

Strathbogie Shire Council

Council Meeting Agenda

Tuesday 18 March 2025

Agenda

Council Meeting

18 March 2025 at 4:00 pm

Meeting to be held at the Euroa Community Conference Centre and livestreamed on Council's website.

<https://www.strathbogie.vic.gov.au/council/our-council/council-meetings-and-minutes/>

Councillors

Mayor Cr Ewart-Kennedy
Deputy Mayor Cr Jeffery
Cr Binks
Cr Carlson
Cr Halsall
Cr Holloway
Cr Stevens

Municipal Monitor

Marg Allan

Officers

Tim Tamlin	Interim Chief Executive Officer
Amanda Tingay	Director People and Governance
Oliver McNulty	Director Sustainable Infrastructure
Rachael Frampton	Director Community and Planning
Michelle Harris	Interim Media and Communications Manager
Kerry Lynch	Governance Officer

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Meeting Procedure

1 Welcome

Councillors Vision

We will be a Councillor group that delivers valuable outcomes for our community through teamwork characterised by:

- respectful debate
- collaboration, and
- the commitment to being inclusive and transparent.

Councillors Values

- Respect
- Integrity
- Accountability
- Transparency
- Responsiveness

2 Acknowledgement of Country

We acknowledge the Traditional Custodians of the places we live, work and play. We recognise and respect the enduring relationship they have with their lands and waters, and we pay respects to the Elders past, present and emerging. Today we are meeting on the lands of the Taungurung peoples of the Eastern Kulin nation, whose sovereignty here has never been ceded.

3 Privacy Notice

This public meeting is being streamed live via our website ([Council Meetings and Minutes | Strathbogie Shire](#)) and made available for public access on our website along with the official Minutes/Decisions of this meeting.

All care is taken to maintain your privacy; however, as a visitor in the public gallery, it is assumed that your consent is given in the event that your image is broadcast to the public. It is also assumed that your consent is given to the use and disclosure of any information that you share at the meeting (including personal or sensitive information) to any person who accesses those recordings or Minutes/Decisions.

4 Governance Principles

Council considers that the recommendations contained in this Agenda gives effect to the overarching governance principles stated in Section 9(2) of the *Local Government Act 2020*. These principles are as follows:

1. Council decisions are to be made and actions taken in accordance with the relevant law
2. priority is to be given to achieving the best outcomes for the municipal community, including future generations
3. the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted

4. the municipal community is to be engaged in strategic planning and strategic decision making
5. innovation and continuous improvement are to be pursued
6. collaboration with other Councils and Governments and statutory bodies is to be sought
7. the ongoing financial viability of the Council is to be ensured
8. regional, state and national plans and policies are to be taken into account in strategic planning and decision making
9. the transparency of Council decisions, actions and information is to be ensured.

5 Apologies/Leave of Absence

Cr Scott Jeffery

6 Disclosure of Conflicts of Interest

Nil

7 Confirmation of Minutes/Decisions of Previous Meetings

The minutes have been circulated to Councillors and posted on Council website [Council Meetings and Minutes | Strathbogie Shire](#) pending confirmation at this meeting.

RECOMMENDATION

That the Minutes of the Council Meeting held on 18 February 2025 be confirmed as a true and accurate record of the meeting.

8 Petitions

8.1 Turn Strathbogie Rainbow

A petition has been received from Rainbow Local Government, calling for the Strathbogie Shire Council to establish an LGBTIQA+ Advisory Committee.

Rainbow Local Government believe this action will make a positive difference for LGBTIQA+ people in the community and show that LGBTIQA+ people are valued, accepted and beloved community members.

Petition Details

It is time for Strathbogie Shire Council to join with other Victorian councils in establishing an LGBTIQA+ Advisory Committee.

Why is this important?

An LGBTIQA+ Advisory Committee provides an important way to hear the voices of lesbian, gay, bisexual, transgender, intersex, queer and asexual (LGBTIQA+) people who live, study, work and recreate in Strathbogie Shire.

We want to show Strathbogie Shire Council that residents and supporters expect them to support our LGBTIQA+ community.

We need you to support the LGBTIQA+ community and sign the petition for Strathbogie Shire Council to establish an LGBTIQA+ Advisory Committee.

Signed by 35 people.

Name	Postcode	Name	Postcode
Anne Douglas	3664	Victorian Pride Lobby	3000
Cath O'Connor	3672	Caitlin Traynor Traynor	3608
DJ Dan Attard	3664	Cassie Johnson	3207
Anne Fahey	3664	michael smith	3777
Sue S	3664	Annie Kubeil	3666
Bernice Mckinn	3666	Annika Dalley	3666
Mary Manning	3666	Shane Thomson	3666
Carrye Malone	3608	Brendan Paterson	3666
Sophie Anderson	3665	Simon Roberts	3066
Yvonne Richards	3677	Tayler Allwood	3666
Ruth Skene	3003	Bailey Kubeil	3666
Lyndall Bigland	3666	Savannah Thill-Turke	2030
Ciaran Cashman	2625	Bonnie Carver	3666
Shirley Saywell	3666	Marianne Hamilton	3672
Jules Thomson-Martin	3058	Dave Willis	3664
Moss McCallum	3669	Kate Auty	3666
Megg Minos	3031		
Kevin MacGibbon	3666		
Margaret Healy	3925		

RECOMMENDATION

That Council:

1. Receive and note the petition in relation to Council establishing an LGBTIQA+ Advisory Committee
2. That the petition be referred to the Director Community and Planning for consideration and a report to Council by no later than September 2025.

9 Mayor and Councillor Reports

9.1 Mayor's Report

9.2 Councillor Reports

10 Public Question Time

Public Question Time

Questions for the Ordinary Council Meeting can be submitted to be read, and responded to, by the Chair, or a member of Council staff nominated by the Chair, during the Public Question Time. Questions must be submitted 30 hours prior to the Council meeting, by emailing info@strathbogie.vic.gov.au.

Public Question Time will be conducted as per Rule 35 of Strathbogie Shire Council's Governance Rules. The required [form](#) for completion and lodgement, and associated [Procedural Guidelines](#), can be found on Council's website at www.strathbogie.vic.gov.au.

As the questions are a permanent public record and to meet the requirements of the *Privacy and Data Protection Act 2014*, only the initials of the person asking the question will be used in the Minutes of the meeting, together with a Council reference number.

11 Officer Reports

11.1 Strategic and Statutory Planning

11.1.1 Planning Applications Received and Planning Applications Determined 1 February 2025 to 28 February 2025

AUTHOR Principal Planner

RESPONSIBLE DIRECTOR Director Community and Planning

EXECUTIVE SUMMARY

In accordance with Council's Planning Applications referral to Council Policy, this monthly report lists all Planning Applications Received (attachment one) and Planning Applications Determined (attachment two) from 1 February to 28 February 2025.

It is noted that there were nine (9) new planning applications received, one (1) withdrawn application and six (6) planning applications decided in this period.

The latest available Planning Permit Activity Performance (PPARS) figures for the month of February 2025 have been included (attachment three).

Attachment four provides an update on current Victorian Civil and Administrative Tribunal (VCAT) appeals.

The contents of this report are provided for information purposes only, the listing of current planning applications on public display can be found on Council's website.

RECOMMENDATION

That Council:

1. Receive the report

2. Note there were nine (9) new planning applications received, one (1) withdrawn application and six (6) planning applications decided on from 1 February to 28 February 2025.

PURPOSE AND BACKGROUND

To report to Council on the current planning application activity and matters considered under delegation.

ISSUES, OPTIONS AND DISCUSSION

Council is a Responsible Authority under the *Planning and Environment Act 1987* (the Act). In this role, Council administers the Strathbogie Planning Scheme (Planning Scheme) and, among other things, determines planning permit applications made for the use and development of land in the municipality. Under delegated authority of Council, council officers determine some matters.

Many types of use and development do not require a planning permit and may take place without being recorded as part of the planning approvals data. The statistics presented do not represent all development activity in the municipality. In addition, some planning permits are not acted upon or there may be delay between when the approval is granted and when works or the use commences.

COMMUNITY ENGAGEMENT

Individual applications consider these requirements through assessment phase of each application as per the *Planning and Environment Act 1987* and the provisions of the Strathbogie Planning Scheme.

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Failure to notify Council of planning permit application of significant public interest, that is controversial in nature, has received less than objections.	Possible	Moderate	Low	Regular reporting on planning permit applications received and decided.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

This report continues to demonstrate that Council is being transparent in its position in relation to all applications received and determined by the Council.

CONCLUSION

This report is provided to Council to note the current planning permit application activity for February 2025.

ATTACHMENTS

1. Attachment 1 Planning Applications Received February 2025
2. Attachment 2 Planning Applications Determined
3. Attachment 3 Planning Permit Activity Performance Figures
4. Attachment 4 Current VCAT Appeals Feb 2025

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Attachment One - Planning Applications Received February 2025

Date received	Application No.	Address	Proposal	Cost of Development
04-02-2025	P2025-014	10 Jean Street Longwood VIC 3665	Subdivision of the land into five lots and common property	\$0.00
04-02-2025	P2025-013	107 Wheelers Lane Creightons Creek VIC 3666	Construction of a shed	\$15,000
10-02-2025	P2025-015	115 Grenada Road Mangalore VIC 3663 and 297 Mitchellstown Road Tabilk VIC 3607	Development of land for bridge over Hughes Creek and removal of native vegetation	\$250,000
17-02-2025	P2025-020	50 Spencer Road Avenel VIC 3664	Use and development of land for a dwelling	\$450,000
19-02-2025	P2025-019	206 High Street Nagambie VIC 3608	Use and development of land for a second dwelling	\$450,000
21-02-2025	P2025- 018	667 Creightons Creek Road Creightons Creek VIC 3666	Development of land for an extension to a dwelling	\$50,000
01-02-2025	V2025- 002	Withdrawn		\$0.00
01-02-2025	V2025 -003	140 Richards Lane Strathbogie VIC 3666	Development of land for construction of an open sided shed	\$0.00
18-02-2025	V2025-004	Bells Road Koonda VIC 3669	Construction of a shed	\$176,305

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Planning Applications Determined February 2025

Planning Permit Activity Reporting

Date of Decision	Application No	Property	Description	Decision
04-02-2025	P2024-107	36 Kennedy Street Euroa VIC 3666	Two lot subdivision	Permit issued Issued within 60 days
03-02-2025	V2024-003	140 Richards Lane Strathbogie 3666	Development of land for the construction of an open sided shed	Permit issued Issued within 10 business days
24-02-2025	P2025-010	17 Cozens Lane Goulburn Weir	Development of land for the construction of a domestic shed	Permit issued Within 60 days
26-02-2025	P2025-005	168 McLeans Lane Ruffy	Realignment of a boundary	Permit issued Within 60 days
17-02-2025	P2017-121-1	1280 Reedy Lake Road Whroo	Amendment to the permit issued for Use and development for group accommodation, managers residence, shed, other outbuildings	Permit issued Within 60 days
19-02-2025	P2024-123	54 Birkett Street Euroa	Development of land for two lot subdivision and use and development for one dwelling	Permit issued Within 60 days

OFFICIAL**Planning Permit Activity Performance Figures****Summary****1 February 2025 to 28 February 2025**

Planning permits summary helps identify trends in planning permit applications. This helps to support improvements to the planning system, understand reasons for permit workload volumes in council areas, compare data across Victoria and give councils helpful information for managing resources.

Applications received

The number of applications received. This gives an indication of the pipeline of Planning applications and workload for responsible authorities (RA) along with supporting a comparison to the number determined or approved. This has been broken down into application type to demonstrate the proportion of new applications compared to amendments.

9**Responsible authority (RA) outcome**

The number of applications with an outcome from the responsible authority, this includes any outcome which removes it from RA processing. This supports insight into the workload and delivery from RAs.

This has been broken down into application type to demonstrate the proportion of new applications compared to amendments.

6

**6 of the 6 have been issued within the statutory
timeframe (6 \ 6 x 100)**

100%

Please be advised that we are unable to show any further data as the link to PPARs has only just been completed from Greenlight.

Current VCAT Appeals

Hearing Date	Ref No	Address	Proposal	Appeal
Compulsory Conference April 2025 Hearing July 2025	P2023-128 P1022/2023	82 Kirwans Bridge Road Kirwans Bridge	Camping and Caravan Park	S82 objector
Was resolved early by negotiation between parties. Permit has been issued	P2023-121 P787/2024	222 Faithfull Road Longwood East	Use and Development for a Dwelling	S80 applicant

11.2 Community

11.2.1 Volunteer Policy

AUTHOR Manager Community and Culture

RESPONSIBLE DIRECTOR Director Community and Planning

EXECUTIVE SUMMARY

Organisational policies provide the framework and structure for Council's business operations to ensure application of good governance, risk and compliance.

This Volunteer Policy outlines Council's commitment to fostering volunteerism and enhancing community participation in delivering Council services. The Policy serves as a framework to ensure safe, rewarding, and sustainable volunteer experiences for those volunteering with Council, while aligning with best practices outlined in the National Standards for Volunteer Involvement 2024.

The Policy applies to all volunteers supporting Council-managed programs and is aligned with the Community Vision, Council Plan 2021–25, and Health and Wellbeing Action Plan, ensuring that volunteer activities contribute to broader strategic goals.

