Manager Engineering Services Co-ordinator Design & Services Co-ordinator Development Planning Co-ordinator Infrastructure Planning Co-ordinator Program Delivery Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.22(5)	duty to give effect to a direction under this section.	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.40(1)	duty to inspect, maintain and repair a public road.	Manager Engineering Services Co-ordinator Design & Services Co-ordinator Development Planning Co-ordinator Infrastructure Planning Co-ordinator Program Delivery Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.40(5)	power to inspect, maintain and repair a road which is not a public road	Co-ordinator Design & Services Co-ordinator Development Planning Co-ordinator Infrastructure Planning Co-ordinator Program Delivery Co-ordinator Transport	Not applicable
ROAD MANAGEMENT ACT 2004	s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.42(1)	power to declare a public road as a controlled access road	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	power of coordinating road authority and Schedule 2 also applies

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	power of coordinating road authority and Schedule 2 also applies
ROAD MANAGEMENT ACT 2004	s.42A(3)	duty to consult with VicRoads before road is specified	Manager Engineering Services	where council is the coordinating road authority if road is a municipal road or part thereof
ROAD MANAGEMENT ACT 2004	s.42A(4)	power to approve Minister's decision to specify a road as a specified freight road	Manager Engineering Services	where council is the coordinating road authority if road is a municipal road or part thereof and where road is to be specified a freight road
ROAD MANAGEMENT ACT 2004	s.48M(3)	function of consulting with the relevant authority for purposes of developing guidelines under section 48M	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.49	power to develop and publish a road management plan	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.51	power to determine standards by incorporating the standards in a road management plan	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	Co-ordinator Transport Co-ordinator Infrastructure Planning	Not applicable
ROAD MANAGEMENT ACT 2004	s.54(2)	duty to give notice of proposal to make a road management plan	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.54(5)	duty to conduct a review of road management plan at prescribed intervals	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.54(6)	power to amend road management plan	Co-ordinator Infrastructure Planning Co-ordinator Transport	Not applicable

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.54(7)	duty to incorporate the amendments into the road management plan	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.63(1)	power to consent to conduct of works on road	Manager City Works	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.63(2)(e)	power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	Manager City Works	where council is the infrastructure manager
ROAD MANAGEMENT ACT 2004	s.64(1)	duty to comply with clause 13 of Schedule 7	Manager City Works	where council is the infrastructure manager or works manager
ROAD MANAGEMENT ACT 2004	s.66(1)	power to consent to structure etc	Manager Health & Local Laws Co-ordinator Development Planning Co-ordinator Amenity Protection Co-ordinator Parking & Animal Compliance Co-ordinator Infrastructure Planning Legal Support & Prosecutions Officer Health & Amenity Officer Team Leader Parking & Information Services Parking Information Services Officer Team Leader Animal & Information Services Parking & Information Services Lead Officer Animal & Information Services Officer Animal Registration & Patrol Officer Animal Patrol and Safety Officer (pt) Animal Management Officer Project Support & Engagement Officer Parking Information Services Officer Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.67(2)	function of receiving the name & address of the person responsible for distributing the sign or bill	Manager Engineering Services Co-ordinator Development Planning	where council is the coordinating road authority

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.67(3)	power to request information	Manager Health & Local Laws Co-ordinator Development Planning Co-ordinator Design & Services Co-ordinator Amenity Protection Co-ordinator Parking & Animal Compliance Co-ordinator Infrastructure Planning Co-ordinator Transport Legal Support & Prosecutions Officer Team Leader Parking & Information Services Health & Amenity Officer Parking Information Services Officer Parking & Information Services Lead Officer Animal & Information Services Officer Animal Registration & Patrol Officer Team Leader Animal & Information Services Animal Patrol and Safety Officer (pt) Animal Management Officer Project Support & Engagement Officer Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.68(2)	power to request information	Co-ordinator Development Planning Co-ordinator Design & Services Co-ordinator Transport Co-ordinator Infrastructure Planning Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	s.71(3)	power to appoint an authorised officer	Manager Engineering Services	Not applicable
ROAD MANAGEMENT ACT 2004	s.72	duty to issue an identity card to each authorised officer	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.85	function of receiving report from authorised officer	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.86	duty to keep register re section 85 matters	Manager Engineering Services Co-ordinator Development Planning	
ROAD MANAGEMENT ACT 2004	s.87(1)	function of receiving complaints	Manager Engineering Services	