RECOMMENDATION

That Council:

- 1. Adopt the Strathbogie Shire Council Volunteer Policy**
- 2. Place the updated Policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages about the adoption of the policy**
- 3. Note that the Policy is scheduled to be reviewed in 12 months and may change at any time, subject to a Council resolution.**

PURPOSE AND BACKGROUND

The purpose of the Volunteer Policy is to demonstrate Council's commitment to enabling volunteer and community participation in the delivery of Council services to the community.

This Policy has been developed to provide a framework to ensure:

- A safe, sustainable, and rewarding experience for volunteers through participation in Council's volunteering opportunities
- The cooperative development of new and innovative programs which add value to the Strathbogie community
- Coordinated and targeted involvement of volunteers in the delivery of Council managed services and programs

- Council complies with best practice in volunteer management as outlined in the National Standards for Volunteer Involvement 2024 (Volunteering Australia)
- Council formally and publicly acknowledges the contribution of volunteers at every opportunity and by participation in celebrations such as National Volunteers Week and other local Initiatives.

This policy outlines the rights of volunteers to a safe and supportive environment, clear role definitions, adequate training, and reimbursement for authorised expenses. It also establishes Council's accountability to provide sufficient resources for the effective supervision and development of volunteers.

ISSUES, OPTIONS AND DISCUSSION

Council acknowledges the vital role volunteers play in the delivery of Council services and their contribution to the health and wellbeing of the Strathbogie Shire community.

Volunteer participation can extend and enhance the delivery of Council programs. It encourages people to engage with Council and can create a greater sense of community pride and wellbeing.

Volunteering plays a crucial role in building the capacity of the community through a range of personal benefits such as developing social connections, learning new skills, community leadership opportunities and gaining valuable experience for future employment.

Council is committed to meeting best practice standards for Local Government volunteers and in addition aspires to promote and support volunteering more broadly across the Shire.

The scope of this Policy applies to Volunteers involved in supporting and enhancing the delivery of Councils programs and services, including but not limited to:

- Nagambie and Euroa Visitor Information Centres
- Euroa Cinema
- Youth Programs

It is important to acknowledge that this policy relates to formal volunteers of Council. We also note that volunteering occurs in many different ways in different contexts across the municipality.

COMMUNITY ENGAGEMENT

Officers have considered this report and do not believe community engagement is required on the matter. The policy pertains to all volunteers supporting the delivery of Council managed programs and services.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 1: Engage. Create. Unite.

We create welcoming social spaces where people can connect.

Strategic Focus Area 2: Live. Access. Connect.

We are focused on activities that build economic, financial and social security.

Strategic Focus Area 4: Inclusive. Productive. Balanced.

We have empowered locals to make decisions.

We care, support and listen to each other.

We partner with our community to achieve great things.

We are capitalising on our region's strengths.

Strategic Focus Area 5: Strong. Healthy. Safe.

We have protected 'the vibe' we love.

We are working together to share knowledge and get things done.

We are encouraging health and wellbeing activities in sport and recreation.

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Be accountable for the decisions we make and the quality of service we deliver.

Maximise public transparency and accountability around our performance and decision-making processes.

Be financially responsible, achieving the greatest possible community benefit from the programs, initiatives and services we fund.

Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- 2021-2025 Council Plan and Health and Wellbeing actions
- National Standards for Volunteer Involvement 2024 (Volunteering Australia)
- *Local Government Act 2020*
- *Freedom of Information Act 1982*
- *Charter of Human Rights and Responsibilities Act 2006*
- *Australian Federal Privacy Act 1988*
- *Victorian Privacy and Data Protection Act 2014*
- *Victorian Occupational Health and Safety Act 2004*
- *Victorian Equal Opportunity Act 2012*
- *Victorian Child Wellbeing and Safety Act 2015 (Child Safe Standards)*
- *Gender Equality Act 2020*

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Application of policy is not followed by Officers causing reputation risk to Council	Low	Moderate	Medium	Review application with relevant managers annually to ensure principles are being applied.

LEGAL CONSIDERATIONS

There are no legal considerations associated with this report.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

In the interests of transparency and open and honest communication with our community this report is presented to a public Council meeting.

FINANCIAL VIABILITY CONSIDERATIONS

There are no financial implications associated with this report.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic

Volunteer participation is a core part of the Council's business. Volunteers support and enhance the delivery of the Council's programs and services providing economic relief for Council from having to provide salaried staff.

Social

Volunteering encourages people to engage with Council and can create a greater sense of community pride and wellbeing. Volunteering plays a crucial role in building the capacity of the community through a range of personal benefits such as developing social connections, learning new skills, community leadership opportunities and gaining valuable experience for future employment.

Environmental

There are no environmental implications associated with this report.

Climate Change

There are no climate change implications associated with this report.

INNOVATION AND CONTINUOUS IMPROVEMENT

The development of this Policy demonstrates Council's commitment to innovation and continuous improvement in strengthening Council's commitment to volunteering and community participation through a new policy. An initial review of the policy will occur in 12 months and then the policy will be reviewed every two years.

COLLABORATION

The Policy was developed and informed by the National Standards for Volunteer Involvement 2024 as the foremost authoritative documentation relating to best practice within the sector. Benchmarking against other policies and practices was also undertaken in the development of this Policy.

HUMAN RIGHTS CONSIDERATIONS

This report does not limit any human rights under the Victorian *Charter of Human Rights and Responsibilities Act 2006* and encourages participation in civic life by our community.

CONCLUSION

The Volunteer Policy is required to demonstrate Council's commitment to enabling volunteer and community participation in the delivery of Council services to the community. Volunteers play a vital role in the delivery of Council services and has a strong connection to improved health and wellbeing outcomes for the Strathbogie Shire community.

ATTACHMENT

1. Draft Volunteer Policy (1)

OFFICIAL

Strathbogie Shire Council Volunteer Policy

March 2025

Strathbogie
SHIRE COUNCIL

OFFICIAL

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Volunteer Policy

Document ID:	939504 SSCEDOC-43802981-87
Effective Date:	
Last Review:	New
Current Review:	March 2025
Date Adopted by Council:	
Next Scheduled Review Date:	March 2026
Responsible Officer:	Director Community and Planning

OFFICIAL**POLICY****1. PURPOSE**

The Purpose of the Volunteer Policy is to demonstrate Council's commitment to enabling volunteer and community participation in the delivery of Council services to the community.

This Policy has been developed to provide a framework to ensure:

- A safe, sustainable, and rewarding experience for volunteers through participation in Council's volunteering opportunities.
- The cooperative development of new and innovative programs which add value to the Strathbogie community.
- A coordinated and targeted involvement of volunteers in the delivery of Council managed services and programs.
- Council complies with best practice in volunteer management as outlined in the National Standards for Volunteer Involvement 2024 (Volunteering Australia).
- Council formally and publicly acknowledges the contribution of volunteers at every opportunity and by participation in celebrations such as National Volunteers Week and the Strathbogie Shire Local Legends Initiative.

2. POLICY STATEMENT

Strathbogie Shire Council acknowledges the vital role volunteers play in the delivery of Council services and their contribution to the health and wellbeing of the Strathbogie Shire community.

Volunteer participation can extend and enhance the delivery of Council programs. It encourages people to engage with Council and can create a greater sense of community pride and wellbeing.

Volunteering plays a crucial role in building the capacity of the community through a range of personal benefits such as developing social connections, learning new skills, community leadership opportunities and gaining valuable experience for future employment.

Council is committed to meeting best practice standards for Local Government volunteers and in addition aspires to promote and support volunteering more broadly across the Shire.

The Policy is linked to the Community Vision, the Council Plan 2021-25 and the Health and Wellbeing Action Plan.

3. APPLICATION OF THIS POLICY**Scope**

The scope of this Policy applies to Volunteers involved in supporting and enhancing the delivery of Councils programs and services, including but not limited to:

- Nagambie and Euroa Visitor Information Centres
- Euroa Cinema
- Youth Programs

OFFICIAL**Principles of Volunteering**

- Volunteering benefits the community and the volunteer.
- Volunteer work is unpaid.
- Volunteering is always a matter of choice.
- Volunteering is a legitimate way in which citizens can participate in the activities of their community.
- Volunteering is a vehicle for individuals or groups to address human, environmental, and social needs.
- Volunteering is an activity performed in the not-for-profit sector only.
- Volunteering is not a substitute for paid work.
- Volunteers do not replace paid workers nor constitute a threat to the job security of paid workers.
- Volunteering respects the rights, dignity, and culture of others and
- Volunteering promotes human rights and equality.

Volunteer Participation Core Values

Strathbogie Shire Council is committed to supporting a culture of volunteering and community participation which:

- Provides safe, meaningful, and sustainable opportunities to contribute.
- Complements the Strathbogie Shire Council Plan 2021-25
- Are appropriate to the interest, skills and aspirations of all parties.
- Values and encourages diverse participation and reflects community demographics.
- Establishes effective dialogue and trust between Strathbogie Shire Council and the community.
- Encourages the development of community capability including skills, leadership, and effective decision making; and
- Recognises and promotes volunteers as a part of the Strathbogie Shire Council's workforce.

Volunteer Recruitment Requirements**People**

- Normal principles of personnel management apply to working with volunteers including induction, competency assessment, privacy, anti-discrimination, Occupational Health and Safety (OH&S), equal opportunity legislation, reward and recognition, access to appropriate information and policies, grievance procedures and opportunities for personal development.

Reputational

- All volunteers are required to undergo Police Checks and Working with Children Checks on commencement. Some nominated volunteer roles are required to regularly renew the Police Check or provide evidence of Drivers Licence and Qualification currency.

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Storage of Personal Data

- Volunteers register through Council's volunteer management portal hosted by Contractor-HQ, an Australian based technology company. All confidential and personal information is dealt with in accordance with the principles of the *Federal Privacy Act 1988* and the *Victorian Privacy and Data Protection Act 2014*
- Personnel records are kept by Council's People and Culture Department and are only accessible on request by the staff member involved and with the authorisation of the Visitor Information Centre Coordinator.

4. ACCOUNTABILITY AND RESPONSIBILITIES

4.1 Roles and Responsibilities – Volunteer Management Code of Practice

- Volunteer participation is a core part of Council's business.
- Volunteer activities and projects should be collaboratively planned to align Council's priorities and capacity, with the interests, skills, and aspirations of volunteers.
- Volunteer activities must meet Council's standards and external standards regarding quality and safety, and be subject to the normal Council approval, monitoring, and evaluation processes.
- Council will provide adequate and appropriate insurance cover for volunteers undertaking approved activities.
- Council will provide clear definitions of volunteer roles which differentiate between paid and unpaid work.
- Normal principles of personnel management apply to working with volunteers including induction, competency assessment, privacy, anti-discrimination, Occupational Health and Safety (OH&S), equal opportunity legislation, reward and recognition, access to appropriate information and policies, grievance procedures and opportunities for personal development.
- All volunteers are required to undergo Police Checks and Working with Children Checks on commencement. Some nominated volunteer roles are required to regularly renew the Police Check or provide evidence of Drivers Licence and Qualification currency.
- Volunteers need a level of supervision or direction appropriate to the activity.
- Managers and volunteer supervisors need to ensure that adequate staff time is available to support volunteer activity and that this is documented in their job description.
- Managers and volunteer supervisors need to ensure volunteers are appropriately trained to be successful in their roles and are provided ongoing learning and development opportunities relevant to their volunteer position.

4.2 Roles and Responsibilities – Volunteer Rights

Unlike paid staff, volunteers are not covered by Award conditions or Workplace Agreements. Volunteers however do have rights, some of which are enshrined in legislation and some of which are the moral obligations of an organisation involving volunteers. These include:

- To work in a healthy and safe environment in accordance with OH&S, equal opportunity, and anti-discrimination legislation.
- To be adequately covered by insurance for public liability and person injury
- To be given accurate information about the organisation in which they volunteer

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- To be given a copy of Council's Volunteering Policy and other policies that effect their work.
- Not to be engaged in work which displaces employees.
- To be provided with a volunteer role description that clearly outlines the purpose, responsibilities, and boundaries of their volunteer role.
- To be given clear instructions about work requirements and have agreed work hours.
- To be provided with orientation to the organisation and induction to the work site.
- To have confidential and personal information dealt with in accordance with the principles of the Federal *Privacy Act 1988* and the Victorian *Privacy and Data Protection Act 2014*
- To be provided with sufficient training to do their allocated tasks and
- Be reimbursed for authorised out-of-pocket expenses.

4.3 All staff are responsible for complying with this Policy when engaging with volunteers.

Role	Responsibilities
Managers	Are responsible for ensuring their staff understand and comply with this Policy.
Council Staff with Volunteer Supervision roles	Are responsible for ensuring effective relationships with Council managed volunteers. Ensure their volunteers are aware of this Policy and provide access to the Policy at their request
All Staff	Are responsible for implementing this Policy when working with volunteers

5. DEFINITIONS

Term	Meaning
Council	Strathbogie Shire Council
Volunteering	<p><i>Volunteering is time willingly given for the common good and without financial gain. (Volunteering Australia 2015)</i></p> <p>Volunteers are involved in supporting and enhancing the delivery of Strathbogie Shire Council programs and services including but not limited to</p> <ul style="list-style-type: none"> • Nagambie and Euroa Visitor Information Centre • Euroa Cinema • Youth Programs <p>Community members also volunteer their time and effort to participate in consultation meetings and advise Council on programs and policy. This includes:</p> <ul style="list-style-type: none"> • Community Action Plans • Community Panels • Friends of the Pool Committees

OFFICIAL

Volunteering Australia	Peak body in Australia for Volunteering organisations and volunteers
National Standards for Volunteer Involvement (2024)	Set of standards created by Volunteering Australia to manage volunteers and volunteer programs
Principles of Volunteering	Rationale for involving volunteers in projects, activities and or programs

6. RELATED POLICIES AND LEGISLATION

The following Legislation, Acts and Plans have been considered in the development of this Policy.

Legislation

Local Government Act 2020

Freedom of Information Act 1982

Charter of Human Rights and Responsibilities Act 2006

Australian Federal Privacy Act 1988

Victorian Privacy and Data Protection Act 2014

Victorian Occupational Health and Safety Act 2004

Victorian Equal Opportunity Act 2012

Victorian Child Wellbeing and Safety Act 2015 (Child Safe Standards)

Gender Equality Act 2020

Other documents

Council Plan 2021-25

National Standards for Volunteer Involvement 2024 (Volunteering Australia)

7. POLICY REVIEW

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (e.g. a change to the name of a related document, or a change in legislation).

8. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 AND THE EQUAL OPPORTUNITY ACT 2010

The Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The *Charter of Human Rights and Responsibilities Act 2006* is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to twenty fundamental human rights under four key values that include freedom, respect, equality and dignity.

11.3 Infrastructure

11.3.1 Contract 24-25-22 Construction of Kerb and Channel and Stormwater Works at 1-3 Kennedy Street, Euroa

AUTHOR Project Officer

RESPONSIBLE DIRECTOR Director Sustainable Infrastructure

EXECUTIVE SUMMARY

As part of the 2024-25 adopted Capital Works Program, Council plans to carry out stormwater works and construction of kerb and channel at 1-3 Kennedy Street, Euroa.

The Stormwater Management Plan is updated regularly to reflect current knowledge and the status of projects required under the plan. In line with the drainage strategy, drainage infrastructure in Kennedy Street, Euroa is to be upgraded.

Roadside and urban drainage adjacent to 1-3 Kennedy Street, Euroa is currently achieved via a combination of existing open roadside drainage, piped road crossings and piped driveway crossings that discharge into the underground piped drainage system that runs from Kennedy Street to Clifton Street along the boundary of 37-41 Clifton Street (currently SES building).

The works proposed under this project includes placement of new kerb and channel, associated pits/pipes and road widening, between Clifton Street and Lewis Street along Kirkland Avenue, Euroa.

RECOMMENDATION

That Council:

- 1. Note the outcome of the tender assessment process for Contract No. 24/25-22**
- 2. Award the tender for Contract No 24/25-22 to Cleave's Earthmoving and Drainage Pty Ltd for a total amount of \$248,582.93 inclusive of GST**
- 3. Authorise the Chief Executive Officer to execute the Contract by signing and affixing the Common Seal of Strathbogie Shire Council**
- 4. Authorise officers to advise unsuccessful tenderers, and**
- 5. Note that construction will commence in early April 2025 with anticipated completion by June 2025.**

PURPOSE AND BACKGROUND

TENDER PROCESS

The public tender was released on "Tender Search" via the Council website on 24 January 2025.

Council also advertised in Saturdays The Age newspaper (statewide reach), Euroa Gazette, Benalla Ensign, Shepparton News, in the week following release.

By the close of tenders at 5:00 pm on 17 February 2025, twelve (12) tender submissions were received.

All tender submissions were assessed for their compliance including the contractual terms and conditions and the requirements of the response schedules. Five (5) out of the twelve (12) tenders received were deemed conforming. Non-compliant tenders were not assessed further.

Table 1 below lists the tenders received at the close of the advertised period.

Table 1: Tender Submissions Received

Tender Submissions Received at the Close of Tender Period (in Alphabetical Order)
ADA Construction Services Pty Ltd
Cleave's Earthmoving & Drainage Pty Ltd
CPG Civil Pty Ltd
ECO Infrastructure & Engineering Pty Ltd
Jarvis Delahey Contractors
Mawson Constructions Pty Ltd
NEXTZEN Civil Constructions Pty Ltd
RUSTEL Pty Ltd
Venn, Anthony Hayden
Wangaratta Excavations and dry hire
Wrights Earthmoving Pty Ltd
YOUSUF Civil Constructions Pty Ltd

Table 2 below lists the tender offer (including GST) at the close of the advertised tender period.

Table 2: Tender Offers Received (including GST)

Tender Offers Received at Close of Tender Period (including GST) In Lowest To Highest Order
\$248,582.93 (conforming)
\$287,665.20 (conforming)

\$291,788.40 (conforming)
\$292,283.08 (conforming)
\$338,365.92 (conforming)
\$353,029.77 (non-conforming)
\$382,654.58 (non-conforming)
\$382,871.50 (non-conforming)
\$383,694.62 (non-conforming)
\$376,329.71 (non-conforming)
\$413,729.30 (non-conforming)
\$447,874.85 (non-conforming)

Panel Assessment Process

In accordance with Council's Procurement Policy, the evaluation panel and evaluation criteria weightings were determined prior to the release of the Tender documentation. The evaluation panel members were nominated prior to the release of the tender submissions for evaluation. The panel signed 'Conflict of Interest' statements prior to the evaluation panel viewing the submitted tenders.

The Tender Evaluation Panel members were made up of the following Strathbogie Shire Council staff members:

1. Project Officer, Sustainable Infrastructure
2. Acting Manager Project Delivery , Sustainable Infrastructure
3. Manager Assets, Sustainable Infrastructure, and
4. Procurement and Tender Officer, Finance (moderator, non-voting member).

The principle that underlies the awarding of all Council contracts is that a contract is awarded on the basis of providing the overall Best Value, offering the most benefit to the community and the greatest advantage to Council.

The tenders were assessed and evaluated against the following criteria and weightings:

- **Tendered Price (50%)**

This criterion measures the price only – either lump sum or unit rates – submitted by the tenderer. In accordance with Council's Procurement Guidelines, a price weighting of 50% is applied, unless a Council exemption is sought.

- **Demonstrated Qualifications / Skills and Experience (5%)**

Due to the high level of technical skills required to provide this service, a weighting of 5% was allocated to this criterium.

- **Project Methodology (25%)**

As the Work requires timely completion and elimination/mitigation of work-related risks, this criterium is considered important and therefore allocated a weighting of 25%.

- **Sustainability- Schedules (10%)**

Strathbogie Shire Council has declared a Climate Emergency and is committed to purchasing practicing that support the principles of sustainable procurement and is considered vital and therefore included with an allocated weighting of 10%.

- **Local Content (10%)**

In accordance with Procurement Guidelines and being consistent with value-for-money principles, where different products are of comparable price, quality and equivalent value can be sourced either locally or regionally; preference will be given to local suppliers. A weighting of 10% was allocated to this tender.

Table 3: Evaluation Criteria

Criteria	Weighting (%)
Price	50%
Qualifications / Skills & Experience	5%
Time Delivery, methodology and capacity to deliver	25%
Sustainability -Schedules	10%
Local Content	10%
Total	100%

Evaluation Moderation Process

The purpose of the moderation meeting is to discuss and moderate scoring discrepancies larger than three points and to raise any concerns and/or queries that may need to be put to the tenderers prior to recommending the preferred Tenderer.

The Tender Evaluation Panel individually reviewed all tender submissions in detail and assessed the tenderer's submitted schedules and attachments against the evaluation criteria. The Moderator (Procurement and Tender Officer) averaged the scores and highlighted scoring discrepancies larger than three (3) points. On 3 March 2025, the Panel members and the Moderator met to finalise the evaluation through a moderation meeting.

Panel Assessment Summary

At the completion of the tender evaluation process, Cleave's Earthmoving and Drainage Pty Ltd attained the highest ranking with a total score of 80.47%. Cleave's Earthmoving and Drainage Pty Ltd offered the lowest tendered price and thereby received the highest score available on pricing (50%), they also received a reasonable qualitative score of 30.47% out of 50%. The Tender Evaluation Panel was therefore satisfied that their tender represents the best value outcome for Council. The company is based in Shepparton, Victoria.

Cleave's Earthmoving and Drainage Pty Ltd has ample demonstrated experience in construction works and has completed similar works for other organisations in the past as per their tender submission. They have demonstrated the capability to complete the works outlined in the tender with minimal supervision based on their submitted documents. Their references are good and consistent with their declared project history.

COMMUNITY ENGAGEMENT

No external community consultation was necessary as part of the tender process.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Key Initiative 2.1

- Ensure that upgrades of Council facilities, as identified in the capital works program, are compliant with the Disability and Discrimination Act 1992 to improve access for people with all abilities.

Asset Management Policy

- Asset renewal – is the upgrading or replacement of an existing Asset, or a component, that restores the service capability of the Asset to its original functional condition and performance.

Asset Management Strategy

- Ensure the Shires infrastructure enhances efficiency for people and freight movement, service delivery and community amenities.

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Delay in completion	Possible	Moderate	Medium	Ensure detailed project specifications
Budget Overrun	Possible	Moderate	Medium	Ensure detailed project specifications

LEGAL CONSIDERATIONS

There are no legal considerations associated with this report.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

All steps have been taken in line with Council's Procurement Policy which ensures transparency in the process. Decisions made by Council will be:

- undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum with information available via Council reports.

Council meetings will be open to the community or can be viewed on the live stream (and available as a recording) unless closed for reasons permitted by s66(2) of the Act.

FINANCIAL VIABILITY CONSIDERATIONS

There are no adverse financial implications associated with this report. This project is fully funded through the Local Roads Community Infrastructure Program (LRCIP) funding program phase three and four.

SUSTAINABILITY CONSIDERATIONS

One of the overarching governance principles in section 9 of the *Local Government Act 2020* is that the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

Economic and Social

The project will improve safety, provide environmental and economic outcomes and increase social participation.

Environmental

The awarded Contractor shall develop a site-specific Environmental Management Plan and implement it during the construction period in line with project specifications and legislation governing Environmental Protection. Council officers will monitor the proper implementation of the Environment Management Plan throughout the project cycle.

COLLABORATION

No formal collaboration was undertaken in the production of this report.

HUMAN RIGHTS CONSIDERATIONS

The *Charter of Human Rights and Responsibilities Act 2006* was considered in the preparation of this report with particular consideration given to the aspects of respect, equality and dignity.

CONCLUSION

Council invited tenders for Contract 24/25-22 Construction of Kerb and Channel and Stormwater Works at 1-3 Kennedy Street, Euroa. The submitted tenders were sought and evaluated strictly in accordance with the Council's Procurement Policy and against the provided brief and specifications.

It is proposed that Council awards the Construction of Kerb and Channel and Stormwater Works at 1-3 Kennedy Street, Euroa to Cleave's Earthmoving and Drainage Pty Ltd.

CONFIDENTIAL APPENDICES

The appendices to this report has been classified as being confidential in accordance with Section 66(2)(A) and Part 1, Section 3 Definitions of the *Local Government Act 2020* as they relate to:

- (g) *Private commercial information, being information provided by a business, commercial or financial undertaking that –*

- (ii) *If released, would unreasonably expose the business, commercial or financial undertaking to disadvantage*

11.4 Corporate

11.4.1 Council Meeting Start Times - Feedback

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Strathbogie Shire Council Governance Rule (22) states that the Council must annually fix the date, time and place of all Council meetings for the next twelve months. These dates and times can be altered under Rule (23) and additional meetings held under Rule (24).

At the December 2024 Council Meeting, Council resolved to adopt the meeting schedule for 2025 for January, February and March 2025, with additional recommendations to:

1. Change the commencement time from 6:00pm to 4:00pm as a trial, and
2. Undertakes community consultation regarding a permanent change to the early commencement time of 4:00pm for the period April to December 2025

Following a public consultation period from 7 February 2025 to 24 February 2025, there appears to be a positive response to permanently change the commencement time of Council meetings from 6:00 pm to 4:00 pm, with meetings to be held at the Euroa Community Conference Centre.

RECOMMENDATION

That Council:

1. **Note the results of the public consultation period from 7 February 2025 to 24 February 2025 regarding Council meeting commencement times**
2. **Change the commencement time of the remainder of 2025 Council meetings to 4:00 pm, with meetings to be held on the following dates:**
 - **15 April 2025**
 - **20 May 2025**
 - **17 June 2025**
 - **15 July 2025**
 - **19 August 2025**
 - **16 September 2025**
 - **21 October 2025**
 - **18 November 2025**
 - **9 December 2025.**

PURPOSE AND BACKGROUND

The purpose of the report is to assess the responses to public consultation to permanently change the commencement times of Council meeting from 6:00 pm to 4:00 pm. This follows from a Council resolution at it's meeting held on 10 December 2024, the details of which are noted below.

MOVED: Councillor Halsall
SECONDED: Councillor Stevens

That Council:

- 1. Adopt the schedule of Council meetings for 2025 for January, February and March 2025 as per the current meeting schedule, and change the commencement time from 6:00pm to 4:00pm as a trial**
- 2. Undertakes community consultation regarding a permanent change to the early commencement time of 4:00pm for the period April to December 2025**
- 3. Reviews the current process of how the Council interacts with the community during its Ordinary Council meetings and undertakes community consultation on any proposed changes**
- 4. Provide a summary of consultation undertaken at the March Ordinary Council meeting, and**
 - a. considers the consultation and determines any changes to how the Council interacts with the community at its Ordinary Council meetings and,**
 - b. Determines the time and locations for the Council meetings for the months of April to December 2025.**
- 5. Publish the details of the Council meeting schedule on Council's website.**

24/25-16

CARRIED

ISSUES, OPTIONS AND DISCUSSION

At the Council meeting on 10 December 2024 there was consensus that Council meetings should commence at 4:00 pm and this would be trialled in January, February and March 2025. The recommendation to move permanently to a 4:00 pm start would only be undertaken following public consultation, and after receiving the responses to that consultation.