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	s.87(2)	duty to investigate complaint and provide report	Manager Engineering Services Co-ordinator Design & Services Co-ordinator Development Planning Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.112(2)	power to recover damages in court	Manager Engineering Services	Not applicable
ROAD MANAGEMENT ACT 2004	s.116	power to cause or carry out inspection	Co-ordinator Transport Co-ordinator Infrastructure Planning Principal Asset Management Engineer Principal Infrastructure Engineer	Not applicable
ROAD MANAGEMENT ACT 2004	s.119(2)	function of consulting with he Head, Transport for VictoriaVicRoads	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.120(1)	power to exercise road management functions on an arterial road (with the consent of he Head, Transport for VictoriaVicRoads)	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	Manager Engineering Services Co-ordinator Design & Services Co-ordinator Development Planning Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT ACT 2004	s.121(1)	power to enter into an agreement in respect of works	Co-ordinator Development Planning Co-ordinator Program Delivery Co-ordinator Design & Services Co-ordinator Infrastructure Planning	Not applicable
ROAD MANAGEMENT ACT 2004	s.122(1)	power to charge and recover fees	Manager Engineering Services	Not applicable
ROAD MANAGEMENT ACT 2004	s.123(1)	power to charge for any service	Manager Engineering Services	Not applicable

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	Not applicable
ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	Manager Engineering Services	Not applicable
ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 4	function of receiving details of proposal from he Head, Transport for Victoria VicRoads	Manager Engineering Services Co-ordinator Development Planning	
ROAD MANAGEMENT ACT 2004	Schedule 2 Clause 5	duty to publish notice of declaration	Manager Engineering Services	
ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 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	Manager Engineering Services	where council is the infrastructure manager or works manager
ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 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	Manager Engineering Services	where council is the infrastructure manager or works manager

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 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	Manager Engineering Services	where council is the infrastructure manager or works manager responsible for non-road infrastructure
ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 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	Manager Engineering Services	where council is the infrastructure manager or works manager
ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	Manager Engineering Services	where council is the infrastructure manager or works manager
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	Manager Engineering Services	where council is the coordinating road authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 12(5)	power to recover costs	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	Manager Engineering Services	where council is the works manager
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 13(2)	power to vary notice period	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	Manager Engineering Services	where council is the infrastructure manager
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(1)	power to consent to proposed works	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(4)	duty to consult	Manager Engineering Services Co-ordinator Development Planning	where council is the coordinating road authority, responsible authority or infrastructure manager
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(5)	power to consent to proposed works	Co-ordinator Development Planning Co-ordinator Infrastructure Planning Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	Co-ordinator Development Planning Co-ordinator Infrastructure Planning Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 16(8)	power to include consents and conditions	Co-ordinator Development Planning Co-ordinator Infrastructure Planning Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 18(1)	power to enter into an agreement	Co-ordinator Development Planning	where council is the coordinating road authority

Column 1		Column 2	Column 3	Column 4
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	Co-ordinator Development Planning Co-ordinator Program Delivery Co-ordinator Infrastructure Planning	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	Co-ordinator Development Planning Co-ordinator Program Delivery Co-ordinator Infrastructure Planning	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	Co-ordinator Development Planning Co-ordinator Program Delivery Co-ordinator Design & Services Co-ordinator Infrastructure Planning	where council is the coordinating road authority
ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 2	power to cause street lights to be installed on roads	Manager Engineering Services	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	Manager Engineering Services	where council is the responsible road authority
ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 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	Manager Engineering Services	where council is the responsible road authority
ROAD MANAGEMENT ACT 2004	Schedule 7A Clause 3(1)(f)	duty to pay installation and percentage of operation costs of street lighting for arterial roads in accordance with clauses 3(2) and 4	Manager Engineering Services	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.8(1)	duty to conduct reviews of road management plan	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Program Delivery Co-ordinator Transport	
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.9(2)	duty to produce written report of review of road management plan and make report available	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Program Delivery Co-ordinator Transport	
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	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)	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.10	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.13(1)	duty to publish notice of amendments to road management plan	Manager Engineering Services Co-ordinator Development Planning	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.13(3)	duty to record on road management plan the substance and date of effect of amendment	Manager Engineering Services Co-ordinator Infrastructure Planning Co-ordinator Transport	
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.16(3)	power to issue permit	Co-ordinator Development Planning Co-ordinator Infrastructure Planning Principal Infrastructure Engineer	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.18(1)	power to give written consent re damage to road	Co-ordinator Development Planning Co-ordinator Infrastructure Planning Principal Infrastructure Engineer	where council is the coordinating road authority

Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.23(2)	power to make submission to Tribunal	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.23(4)	power to charge a fee for application under section 66(1) Road Management Act	Co-ordinator Development Planning Co-ordinator Infrastructure Planning	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	Co-ordinator Development Planning Co-ordinator Program Delivery Co-ordinator Infrastructure Planning.	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(2)	power to sell or dispose of things removed from road or part of road (after first complying with r.25(3))	Manager Engineering Services	where council is the coordinating road authority
ROAD MANAGEMENT (GENERAL) REGULATIONS 2016	r.25(5)	power to recover in the Magistrates' Court, expenses from person responsible	Manager Engineering Services	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015				
Column 1	Column 2	Column 3	Column 4	
Statute or Source	Provision	Matter delegated	Delegate by Position	Conditions and Limitations
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	r.15	power to exempt a person from requirement under clause 13(1) of Schedule 7 of the Act to give notice as to the completion of those works	Manager Engineering Services	where council is the coordinating road authority and where consent given under section 63(1) of the Act
ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015	r.22(2)	power to waive whole or part of fee in certain circumstances	Manager Engineering Services	where council is the coordinating road authority