The responses to the public consultation period closed on 24 February 2025 and are summarised below. The responses were positively in favour of changing the Council meeting commencement time to 4:00 pm with consistent themes regarding:

- Safety and travel
- Meetings being available online to watch anytime
- Councillor and staff welfare
- More accessible by the community, especially those who may need to travel long distances to attend
- More conducive to household meal times
- In line with general business hours

2025 Council Meeting Times – Summary of Engagement Responses – Share Strathbogie

Question One	Question Two
Do you support changing the start time of Ordinary Council Meetings to 4:00pm for the remainder of 2025?	Please provide reasoning for your answer.
Response One Yes, I support this change.	Response One It makes sense from a staff and Councillor point of view and the meetings are available online so people can watch them when it suits them.
Response Two Yes, I support this change.	Response Two I think the earlier time is more accessible for a greater number of community members, particularly those who have to travel distances to attend.
Response Three Yes, I support this change	Response Three Safety - much better timing to be driving in the Shire in daylight so 4.pm - to say 5.30pm is mostly daylight hours Timing better for the household - dinner hours are normally 6pm - 7pm so the previous timing impacted meal times Would prefer to be able to have a question asked without having to be present at the meeting - but at least a 4.00pm start makes it a little more suitable to drive the long distance to Euroa.
Response Four Yes, I support this change	Response Four This is more in line with business work hours
Response Five Yes, I support this change	Response Five

COMMUNITY ENGAGEMENT

A public consultation period was undertaken from 7 February 2025 to 24 February 2025 via Share Strathbogie and other Council social media platforms. Additionally, information was also included in the Council Columns in local newspapers.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Be accountable for the decisions we make and the quality of service we deliver.

Maximise public transparency and accountability around our performance and decision-making processes.

Regional, State and National Plans, Policies and Legislation

This report is aligned with the Strathbogie Shire Council Governance Rule (22) and states that the Council must annually fix the date, time and place of all Council meetings for the next twelve months. These dates and times can be altered under Rule (23) and additional meetings held under Rule (24).

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Failure to consult with the community lacks transparency and may cause loss of community confidence.	Low	Low	Low	Ensure a proper public consultation period was undertaken and consultation responses properly considered.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

In the interests of transparency and open and honest communication with our community this report is presented to a public Council meeting in response to a public consultation period.

INNOVATION AND CONTINUOUS IMPROVEMENT

Councillors and Council Officers are constantly assessing their processes to ensure best practice and to meet community expectations. The recommendation to change the start time of Council meetings to 4:00 pm is an example of Council aligning to improved business and community opportunities and involvement.

HUMAN RIGHTS CONSIDERATIONS

There are no significant human rights implications arising from this report.

CONCLUSION

Following a period of public consultation, trial meetings times and positive responses to changing the Council meeting commencement time, it is recommended that Council meetings commence at 4:00pm for the period April 2025 to December 2025.

ATTACHMENTS

Nil

11.4.2 Councillor Confidentiality Policy

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Following from changes to the *Local Government Amendment (Governance and Integrity) Act 2024* the draft Model Council Code of Conduct proposed to require the development of new policies under the new section 54A of the *Local Government Act 2020*.

A Councillor Confidentiality Policy was one of the new proposed policies.

The confidentiality policy will be required to include “procedures regarding access and non-disclosure of Council documents that must be managed securely as a matter of good governance”.

A draft Councillor Confidentiality Policy has been prepared in response to the changed legislation and is presented to the Council for endorsement.

RECOMMENDATION

That Council:

- 1. Adopt the Councillor Confidentiality Policy**
- 2. Place the Policy on Council’s website, along with the publication of a notice in Council’s weekly newspaper column and social media pages about the adoption of the policy**
- 3. Note that the Policy is scheduled to be reviewed in 12 months and may change at any time, subject to a Council resolution.**

PURPOSE AND BACKGROUND

In addition to setting out the obligations arising from the Model Councillor Code of Conduct, the adoption of a Councillor Confidentiality Policy provides an opportunity for Councils to bring a number of existing provisions relating to document confidentiality and privacy together into one place.

ISSUES, OPTIONS AND DISCUSSION

The Model Councillor Code of Conduct provides that a Councillor must not make Council information publicly available where public availability of the information would be contrary to the public interest.

Councils are encouraged to develop a policy which sets out a process for designating and managing Council information the release of which would be contrary to the public interest.

In addition to setting out the obligations arising from the Model Councillor Code of Conduct, the adoption of a Councillor Confidentiality Policy provides an opportunity for Councils to

bring a number of existing provisions relating to document confidentiality and privacy together into one place.

The Model Council Confidentiality Policy describes four classes of documents:

- Documents containing confidential information (based on the existing section 125 of the *Local Government Act 2020*).
- Internal documents (a new class of document that is defined in the policy).
- Documents containing personal information (based on the existing provisions in the *Privacy and Data Protection Act (Vic) 2014*).
- Documents containing health information (based on the existing provisions in the *Health Records Act (Vic) 2001*).

Aside from bringing all document security measures together into one place, the inclusion of the personal information and health information provisions addresses the current anomaly which is that Council is required to comply with relevant privacy legislation, but there is no consequence for a Councillor who fails to do so.

The model policy is designed to introduce the minimum restrictions required to comply with the legislative obligation, and to favour the free disclosure of information wherever possible – as is consistent with public transparency principles in the *Local Government Act 2020*.

COMMUNITY ENGAGEMENT

No external community consultation was necessary to prepare the draft Councillor Confidentiality Policy.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Be accountable for the decisions we make and the quality of service we deliver.

Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- *Local Government Act 2020*
- *Privacy and Data Protection Act (Vic) 2014*
- *Health Records Act (Vic) 2001*
- Model Councillor Code of Conduct

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Not developing a Model Councillor Confidentiality Policy breaches legislative requirement.	Low	Medium	Medium	Develop a Model Councillor Confidentiality Policy which is endorsed by Council.

LEGAL CONSIDERATIONS

The *Local Government Amendment (Governance and Integrity) Act 2024* requires the development of new policies under the new section 54A of the *Local Government Act 2020*. This includes a Councillor Confidentiality Policy.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

In the interests of transparency and open and honest communication with our community this report is presented to a public Council meeting.

This policy is intended to set out the principles on which the policy is based, and allay concerns that it can be used as a wide ranging policy that is contrary to the public transparency principles:

- Section 4.1 highlights the overarching governance principle relating to public transparency
- Section 4.2 makes a statement about the importance of transparency but points out that there are situations where transparency can be limited
- Section 4.3, 4.4 and 4.5 identify four legislative provisions that describe circumstances where public access to Council information can be restricted – two from the *Local Government Act 2020*, one from the *Privacy and Data Protection Act 2014* and one from the *Health Records Act 2001*.

FINANCIAL VIABILITY CONSIDERATIONS

There are no financial implications associated with this report.

INNOVATION AND CONTINUOUS IMPROVEMENT

The development of a Model Councillor Confidentiality Policy meets legislative requirements and is in keeping with best practice and continuous improvement around good governance obligations.

COLLABORATION

The development of the policy was guided by the principles established and set out by the Victorian Local Governance Association (VLGA).

HUMAN RIGHTS CONSIDERATIONS

There are no significant human rights implications arising from this report.

CONCLUSION

The model Councillor Confidentiality Policy is designed to introduce the minimum restrictions required to comply with the legislative obligation, and to favour the free disclosure of information wherever possible – as is consistent with public transparency principles in the *Local Government Act 2020*.

ATTACHMENT

1. Draft Councillor Confidentiality Policy

OFFICIAL

Strathbogie Shire Council Councillor Confidentiality Policy

March 2025

Strathbogie
SHIRE COUNCIL

OFFICIAL

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Councillor Confidentiality Policy

Document ID:	SSCEDOC-43802981-428
Effective Date:	
Last Review:	New
Current Review:	March 2025
Date Adopted by Council:	
Next Scheduled Review Date:	March 2026
Responsible Officer:	Director People and Governance

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PART 1 POLICY**1. PURPOSE**

To protect Council information that is provided to Councillors to assist them in the performance of their role but that needs to be managed securely prior to a Council decision on the matter being made.

2. POLICY STATEMENT

- 2.1 The Model Councillor Code of Conduct requires that Councillors diligently use Council processes to become informed about matters which are subject to Council decisions.
- 2.2 To assist Councillors in fulfilling this obligation, they are provided with the information necessary to enable them to fully understand matters on which decisions are to be made. This includes information relating to decisions intended to be presented to Council meetings, meetings of delegated committees and to decisions to be made by an officer under delegation.
- 2.3 The public availability of information leading to Council decisions is to be facilitated in accordance with the public transparency principles in the *Local Government Act 2020*. However, the confidentiality of this information is important in some circumstances, as the provision of information in confidence enables Council officers to provide frank and fearless advice to Councillors and facilitates open and candid discussion. It is also necessary to comply with confidentiality provisions in law relating to confidential, personal or health information.
- 2.4 This policy provides a mechanism for the provision of information subject to confidentiality restrictions to Councillors and places controls on the disclosure of that information in accordance with the *Local Government Act 2020*.

3. DEFINITIONS

Term	Meaning
Confidential information	has the same meaning as at section 3 of the <i>Local Government Act (Vic) 2020</i>
Exempt matter	has the same meaning as at section 3 of the <i>Freedom of Information Act (Vic) 1982</i>
Health information	has the same meaning as at section 3 of the <i>Health Records Act (Vic) 2001</i>
Internal documents	means those documents listed at section 6.4 of this policy and any documents so classified under the provisions of section 9 of this policy
Model Councillor Code of Conduct	has the same meaning as at section 3 of the <i>Local Government Act (Vic) 2020</i>
Personal information	has the same meaning as at section 3 of the <i>Privacy and Data Protection Act (Vic) 2014</i>

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4. PUBLIC TRANSPARENCY

- 4.1 The *Local Government Act 2020* contains nine overarching governance principles, which a Council must give effect to in the performance of its role. One of the principles is that “the transparency of Council decisions, actions and information is to be ensured”.
- 4.2 The requirement for transparency is core to the democratic system and is one way that Councils are held accountable to their communities. However, the transparency of Council information is not absolute, and may be subject to reasonable limitations in some circumstances.
- 4.3 The *Local Government Act 2020* provides that Council information be publicly available unless:
- i. the information is confidential; or
 - ii. public availability of the information would be contrary to the public interest.
- 4.4 The *Privacy and Data Protection Act (Vic) 2014* requires that Councils collect, hold, manage, use, disclose and transfer personal information in accordance with the Information Privacy Principles set out in that act.
- 4.5 The *Health Records Act (Vic) 2001* provides that Councils must not do an act, or engage in a practice, that is an interference with the privacy of an individual.

5. CONFIDENTIAL INFORMATION

- 5.1 A Councillor must not intentionally or recklessly disclose confidential information, unless the Council has determined that it should be publicly available (except in the circumstances set out at section 125 of the *Local Government Act 2020*). Confidential information is defined as:
- Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released
 - security information, being information that if released is likely to endanger the security of Council property or the safety of any person
 - land use planning information, being information that if prematurely released is likely to encourage speculation in land values
 - law enforcement information, being information which if released would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person
 - legal privileged information, being information to which legal professional privilege or client legal privilege applies
 - personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs
 - private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets, or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage
 - confidential meeting information, being the records of meetings closed to the public under section 66(2)(a) of the *Local Government Act 2020*
 - internal arbitration information, being information specified in section 145 of the *Local Government Act 2020*

OFFICIAL

- Councillor Conduct Panel confidential information, being information specified in section 169 of the *Local Government Act 2020*
- information prescribed by the regulations to be confidential information for the purposes of this definition, and
- information that was confidential information for the purposes of section 77 of the *Local Government Act 1989*.

5.2 Confidential information may not be disclosed by Councillors unless it is information that the Council has determined should be publicly available in accordance with section 125 of the *Local Government Act 2020* or where its disclosure is otherwise permitted or required by law. Disclosure in any other circumstances constitutes a breach of this policy and the *Local Government Act 2020*.

6. DOCUMENTS WHERE PUBLIC AVAILABILITY WOULD BE CONTRARY TO THE PUBLIC INTEREST

- 6.1 In order to support Council's deliberative process, it is necessary to provide Councillors with information which, if disclosed, would be contrary to the public interest. This includes, but is not limited to, documents which contain confidential information.
- 6.2 The Model Councillor Code of Conduct provides that a Councillor "must act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government, including by ... not making Council information publicly available where public availability of the information would be contrary to the public interest."
- 6.3 Documents where public availability would be contrary to the public interest are classified as internal documents.
- 6.4 Internal documents are:
- documents containing confidential information
 - documents containing exempt matter
 - documents provided to Councillors in relation to Councillor Briefings, including meeting agendas, officer briefing papers and their attachments, handouts and presentations
 - drafts of officer reports prepared for Council meetings or meetings of delegated committees
 - opinion or advice prepared by an officer, or consultation or deliberation that has taken place between officers and a Councillor in relation to the deliberative processes of the Council, including in the form of emails, memos and other communications between Council officers and Councillors, and
 - documents classified as an internal document by the Chief Executive Officer in accordance with section 9 of this policy.
- 6.5 Internal documents (or part thereof) may not be disclosed by Councillors unless the Council or the Chief Executive Officer has determined that they should be publicly available. Disclosure in any other circumstances constitutes a breach of this policy and the Model Councillor Code of Conduct.

OFFICIAL**7. PERSONAL INFORMATION**

- 7.1 Councillors may be provided with personal information about individuals in order to inform them about matters which are to be subject to Council decisions.
- 7.2 Personal information is information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.
- 7.3 A Councillor must not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection, unless one of the following apply:
- The secondary purpose is directly related to the primary purpose of collection and the individual would reasonably expect the Councillor to use or disclose the information for the secondary purpose
 - The individual has consented to the use or disclosure
 - The use or disclosure is required or authorised by or under law.
- 7.4 Personal information should not be disclosed by Councillors other than in accordance with this policy. Disclosure in any other circumstances constitutes a breach of this policy and the *Privacy and Data Protection Act 2014* (Vic).

8. HEALTH INFORMATION

- 8.1 Councillors may be provided with health information about individuals in order to inform them about matters which are to be subject to Council decisions.
- 8.2 Health information is any of the following:
- Information or an opinion about the physical, mental or psychological health (at any time) of an individual; or a disability (at any time) of an individual; or an individual's expressed wishes about the future provision of health services to him or her; or a health service provided, or to be provided, to an individual - that is also personal information, or
 - Other personal information collected to provide, or in providing, a health service
 - Other personal information about an individual collected in connection with the donation, or intended donation, by the individual of his or her body parts, organs or body substances
 - Other personal information that is genetic information about an individual in a form which is or could be predictive of the health (at any time) of the individual or of any of his or her descendants.
- 8.3 Health information does not include health information, or a class of health information or health information contained in a class of documents, that is prescribed as exempt health information for the purposes of the *Health Records Act (Vic) 2001* generally or for the purposes of specified provisions of the *Health Records Act (Vic) 2001*.
- 8.4 A Councillor must not use or disclose health information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection, unless one of the following apply:

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- The secondary purpose is directly related to the primary purpose of collection and the individual would reasonably expect the Councillor to use or disclose the information for the secondary purpose
- The individual has consented to the use or disclosure
- The use or disclosure is required or authorised by or under law.

8.5 Health information must not be disclosed by Councillors other than in accordance with this policy. Disclosure in any other circumstances constitutes a breach of this policy and the *Health Records Act 2001 (Vic)*.

9. CLASSIFICATION OF INTERNAL DOCUMENTS

9.1 In addition to those documents listed at section 6.4, a document may be classified as an internal document by the Chief Executive Officer.

9.2 In determining whether a document should be classified as an internal document, the Chief Executive Officer must commence the assessment from the position of acknowledging the presumption in favour of documents remaining unclassified.

9.3 A document may be classified as an internal document only if:

- it contains matter in the nature of opinion, advice or recommendation prepared by an officer or member of the council, or consultation or deliberation that has taken place between officers, member of the council, or an officer and a member of the council, in the course of, or for the purpose of, the deliberative processes involved in the functions of the Council or member of the council, and
- the public availability of the information would be contrary to the public interest.

9.4 In determining whether a document should be classified as an internal document, the Chief Executive Officer must identify any relevant public interest factors favouring disclosure and nondisclosure, balance the relevant factors favouring disclosure and nondisclosure; and decide whether disclosure of the information would, on balance, be contrary to the public interest.

9.5 In making a public interest assessment, the following considerations shall be regarded as irrelevant to the assessment and not be used to influence the outcome:

- Whether the information could cause embarrassment to, or a loss of confidence in, the Council, and
- The extent to which the document may be misinterpreted or misunderstood by the public.

9.6 Documents provided to Councillors that have been classified as internal documents will be clearly identified by marking them with a watermark, footer or equivalent designation.

OFFICIAL**10. RELATED POLICIES AND LEGISLATION**

The following Council, State, regional and national plans and policies are relevant to this policy under each subtitle.

Legislation

- *Freedom of Information Act (Vic) 1982*
- *Health Records Act (Vic) 2001*
- *Local Government (Governance and Integrity) Regulations (Vic) 2020*
- *Local Government Act (Vic) 2020*
- *Privacy and Data Protection Act (Vic) 2014*

Related Council documents

- Privacy and Data Protection Policy
- Public Transparency Policy

11. POLICY REVIEW

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (eg a change to the name of a related document, or a change in legislation).

11.4.2.1 Councillor Social Media Policy

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Following from changes to the *Local Government Amendment (Governance and Integrity) Act 2024* the Model Council Code of Conduct proposed to require the development of two new policies under the new section 54A of the *Local Government Act 2020*.

The Councillor Social Media Policy is one of the policies and will be required to include:

- Clear guidance on the appropriate use of social media by Councillors in the performance of the role of a Councillor consistent with their obligations under the Model Councillor Code of Conduct
- The rights of a Councillor to express an independent view consistent with the *Charter of Human Rights and Responsibilities Act 2006*
- A requirement for Councillor to make it clear when they are expressing an independent view that their comment is their personal view and does not represent the Council.

RECOMMENDATION

That Council:

1. **Adopt the Councillor Social Media Policy**
2. **Place the Policy on Council's website, along with the publication of a notice in Council's weekly newspaper column and social media pages about the adoption of the policy**
3. **Note that the Policy is scheduled to be reviewed in 12 months and may change at any time, subject to a Council resolution.**

PURPOSE AND BACKGROUND

This model policy is intended to provide guidance to Councillors in the use of social media to ensure they do not breach the Model Councillor Code of Conduct, and also a range of other legislative and other risks that apply.

ISSUES, OPTIONS AND DISCUSSION

In the Local Government Victoria publication "Guidance on the Model Councillor Code of Conduct October 2024", the guidance was provided that "to avoid breaching the Model Code of Conduct, Councillors should act consistently with any social media or communications policies or protocols that their own Council has developed to guide the responsible use of social media by Councillors."

The Councillor Social Media Policy is predicated on enshrining the right of councillors to fully engage with the municipal community via social media and that any policy restrictions placed on their social media activity should be limited in scope.

The policy does not seek to introduce restrictions that do not already exist and seeks instead to codify the existing provisions that are applicable to social media activity. These provisions are drawn from:

- *Local Government Act 2020*
- Local Government (Governance and Integrity) Regulations 2022
- Model Councillor Code of Conduct
- Other relevant law

COMMUNITY ENGAGEMENT

No external community consultation was necessary as part of the development of this draft policy.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Maximise public transparency and accountability around our performance and decision-making processes.

Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, council policies and key strategic documents:

- *Local Government Act 2020*
- *Charter of Human Rights and Responsibilities Act 2006*
- Model Councillor Code of Conduct

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Not developing a Model Councillor Social Media Policy breaches legislative requirement.	Low	Medium	Medium	Develop a Model Councillor Social Media Policy which is endorsed by Council.

LEGAL CONSIDERATIONS

The *Local Government Amendment (Governance and Integrity) Act 2024* requires the development of new policies under the new section 54A of the *Local Government Act 2020*. This includes a Councillor Social Media Policy.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

In the interests of transparency and open and honest communication with our community this report is presented to a public Council meeting.

This policy is intended to set out the principles on which the policy is based and allay concerns that it can be used as a wide ranging policy that is contrary to the public transparency principles.

FINANCIAL VIABILITY CONSIDERATIONS

There are no financial implications associated with this report.

INNOVATION AND CONTINUOUS IMPROVEMENT

The development of a Councillor Social Media Policy meets legislative requirements and is in keeping with best practice and continuous improvement around good governance obligations.

COLLABORATION

The development of the policy was guided by the principles established and set out by the Victorian Local Governance Association (VLGA).

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications arising from this report.

CONCLUSION

The Councillor Social Media Policy is designed to introduce the minimum restrictions required to comply with the legislative obligation, and to favour the free disclosure of information wherever possible – as is consistent with public transparency principles in the *Local Government Act 2020*.

ATTACHMENT

1. Draft Councillor Social Media Policy

OFFICIAL

Strathbogie Shire Council Councillor Social Media Policy

March 2025

Strathbogie
SHIRE COUNCIL

OFFICIAL

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Councillor Social Media Policy

Document ID:	SSCEDOC-43802981-427
Effective Date:	New
Last Review:	
Current Review:	March 2025
Date Adopted by Council:	
Next Scheduled Review Date:	March 2026
Responsible Officer:	Director People and Governance

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PART 1 POLICY**1. PURPOSE**

- 1.1 To outline the benefits and risks of social media use by Councillors and provide guidance on its appropriate use and specific provisions which must be observed.

2. POLICY STATEMENT

- 2.1 Social media is a powerful tool to maintain connections between Councillors and members of the public. The use of social media can foster an environment of open communication between Councillors and the municipal community.
- 2.2 Used well, social media can be used by Councillors to:
- strengthen community engagement
 - foster transparency and trust
 - provide a trusted voice in the social media environment
 - distinguish the role of the individual Councillor from that of the Council
 - provide another avenue to contact the Councillor directly
 - enable Councillors to hear from members of the community that may otherwise be difficult to reach.
- 2.3 Councillor social media use also presents risks for Councillors, including:
- the exposure to trolling, cyberbullying and other abusive behaviour
 - the creation of a platform for the dissemination of misinformation
 - the creation of an expectation about the 24/7 availability of a Councillor
 - a significant administrative workload associated with managing a platform
 - the risk of inadvertently disclosing confidential information
 - an exposure to legal liability.

3. DEFINITIONS

Term	Meaning
Confidential information	has the same meaning as at section 3 of the <i>Local Government Act 2020</i> (Vic)
Health information	has the same meaning as at section 3 of the <i>Local Government Act 2020</i> (Vic)
Social media	means online interactive technologies through which individuals, communities and organisations can share, co-create, discuss, and modify user-generated content or pre-made content posted online. Social media may include but is not limited to:

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	<ul style="list-style-type: none"> (i) social networking websites (eg Facebook, LinkedIn, Yammer, Threads) (ii) video and photo sharing websites (eg Flickr, Instagram, Snapchat, TikTok, Vimeo, YouTube) (iii) blogs, including corporate blogs and personal blogs (iv) blogs hosted by media outlets (eg 'comments' on news articles) (v) micro-blogging (eg Mastadon, Truth Social, X) (vi) wikis and other online community generated forums (eg Wikipedia) (vii) forums, discussion boards and groups (eg Google groups) (viii) vodcasting and podcasting (ix) group messaging technologies/apps (e.g. WhatsApp, SMS) (x) streaming platforms (e.g. Twitch, Mixer) (xi) geospatial tagging (eg Foursquare, Facebook checkin) (xii) any other tool or emerging technology that allows individuals to publish or communicate in a digital environment (excluding website content)
Model Councillor Code of Conduct	has the same meaning as at section 3 of the <i>Local Government Act 2020</i> (Vic)
Personal information	has the same meaning as at section 3 of the <i>Privacy and Data Protection Act 2014</i> (Vic)

4. APPLICATION OF THIS POLICY

4.1 Councillors are under no obligation to maintain a social media presence.

4.2 Councillors who choose to maintain a social media presence:

- do so of their own volition
- have a right to express an independent view consistent with the *Charter of Human Rights and Responsibilities Act 2006*; and
- acknowledge that they are required to adhere to the Model Councillor Code of Conduct.

4.3 Councillors who choose to maintain a social media presence are responsible for:

- compliance with this policy
- administration of the social media platform
- moderation of community content
- compliance with the terms of service of the social media platform in use.

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- 4.4 The provisions applicable to Councillor social media also apply to a social media presence operated by another person who, with the Councillor's authorisation, administers, moderates, or uploads content on the Councillor's behalf.

5. COUNCIL RESOURCES AND SUPPORT

- 5.1 Councillors who choose to maintain a social media presence will be provided with:
- technical support for Council provided hardware
 - training in social media obligations as part of the mandatory Councillor induction and ongoing professional development programs
 - generic collateral (such as graphics, images and suggested copy) that promotes Council programs
 - access to Council's employee assistance program - a voluntary and confidential service designed to assist Councillors with personal concerns that affect their personal wellbeing and/or performance as a Councillor.
- 5.2 Councillors will not be provided with:
- technical or other support for the use of social media platforms
 - social media monitoring or reporting services, or
 - legal advice regarding social media content.
- 5.3 Councillors must not use Council resources, including Council facilities, computer equipment, smartphones and internet connections for social media activity:
- to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person
 - to cause, or attempt to cause, detriment to the Council or another person
 - in a way that is intended to, or is likely to, affect the result of an election under the *Local Government Act 2020* (Vic)
 - in a way that is intended to, or is likely to, affect the result of an election for a state or federal parliament, or
 - in the furtherance of private business or commercial activity.

6. GOOD FAITH BEHAVIOUR

- 6.1 The Model Councillor Code of Conduct requires that Councillors act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government. For Councillors who maintain a social media presence this means:
- not posting content which could be perceived to be an official comment on behalf of the Council (noting that Councillors are free to link or re-post social media content that has been published by the Council, including the addition of their own perspective or commentary)
 - not creating a social media presence purporting to represent a Council auspiced entity, such as an advisory committee, reference group, steering committee or similar
 - not posting anonymously, or by using a fake or intentionally misleading identity

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- not engaging in trolling, harassment, personal attacks or similar behaviour
- not intentionally publishing misinformation, falsehoods or misleading material
- not engaging in doxing
- not engaging in cyberbullying, and
- not publishing defamatory material.