12. PLANNING AUTHORISATION – COUNCIL TO STAFF

Source: Governance, Strategy & Performance – Governance
Director: Rebecca Leonard
Portfolio: Leadership and Governance

Purpose

1. To update City Officer's as authorised officers under the *Planning and Environment Act 1987* (P&EA) and the *Local Government Act 2020* (the 2020 Act).

Background

2. City officers are appointed as authorised officers to exercise statutory powers under various Acts and regulations. Appointments as authorised officers are to individual staff members.
3. The P&EA regulates enforcement and is reliant on authorised officers acting on behalf of the responsible authority (Council).

Key Matters

4. Where there is a specific power within an Act, Council should appoint authorised officers pursuant to that Act. This is the case for the P&EA.
5. Additional planning staff members employed by the City who are required to be authorised under the P&EA have been included in this update.
6. Section 224 of the *Local Government Act 1989* remains in force to appoint an authorised officer. However, the power to institute proceedings has been replaced with section 313 of the 2020 Act.
7. The updated Instrument of Appointment and Authorisation (**Attachment 2**) ensures compliance with the 2020 Act for City Officers previously authorised to institute proceedings under section 232 of the *Local Government Act 1989*.

Cr Sullivan moved, Cr Mason seconded -

8. **In the exercise of the powers conferred by section 224 of the *Local Government Act 1989* and the other legislation referred to in the Greater Geelong City Council Instrument of Appointment and Authorisation (Attachment 2), Council resolves that:**
 - 8.1 **Members of City staff referred to in the instrument be appointed and authorised as set out in the instrument;**
 - 8.2 **The Instrument comes into force immediately upon the resolution of Council;**
 - 8.3 **The Instrument be signed by the Chief Executive Officer on behalf of Council; and**
 - 8.4 **Once in force all previous Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* are revoked.**

Carried.

Attachment 1

Financial Implications

1. There are no financial implications arising from the subject of this report.

Community Engagement

2. Relevant City Managers have been consulted regarding this recommended appointment and authorisation.

Social Equity Considerations

3. There are no social equity implications arising from the subject of this report.

Policy/Legal/Statutory Implications

4. The recommended appointment and authorisation of the staff members complies with the relevant provisions of the P&EA and the *Local Government Act 2020*.

Alignment to Council Plan

5. The recommended appointment and authorisation of the staff members supports the delivery of Council planning services.

Conflict of Interest

6. No City officers who have provided advice in relation to this report have declared a conflict of interest regarding the matter under consideration.

Risk Assessment

7. There are no significant or high risks associated with the subject of this report.

Environmental Implications

8. There are no environmental implications arising from the subject of this report.

Greater Geelong City Council

Instrument of Appointment and Authorisation

(Planning and Environment Act 1987 only)

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

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

Akla Nanayakkara	Lana Krausas	Phil Mabbs
Amelia Green	Leanne Stockley	Rory O'Loughlen
Anne Batson	Lee Shaw	Rowan Farmer
Barry Gough	Leigh Page	Sally Beers
Bree Lord	Leon Websdale	Sarah Drago
Claire McVilly	Lewis Muston	Shane Pritchard
Elena Anastos	Lucy McGovern	Steven Roussac
Emma Griffiths	Mark Hodson	Susan Brown
Erin Jones	Matthew Stojanovic	Susan Williamson
Erin O'Brien	Melissa Garrett	Tim Webb
Helen Rickards	Michael Morgan	Todd Beauglehall
Hugh Griffiths	Mitchell Etherton	Tom Hams
James Pink	Patrick Spinazzola	Verity Bright
Joanne Van Slageren	Peter Schembri	Veronica Abbot
John Rush	Peter Smith	

By this instrument of appointment and authorisation Greater Geelong City Council -

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

It is declared that this instrument -

- (a) comes into force immediately upon the resolution of Council;
- (b) once in force all previous Instruments of Appointment and Authorisation under the *Planning and Environment Act 1987* are revoked.

This instrument is authorised by a resolution of the Greater Geelong City Council on 1 September 2020.

Signed for GREATER GEELONG CITY COUNCIL by
MARTIN CUTTER, Chief Executive Officer

Chief Executive Officer

CLOSE OF MEETING

As there was no further business the meeting closed at 7.11pm on Tuesday, 1 September 2020.

Signed: _____

Cr Stephanie Asher (Mayor)

Date: _____