7. FREEDOM OF EXPRESSION

- 7.1 Councillors enjoy the human right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, subject to any lawful restrictions reasonably necessary.
- 7.2 Subject to this part, Councillors are free to express an independent view on social media, provided it is made clear to the audience that it is their personal view and does not represent the Council. This includes, but is not limited to:
- expressing a personal view that differs from that of the Council
 - stating a desire for change to a Council policy or position
 - expressing an opinion on a matter that is to come before the Council (without expressing a pre-determined decision)
 - encouraging members of the public to participate in the decision-making process
 - expressing disappointment or dissatisfaction or stating that they do not support a Council position or decision
 - explaining why they voted on a matter in the way that they did in a meeting that was open to the public or
 - otherwise engaging in robust public debate.
- 7.3 Councillors must not post content on their social media that, if posted, would be contrary to the Model Councillor Code of Conduct in that it:
- could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the mayor to make such a comment
 - is demeaning, abusive, obscene, threatening or of a sexual nature
 - intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons
 - constitutes discrimination or vilification
 - undermines the council when applying the council's community engagement policy to develop respectful relationships and partnerships with traditional owners, Aboriginal community controlled organisations, and the Aboriginal community
 - undermines the council in fulfilling its obligation under the Act or any other Act (including the *Gender Equality Act 2020*) to achieve and promote gender equality
 - are not in line with the Council's policies and procedures as a child safe organisation and obligations under the *Child Wellbeing and Safety Act 2005* to the extent that they apply to Councillors

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- adversely affect the health and safety of other persons
 - would bring discredit upon the council
 - would deliberately mislead the council or the public about any matter related to the performance of the councillor's public duties
 - makes council information publicly available where public availability of the information would be contrary to the public interest
 - expressly or impliedly requests preferential treatment for themselves or a related person or entity or
 - is otherwise contrary to the Model Councillor Code of Conduct.
- 7.4 Councillors must not post content on their social media where publication would be contrary to law including, but not limited to:
- the *Local Government Act 2020* (Vic), insofar as it relates to misuse of position, including the disclosure of confidential information
 - the *Privacy and Data Protection Act* (Vic) 2014, insofar as it relates to the disclosure of personal information
 - the *Health Records Act 2001* (Vic), insofar as it relates to the disclosure of health information
 - the *Defamation Act 2005* (Vic), in a manner that constitutes defamation
 - the *Copyright Act 1968* (Cth), in a manner that constitutes an infringement of copyright
 - the *Summary Offences Act 1966* (Vic), in a manner that is obscene, indecent or uses threatening language and behaviour etc
 - the *Crimes Act 1958* (Vic), in a manner that constitutes stalking, and
 - the *Criminal Code Act 1995* (Cth), in relation to the use of a carriage service to menace or harass.
- 7.5 Councillors shall not post content that creates a reasonable apprehension of bias in relation to matters to subject to, or potentially subject to, Council decisions.
- 8. CUSTOMER REQUESTS**
- 8.1 From time to time, Councillors may receive service requests, complaints, feedback or other correspondence intended for the Council (customer requests) from members of the public via social media channels.
- 8.2 The receipt and handling of customer requests is an operational function of the Council. Councillors in receipt of customer requests:
- may pass on customer requests to Council's centralised customer request handling process
 - may provide the customer with details of the Council's official communication channels
 - may refer a customer to Council's website which sets out the official communication channels, or
 - may determine to take no action.

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- 8.3 Councillors shall not solicit customer requests or otherwise encourage members of the public to bypass the Council's official communication channels.

9. MODERATION OF COMMUNITY CONTENT

- 9.1 Councillors have an absolute right to moderate community content on their social media platforms, including comments, reactions and other contributions.
- 9.2 Councillors must remove community content that, if published by the Councillor, would be contrary to the Model Councillor Code of Conduct.
- 9.3 Councillors have an absolute right to block or ban persons from their social media platform at their sole discretion.

10. RECORD KEEPING

- 10.1 Documents made or received by councillors are not public records (regardless of the content) unless they are then received by an employee of the Council.
- 10.2 Councillors are not required to maintain records of social media content for record-keeping purposes.

11. CLARIFICATION STATEMENTS

- 11.1 Councillors who maintain a social media presence must ensure their profile clarifies that their social media presence is not an official platform of the Council. For example:
- "This page is hosted by me in my capacity as an individual. This is not an official page of [Council name] and should not be used for making service or maintenance requests or otherwise contacting Council. Council can be contacted at [link to Council's website]."*
- 11.2 Councillors who use their social media presence to comment on Council matters must ensure their profile makes it clear that they are speaking in an individual capacity, and not on behalf of the Council. For example:
- "The views expressed on this social media platform are my own and not that of the Council."*
- 11.3 Councillors who enable community content on their social media presence should include a statement asserting the Councillor's right to control access to the page and to moderate third-party content. For example:
- "As the host of this page, I endeavour to maintain a safe, positive space for the discussion of Council issues and I reserve the right to hide or delete content and to block or ban users."*
- 11.4 Councillors who use their social media presence to publish electoral material must include an authorisation statement in accordance with the *Local Government Act 2020* (Vic), noting that this obligation applies at all times, not just during a formal election period. Councillors may not use a Council address for this purpose. For example:
- "Authorised by J Citizen, 123 Main Street SUBURB VIC 9999."*

OFFICIAL**11. RELATED POLICIES AND LEGISLATION**

The following Council, State, regional and national plans and policies are relevant to this policy under each subtitle.

Legislation

- *Copyright Act 1968 (Cth)*
- *Criminal Code Act 1995 (Cth)*
- *Crimes Act 1958 (Vic)*
- *Defamation Act 2005 (Vic)*
- *Equal Opportunity Act 2000 (Vic)*
- *Freedom of Information Act 1982 (Vic)*
- *Health Records Act 2001 (Vic)*
- *Local Government (Governance and Integrity) Regulations 2020 (Vic)*
- *Local Government Act 2020 (Vic)*
- *Privacy and Data Protection Act 2014 (Vic)*
- *Summary Offences Act 1966 (Vic)*

Related Council Documents

- Councillor Confidentiality Policy
- Privacy and Data Protection Policy
- Information Security Policy

12. POLICY REVIEW

Council may review this policy at any time and at least two years from the date of adoption.

Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy (eg a change to the name of a related document, or a change in legislation).

11.4.3 S6 Instrument of Delegation to Members of Staff

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

The *Local Government Act 2020* expressly provides for a Council to delegate power, duty or function to the Chief Executive Officer and/or Council Officers, to act on behalf of Council.

The S6 is an Instrument of Delegation from Council to members of Council staff relating to Council duties, powers and functions within various Acts and Regulations (or specific parts of those Acts or Regulations), which contain a specific power of delegation.

The S6 Instrument of Delegation delegates certain powers directly from the Council to Council staff due to the legislation referred to containing specific powers of delegation. This instrument provides for delegations that cannot be sub delegated by the Chief Executive Officer (CEO), that is, they must be directly delegated from Council to the subject matter experts.

The changes proposed from the current version are generally minor in nature and reflect amendments to legislation and corrections to the officers delegated.

RECOMMENDATION

That Council:

In the exercise of the powers conferred by the legislation referred to in the attached S6 Instrument of Delegation to Members of Council Staff, Strathbogie Shire Council (Council) resolves that:

- 1. There be delegation to the members of Council staff holding, acting in or performing the duties of the officers or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties, and functions set out in that instrument, subject to the conditions and limitations specified in the Instrument**
- 2. The Instrument be executed by two Councillors and the Chief Executive Officer and sealed by Council under the Strathbogie Shire Council Local Law No. 1 – Use of the Common Seal 2020**
- 3. The Instrument comes into force immediately when the Common Seal of Council is affixed to the Instrument**
- 4. On the coming into force of the Instrument, the Instrument endorsed at its meeting of 16 July 2024 be revoked and replaced by the 18 March 2025 Instrument**
- 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.**

PURPOSE AND BACKGROUND

The purpose of this report is to update changes to the S6 Instrument of Delegation, due to organisation changes, and specific legislation relating to:

- 1 Inserted section 12(2)(b) of the *Road Management Act 2004* to provide for Council to provide consent to the Head, Transport of Victoria to discontinue a road or part of a road
- 2 Removed the limitation for the powers in sections 19FA(1) and 19FA(3)(a)-(c) of the *Food Act 1984* being delegated “only in relation to temporary food premises or mobile food premises” and
- 3 Amended a typographical error in s12(1) of the Residential Tenancies (Caravan Parks and Moveable Dwellings Registration and Standards) Regulations 2024.

ISSUES, OPTIONS AND DISCUSSION

The *Local Government Act 2020* (the Act) requires the preparation and adoption of a set of Instruments of Delegation. The various acts and regulations referred to in the instrument allow the delegation of powers from Council to members of Council staff. The Instrument before Council has been reviewed and is based on six monthly legislative updates received from Maddocks, Council’s legal counsel in these matters.

This instrument provides for delegations that cannot be sub delegated by the Chief Executive Officer (CEO) that is, they must be directly delegated from Council to the subject matter experts. The delegations cover specialised legislation such as (but not limited to) the *Planning and Environment Act 1987*, *Roads Management Act 2004*, and the *Environmental Protection Act 2017*.

The draft instrument before Council reflects organisational structural changes, position title changes and specific legislative changes that have occurred in recent months. The purpose of this report is to facilitate the adoption of the S6 Instrument of Delegation so that Council’s day to day decision making is efficient and seamless.

COMMUNITY ENGAGEMENT

No external community consultation was necessary as part of the review process.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Be accountable for the decisions we make and the quality of service we deliver.

Maximise public transparency and accountability around our performance and decision-making processes.

Regional, State and National Plans, Policies and Legislation

- *Local Government Act 2020*

- *Planning and Environment Act 1987*
- *Roads Management Act 2004*
- *Environmental Protection Act 2017*

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If the delegations and authorisations are not up to date, the enforceability of decisions and actions taken may be compromised and there may be legal, reputational, and administrative problems for the Council.	Possible	Moderate	Medium	Legal, reputational and administrative risk is minimised by maintaining the currency of delegations and reviewing them every six months

LEGAL CONSIDERATIONS

By not maintaining currency of the authorisation instruments can potentially impact on the enforcement of legislation and jeopardises Council's compliance with its legal obligations. A copy of the instrument will be made available to the public in accordance with the Act and regulations.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

A public register of delegations must be maintained by the CEO under the Act and Council's Public Transparency Policy, and so this instrument, once signed, will be available for inspection by the public upon request.

FINANCIAL VIABILITY CONSIDERATIONS

There are no financial implications associated with this report.

INNOVATION AND CONTINUOUS IMPROVEMENT

All Instruments of Delegation and Authorisation are reviewed and updated six monthly (or as required) ensuring legislative and regulatory obligations are met and Council operations are maintained efficiently.

COLLABORATION

No formal collaboration was undertaken in the production of this report.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications arising from this report.

CONCLUSION

The draft Instrument before Council is based on the current legislation and reflects both legislative and organisation position and title changes that have occurred since the previous update in July 2024.

Council endorsement of instruments of authorisation enables Council to fulfil its obligations relating to the enforcement of legislative and statutory requirements.

ATTACHMENT

1. S6 Instrument of Delegation Members Of Staff

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S6 Instrument of Delegation – Members of Staff



Strathbogie Shire Council

Instrument of Delegation

to

Members of Council Staff

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Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule
2. record that references in the Schedule are as follows:

CO	means Compliance Officer
CPCO	means Community and Planning Compliance Officer
CSTL	means Customer Service Team Leader
CEO	means Chief Executive Officer
CFO	means Chief Financial Officer
DCP	means Director Community and Planning
DPG	means Director People and Governance
DMBS	means Deputy Municipal Building Surveyor
DSI	means Director Sustainable Infrastructure
EHO	means Environmental Health Officer
MAP	means Manager Asset Planning
MBS	means Municipal Building Surveyor
MCS	means Manager Community Safety
EMO	means Emergency Management Officer
MFPO	means Municipal Fire Prevention Officer
MO	means Manager Operations
MPC	means Manager People and Culture
MPI	means Manager Planning and Investment
MRM	means Municipal Recovery Manager
PAO	means Planning Administration Officer
PP	means Principal Planner
SEHO	means Senior Environmental Health Officer
SP1	means Senior Strategic Planner
SP2	means Senior Planner
TP	means Town Planner
CSO	means Community Safety Officer
CSSO	means Community Safety Support Officer
3. declares that:
 - 3.1 this Instrument of Delegation is authorised by **a resolution** of Council passed on the **18 March 2025** and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation or where the Chief Executive Officer of Council is authorised under resolution, the Chief Executive Officer executes the Instrument of Delegation;
 - 3.2.2 remains in force until varied or revoked
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

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- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council
 - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy
 adopted by Council;
 - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
 - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

The Common Seal of the)..... Councillor

Strathbogie Shire Council)..... Councillor

was hereunto affixed)..... Chief Executive Officer

on the March 2025

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SCHEDULE

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries		
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act		Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its functions		Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)		Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions		Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions		
s 14	Power to manage multiple public cemeteries as if they are one cemetery		
s 15(4)	Duty to keep records of delegations		
s 17(1)	Power to employ any persons necessary		
s 17(2)	Power to engage any professional, technical or other assistance considered necessary		
s 17(3)	Power to determine the terms and conditions of employment or engagement		Subject to any guidelines or directions of the Secretary

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18(3)	Duty to comply with a direction from the Secretary		
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time		Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee		Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee		Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities		Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees		Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.		Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>		Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee		Where Council is a Class A cemetery trust

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year		Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting		Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))		Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust		Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)		Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval		Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months		Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request		Where Council is a Class A cemetery trust

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval		Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan		Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request		Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year		Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works		
s 20(1)	Duty to set aside areas for the interment of human remains		
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery		
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)		
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land		
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36		Subject to the approval of the Minister

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 37	Power to grant leases over land in a public cemetery in accordance with s 37		Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39		
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery		Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 52	Duty to submit a report to the Secretary in relation to any public cemetery for which the cemetery trust is responsible for each financial year in respect of which it manages that cemetery		
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act		Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery		
s 60(1)	Duty to make information in records available to the public for historical or research purposes		
s 60(2)	Power to charge fees for providing information		
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)		
s 64B(d)	Power to permit interments at a reopened cemetery		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park		The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park		
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed		
s 70(2)	Duty to make plans of existing place of interment available to the public		
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies		
s 71(2)	Power to dispose of any memorial or other structure removed		
s 72(2)	Duty to comply with request received under s 72		
s 73(1)	Power to grant a right of interment		
s 73(2)	Power to impose conditions on the right of interment		
s 74(3)	Duty to offer a perpetual right of interment		
s 75	Power to grant the rights of interment set out in s 75(a) and (b)		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted		
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application		
s 80(1)	Function of receiving notification and payment of transfer of right of interment		
s 80(2)	Function of recording transfer of right of interment		
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment		
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment		
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment		
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment		
s 84F(2)(d)	Function of receiving notice of decision to vary or force the surrender of a right of interment under s 84C(2), (3) or (5)		
s 84H(4)	Power to exercise the rights of a holder of a right of interment		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 84l(4)	Power to exercise the rights of a holder of a right of interment		
s 84l(5)	Duty to pay refund to the previous holder or holders of the right of interment		
s 84l(6)(a)	Power to remove any memorial on the place of interment		
s 84l(6)(b)	Power to grant right of interment under s 73		
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry		The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry		Does not apply where right of interment relates to remains of a deceased veteran.
s 85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; Remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location		May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment		
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment		
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)		
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains		
s 86(5)	Duty to provide notification before taking action under s 86(4)		
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)		
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment		
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment		
s 91(1)	Power to cancel a right of interment in accordance with s 91		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(3)	Duty to publish notice of intention to cancel right of interment		
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment		
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment		
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval		
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested		
s 100(1)	Power to require a person to remove memorials or places of interment		
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)		
s 100(3)	Power to recover costs of taking action under s 100(2)		
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)		
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)		
s 103(1)	Power to require a person to remove a building for ceremonies		
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)		
s 103(3)	Power to recover costs of taking action under s 103(2)		
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs		
s 106(2)	Power to require the holder of the right of interment to provide for an examination		
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with		
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs		
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with		
s 108	Power to recover costs and expenses		
s 109(1)(a)	Power to open, examine and repair a place of interment		Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial		Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies		Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary		
s 110(1A)	Power to maintain, repair or restore the place of interment if unable to find any of the other holders after diligent inquiries and with the consent of the Secretary		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary		
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran		
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment		
s 112	Power to sell and supply memorials		
s 116(4)	Duty to notify the Secretary of an interment authorisation granted		
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application		
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met		
s 119	Power to set terms and conditions for interment authorisations		
s 131	Function of receiving an application for cremation authorisation		

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with		Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner		
s 146	Power to dispose of bodily remains by a method other than interment or cremation		Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation		
s 149	Duty to cease using method of disposal if approval revoked by the Secretary		
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met		
s 151	Function of receiving applications to inter or cremate body parts		
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150		
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication		
sch 1 cl 8(8)	Power to regulate own proceedings		Subject to cl 8

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CEMETERIES AND CREMATORIA ACT 2003 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication		Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings		Where Council is a Class A cemetery trust Subject to cl 8

OFFICIAL

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

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCP, MCS, SEHO, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	DCP, MCS, SEHO, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	DCP, MCS, SEHO, EHO	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DCP, MCS, SEHO, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCP, MCS, SEHO, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCP, MCS, SEHO, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCP, MCS, SEHO, EHO	Where Council is the registration authority

OFFICIAL

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCP, MCS, SEHO, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution Only in relation to temporary food premises or mobile food premises
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	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19EA(3)	Function of receiving copy of revised food safety program	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19FA(1)	Power to direct a proprietor of a food premises to revise the food safety program for the premises or comply with any requirements specified in the food safety program	DCP, MCS, SEHO, EHO	Where Council is the registration authority Subject to s 19FA(2), which requires a time limit for compliance to be specified
s19FA(3)(a)	Power to refuse to approve an application for registration or renewal of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	DCP, MCS, SEHO, EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19FA(3)(b)	Power to revoke a registration granted in respect of premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19FA(3)(c)	Power to suspend the registration of the premises, where a proprietor of a food premises fails to comply with a direction given under s 19FA(1)	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s19IA(1)	Power to form opinion that the food safety requirements or program are non-compliant.	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19IA(2)	Duty to give written notice to the proprietor of the premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority Note: Not required if Council has taken other appropriate action in relation to deficiencies (see s 19IA(3))
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19N(2)	Function of receiving notice from the auditor	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	DCP, MCS, SEHO, EHO	Where Council is the registration authority

OFFICIAL

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DCP, MCS, SEHO, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	DCP, MCS, SEHO, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority
---	Power to register or renew the registration of a food premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority Refusal to grant or renew the registration of a food premises must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 36B	Duty to pay the charge for use of online portal	DCP, MCS, SEHO, EHO	Where Council is the registration authority

OFFICIAL

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	MCS, SEHO, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	MCS, SEHO, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	MCS, SEHO, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	MCS, SEHO, EHO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	DCP, MCS, SEHO, EHO	Where Council is the registration authority

OFFICIAL

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38E(2)	Power to register the food premises on a conditional basis	DCP, MCS, SEHO, EHO	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38G(2)	Function of receiving notice from proprietor if there is a change of the food safety program type used for the food premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 38G(4)	Power to require the proprietor of the food premises to comply with any requirement of the Act	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 39(2)	Duty to carry out an inspection of the premises during the period of registration before the registration of the food premises is renewed	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 39A	Power to register, or renew the registration of a food premises despite minor defects	DCP, MCS, SEHO, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 39A (6)	Duty to comply with a direction of the Secretary	DCP, MCS, SEHO, EHO	

OFFICIAL

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 40(1)	Duty to give the person in whose name the premises is to be registered a certificate of registration	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	DCP, MCS, SEHO, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 40E	Duty to comply with direction of the Secretary	DCP, MCS, SEHO, EHO	
s 40F	Power to cancel registration of food premises	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 43	Duty to maintain records of registration	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering or renewing registration of a component of a food business	DCP, MCS, SEHO, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	DCP, MCS, SEHO, EHO	Where Council is the registration authority

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FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 45AC	Power to bring proceedings	DCP, MCS, SEHO, EHO	
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, DCP, MCS	Where Council is the registration authority

OFFICIAL

HERITAGE ACT 2017			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, DCP	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

OFFICIAL

LOCAL GOVERNMENT ACT 1989			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO ¹	

¹ The only member of staff who can be a delegate in Column 3 is the CEO.

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DCP, MPI, PP, SP1, SP2	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DCP, MPI, PP, SP1, SP2	
s 4H	Duty to make amendment to Victorian Planning Provisions available in accordance with public availability requirements	DCP, MPI, PP, SP1, SP2, TP, PAO	
s 4I(2)	Duty to make a copy of the Victorian Planning Provisions and other documents available in accordance with public availability requirements	DCP, MPI, PP, SP1, SP2, TP, PAO	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DCP, MPI, PP, SP1, SP2	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DCP, MPI, PP, SP1, SP2	
s 8A(5)	Function of receiving notice of the Minister's decision	DCP, MPI, PP, SP1, SP2	
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	DCP, MPI, PP, SP1, SP2	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DCP, MPI, PP, SP1, SP2	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 12B(1)	Duty to review planning scheme	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 17(2)	Duty of giving copy s 173 agreement	DCP, MPI, PP, SP1, SP2, TP, PAO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DCP, MPI, PP, SP1, SP2, TP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18	Duty to make amendment etc. available in accordance with public availability requirements	DCP, MPI, PP, SP1, SP2, TP	Until the proposed amendment is approved or lapsed
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	DCP, MPI, PP, SP1, SP2, TP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DCP, MPI, PP, SP1, SP2, TP	Where Council is not the planning authority, and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CEO, DCP, MPI, PP, SP1, SP2	Where Council is a planning authority
s 21(2)	Duty to make submissions available in accordance with public availability requirements	DCP, MPI, PP, SP1, SP2, TP, PAO	Until the end of 2 months after the amendment comes into operation or lapses
s 21A(4)	Duty to publish notice	DCP, MPI, PP, SP1, SP2	
s 22(1)	Duty to consider all submissions received before the date specified in the notice	CEO, DCP, MPI, PP, SP, SSP, TP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 22(2)	Power to consider a late submission Duty to consider a late submission, if directed by the Minister	CEO, DCP, MPI, PP, SP1, SP2, TP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 23(2)	Power to refer to a panel submission which do not require a change to the amendment	DCP, MPI, PP, SP1, SP2, TP	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DCP, MPI, PP, SP1, SP2, TP	
s 26(1)	Power to make report available for inspection in accordance with the requirements set out in s 197B of the Act	DCP, MPI, PP, SP1, SP2, TP, PAO	
s 26(2)	Duty to keep report of panel available in accordance with public availability requirements	DCP, MPI, PP, SP1, SP2, TP, PAO	During the inspection period
s 27(2)	Power to apply for exemption if panel's report not received	DCP, MPI	
s 28(1)	Duty to notify the Minister if abandoning an amendment	CEO	Note: the power to make a decision to abandon an amendment cannot be delegated
s 28(2)	Duty to publish notice of the decision on Internet site	CEO, DCP	
s 28(4)	Duty to make notice of the decision available on Council's Internet site for a period of at least 2 months	CEO, DCP	
s 30(4)(a)	Duty to say if amendment has lapsed	DCP, MPI, PP, SP1, SP2	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30(4)(b)	Duty to provide information in writing upon request	DCP, MPI, PP, SP1, SP2	
s 32(2)	Duty to give more notice if required	CEO, DCP, MPI, PP, SP1, SP2	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, DCP, MPI, PP, SP1, SP2	
s 36(2)	Duty to give notice of approval of amendment	CEO, DCP, MPI, PP, SP1, SP2	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, DCP, MPI, PP, SP1, SP2	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, DCP, MPI, PP, SP1, SP2	
s 40(1)	Function of lodging copy of approved amendment	DCP, MPI, PP, SP1, SP2	
s 41(1)	Duty to make a copy of an approved amendment available in accordance with the public availability requirements during inspection period	DCP, MPI, PP, SP1, SP2, TP, CO, C	
s 41(2)	Duty to make a copy of an approved amendment and any documents lodged with it available in person in accordance with the requirements set out in s 197B of the Act after the inspection period ends	DCP, MPI, PP, SP1, SP2, TP, PAO	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(2)	Duty to make copy of planning scheme available in accordance with the public availability requirements	DCP, MPI, PP, SP1, SP2, TP, PAO	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity		Where Council is a responsible public entity and is a planning authority
s 46AW	Function of being consulted by the Minister	CEO, DCP, MPI	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy Power to endorse the draft Statement of Planning Policy	CEO, DCP, MPI	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	CEO, DCP, MPI, PP, SP1, SP2, TP	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	CEO, DCP, MPI, PP, SP1, SP2, TP	Where Council is a responsible public entity
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	CEO, DCP	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	CEO, DCP, DSI	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	CEO, DCP, MPI, MAP, PP, SP1, SP2, TP	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DCP, DSI, MPI, CFO, MAP	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DCP, DSI, MPI, MAP	
s 46GP	Function of receiving a notice under s 46GO	CEO, DCP, DSI	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	CEO, DCP, DSI, MPI	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	CEO, DCP, DSI, MPI	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	CEO, DCP, DSI, MPI	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	CEO, DCP, DSI, MPI	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	CEO, DCP, DSI, MPI	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	CEO, DCP, DSI, MPI	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	CEO, DCP, DSI, MPI, MAP	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	CEO, DCP, DSI, MPI, MAP	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	CEO, DCP, DSI, MPI, MAP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	CEO, DCP, DSI, MPI, MAP	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DCP, DSI, MPI, MAP	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	DCP, DSI, MPI, MAP	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DCP, DSI, MPI, MAP	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	CEO, DCP, DSI, MPI, MAP	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	CEO, DCP, DSI, MPI, MAP	Where Council is the collecting agency

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	CEO, DCP, DSI, MPI, MAP	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	DCP, DSI, MPI, MAP, CFO	Where the Council is the planning authority This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Function of receiving the monetary component	DCP, DSI, MPI, MAP, CFO	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	CEO, DCP, DSI, MPI, MAP	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	CEO, DCP, DSI, MPI, MAP	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	CEO, DCP, DSI, MPI, MAP,	Where Council is the development agency specified in the approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	CEO, DCP, DSI, MPI, MAP, CFO	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	CEO, DCP, DSI, MPI, MAP	Where Council is a development agency under an approved infrastructure contributions plan

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	CEO, DCP, DSI, MPI, MAP	If the VPA is the collecting agency under an approved infrastructure contributions plan Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	CEO, DCP, DSI, MPI, MAP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	CEO, DCP, DSI, MPI, MAP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Function of receiving proceeds of sale	CEO, DCP, DSI, MPI	Where Council is the collection agency under an approved infrastructure contributions plan This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	CEO, DCP, DSI, MPI, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	CEO, DCP, DSI, MPI, MAP, CFO	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	CEO, DCP, DSI, MPI, MAP	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	CEO, DCP, DSI, MPI, MAP	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	CEO, DCP, DSI, MPI, MAP, CFO	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	CEO, DCP, DSI, MPI, MAP, PP, SP1, SP2, TP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, DCP, DSI, MPI, MAP, CFO	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, DCP, DSI, MPI	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, DCP, DSI, MPI, CFO	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, DCP, DSI, MPI, CFO	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, DCP, DSI, MPI, CFO	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DCP, DSI, MPI	
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, DCP, DSI, MPI, CFO	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	CEO, DCP, DSI, MPI, CFO	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CEO, DCP, DSI, MPI	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, DCP, DSI, MPI, CFO	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CEO, DCP, DSI, MPI, CFO	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

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CEO, DCP, DSI, MPI, MAP	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, DCP, DSI, MPI, CFO	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, DCP, DSI, MPI, CFO	
s 46QD	Duty to prepare report and give a report to the Minister	CEO, DCP, DSI, MPI, CFO	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with the public availability requirements, during the inspection period		
s 46V(4)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available in accordance with s 197B of the Act and on payment of the prescribe fee, after the inspection period		
s 46V(5)	Duty to keep a copy of the approved strategy plan incorporating all amendments to it		
s 46V(6)	Duty to make a copy of the approved strategy plan incorporating all amendments to it available in accordance with the public available requirements		

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46Y	Duty to carry out works in conformity with the approved strategy plan		
s 47	Power to decide that an application for a planning permit does not comply with that Act	MPI, PP, SP1, SP2, TP	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	MPI, PP, SP1, SP2, TP	
s 49(2)	Duty to make register available for inspection in accordance with the public availability requirements	MPI, PP, SP1, SP2, TP, PAO	
s 50(4)	Duty to amend application	MPI, PP, SP1, SP2, TP	
s 50(5)	Power to refuse to amend application	DCP, MPI, PP, SP1, SP2, TP	
s 50(6)	Duty to make note of amendment to application in register	MPI, PP, SP1, SP2, TP	
s 50A(1)	Power to make amendment to application	MPI, PP, SP1, SP2, TP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	MPI, PP, SP1, SP2, TP	
s 50A(4)	Duty to note amendment to application in register	MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of application available for inspection in accordance with the public availability requirements	MPI, PP, SP1, SP2, TP, PAO	
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	MPI, PP, SP1, SP2, TP	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	MPI, PP, SP1, SP2, TP	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	MPI, PP, SP1, SP2, TP	
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	MPI, PP, SP1, SP2, TP	
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	MPI, PP, SP1, SP2, TP	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	MPI, PP, SP1, SP2, TP	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	MPI, PP, SP1, SP2, TP	
s 52(3)	Power to give any further notice of an application where appropriate	MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	MPI, PP, SP1, SP2, TP	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	MPI, PP, SP1, SP2, TP	
s 54(1)	Power to require the applicant to provide more information	MPI, PP, SP1, SP2, TP	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	MPI, PP, SP1, SP2, TP	
s 54(1B)	Duty to specify the lapse date for an application	MPI, PP, SP1, SP2, TP	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	MPI, PP, SP1, SP2, TP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	MPI, PP, SP1, SP2, TP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	MPI, PP, SP1, SP2, TP	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DCP, MPI	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57(5)	Duty to make a copy of all objections available in accordance with the public availability requirements	MPI, PP, SP1, SP2, TP, PAO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	MPI, PP, SP1, SP2, TP	
s 57A(5)	Power to refuse to amend application	DCP, MPI	
s 57A(6)	Duty to note amendments to application in register	MPI, PP, SP1, SP2, TP	
s 57B(1)	Duty to determine whether and to whom notice should be given	MPI, PP, SP1, SP2, TP	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	MPI, PP, SP1, SP2, TP	
s 57C(1)	Duty to give copy of amended application to referral authority	MPI, PP, SP1, SP2, TP	
s 58	Duty to consider every application for a permit	MPI, PP, SP1, SP2, TP	
s 58A	Power to request advice from the Planning Application Committee	DCP, MPI	
s 60	Duty to consider certain matters	DCP, DSI, MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 60(1A)	Duty to consider certain matters	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DCP, DSI, MPI, PP, SP1, SP2, TP	
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	DCP, DSI, MPI, PP, SP1, SP2, TP	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent		
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent		
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DCP, DSI, MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 62(2)	Power to include other conditions	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DCP, DSI, MPI, MAP, PP, SP1, SP2, TP,	
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	DCP, DSI, MPI, PP, SP1, SP2, TP	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	DCP, DSI, MPI, PP, SP1, SP2, TP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	MPI, PP, SP1, SP2, TP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	MPI, PP, SP1, SP2, TP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	MPI, PP, SP1, SP2, TP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	MPI, PP, SP1, SP2, TP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	MPI, PP, SP1, SP2, TP	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	MPI, PP, SP1, SP2, TP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	MPI, PP, SP1, SP2, TP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	MPI, PP, SP1, SP2, TP	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	MPI, PP, SP1, SP2, TP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	MPI, PP, SP1, SP2, TP	
s 69(1A)	Function of receiving application for extension of time to complete development	MPI, PP, SP1, SP2, TP	
s 69(2)	Power to extend time	MPI, PP, SP1, SP2, TP	
s 70	Duty to make copy permit available in accordance with public availability requirements	MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(1)	Power to correct certain mistakes	MPI, PP, SP1, SP2, TP	
s 71(2)	Duty to note corrections in register	MPI, PP, SP1, SP2, TP	
s 73	Power to decide to grant amendment subject to conditions	MPI, PP, SP1, SP2, TP	
s 74	Duty to issue amended permit to applicant if no objectors	MPI, PP, SP1, SP2, TP	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	MPI, PP, SP1, SP2, TP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	MPI, PP, SP1, SP2, TP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	MPI, PP, SP1, SP2, TP	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	MPI, PP, SP1, SP2, TP	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

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	MPI, PP, SP1, SP2, TP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DCP, MPI, PP, SP1, SP2, TP	
s 83	Function of being respondent to an appeal	MPI, PP, SP1, SP2, TP	
s 83B	Duty to give or publish notice of application for review	MPI, PP, SP1, SP2, TP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit		
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CEO, DCP, MPI, PP, SP1, SP2, TP	
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	MPI, PP, SP1, SP2, TP	
s 84(6)	Duty to issue permit on receipt of advice within 3 business days	MPI, PP, SP1, SP2, TP	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DCP, MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86	Duty to issue a permit at order of Tribunal within 3 business days	MPI, PP, SP1, SP2, TP	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, DCP, MPI	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DCP, MPI, PP, SP1, SP2, TP	
s 91(2)	Duty to comply with the directions of VCAT	DCP, MPI, PP, SP1, SP2, TP	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	MPI, PP, SP1, SP2, TP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DCP, MPI, PP, SP1, SP2, TP	
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, DCP, MPI	
s 95(3)	Function of referring certain applications to the Minister	CEO, DCP, MPI	
s 95(4)	Duty to comply with an order or direction	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, DCP, MPI	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DCP, MPI, PP, SP1, SP2, TP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DCP, MPI	
s 96F	Duty to consider the panel's report under s 96E	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 96H(3)	Power to give notice in compliance with Minister's direction	MPI, PP, SP1, SP2, TP	
s 96J	Duty to issue permit as directed by the Minister	MPI, PP, SP1, SP2, TP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	MPI, PP, SP1, SP2, TP	
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	MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97C	Power to request Minister to decide the application	CEO, DCP, MPI	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, DCP, MPI, PP, SP1, SP2, TP	
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	DCP, MPI, PP, SP1, SP2, TP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available in accordance with public availability requirements	MPI, PP, SP1, SSP2, TP, PAO	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	MPI, PP, SP1, SP2, TP	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, DCP, MPI	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, DCP, MPI	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DCP, MPI, PP, SP1, SP2, TP	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DCP, MPI, PP, SP1, SP2, TP	
s 97Q(4)	Duty to comply with directions of VCAT	DCP, MPI, PP, SP1, SP2, TP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	MPI, PP, SP1, SP2, TP, PAO	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DCP, MPI, PP, SP1, SP2, TP	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DCP, MPI, PP, SP1, SP2, TP	
s 101	Function of receiving claim for expenses in conjunction with claim	DCP, MPI, PP, SP1, SP2, TP	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 107(1)	Function of receiving claim for compensation	DCP, MPI, PP, SP1, SP2, TP	
s 107(3)	Power to agree to extend time for making claim	CEO, DCP, MPI	
s 113(2)	Power to request a declaration for land to be proposed to be reserved for public purposes	CEO, DCP, MPI	

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, DCP, MPI, PP, SP1, SP2, TP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DCP, MPI, PP, SP1, SP2, TP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, DCP, MPI, PP, SP1, SP2	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, DCP, DSI, MO	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DCP, DSI	Except Crown Land
s 129	Function of recovering penalties	CEO, DCP, MPI, MCS	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, DCP, MPI, MCS	
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, DCP, MPI	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	CEO, DCP, MPI	
s 149B	Power to apply to the Tribunal for a declaration.		

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PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CEO, DCP, MPI	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	CEO, DCP, MPI, PP, SP1, SP2	
s 171(2)(g)	Power to grant and reserve easements	CEO, DCP, DSI, MPI, MAP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	CEO, DCP, DSI	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	CEO, DCP, DSI	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	CEO, DCP, DSI	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DCP, DSI, MPI	

OFFICIAL

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, DCP, DSI, MPI	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DCP, DSI, MPI, TP	
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178A(5)	Power to propose to amend or end an agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, DCP, DSI, MPI, PP, SP1, SP2	After considering objections, submissions and matters in s 178B

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CEO, DCP, DSI, MPI, PP, SP1, SP2, TP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, DCP, DSI, MPI, PP, SP1, SP2	

OFFICIAL

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 179(2)	Duty to make a copy of each agreement available in accordance with the public availability requirements	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 181	Duty to apply to the Registrar of Titles to record the agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 182	Power to enforce an agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DCP, MPI, PP, SP1, SP2, TP	
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		Not delegated
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DCP, DSI, MPI, PP, SP1, SP2	

OFFICIAL

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DCP, MPI, PP, SP1, SP2, TP	
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	DCP, MPI, PP, SP1, SP2, TP	
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 184G(3)	Duty to give notice as directed by the Tribunal	DCP, MPI, PP, SP1, SP2, TP	
s 185B(1)	Duty to comply with a request from the Minister to provide the name, address, email address or telephone number of any person to whom the Minister is required to give notice	CEO, DCP, DSI, MPI, PP, SP1, SP2	
s 198(1)	Function to receive application for planning certificate	MPI, PP, SP1, SP2, TP, CO, CPCO	
s 199(1)	Duty to give planning certificate to applicant	MPI, PP, SP2, SP2, TP, PAO	
s 201(1)	Function of receiving application for declaration of underlying zoning	MPI, PP, SP1, SP2, TP	

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PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 201(3)	Duty to make declaration	DCP, MPI, PP, SP1, SP2, TP	
-	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	DCP, MPI, PP, SP1, SP2, TP	
	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	DCP, MPI, PP, SP1, SP2, TP	
	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	DCP, MPI, PP, SP1, SP2, TP	
-	Power to give written authorisation in accordance with a provision of a planning scheme	DCP, MPI, PP, SP1, SP2, TP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DCP, MPI, PP, SP1, SP2, TP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DCP, MPI, PP, SP1, SP2, TP	

OFFICIAL

RESIDENTIAL TENANCIES ACT 1997			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, DCP, MCS, SEHO, EHO, MRM, EMO	
s 522(1)	Power to give a compliance notice to a person	CEO, DCP, MCS, SEHO, EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	CEO, DCP, DPG, MRM	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DCP, MCS	
s 526A(3)	Function of receiving report of inspection	DCP, MCS	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CEO, DCP	

OFFICIAL

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, DSI, MAP	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO, DSI, MAP	
s 11(9)(b)	Duty to advise Registrar	DSI, MAP	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DSI, MAP	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DSI, MAP	Where Council is the coordinating road authority
s 12(2)(b)	Function of providing consent to the Head, Transport for Victoria for the discontinuance of a road or part of a road	DSI, MAP	
s 12(10)	Duty to notify of decision made	DSI, MAP	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, DSI, MAP	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	DSI, MAP	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DSI, MAP	

OFFICIAL

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, DSI	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, DSI	
s 15(2)	Duty to include details of arrangement in public roads register	DSI, MAP	
s 16(7)	Power to enter into an arrangement under s 15	CEO, DSI	
s 16(8)	Duty to enter details of determination in public roads register	DSI, MAP	
s 17(2)	Duty to register public road in public roads register	DSI, MAP	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DSI	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	DSI, MAP	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, DSI	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	DSI, MAP	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DSI	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18(3)	Duty to record designation in public roads register	DSI, MAP	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DSI, MAP	
s 19(4)	Duty to specify details of discontinuance in public roads register	DSI, MAP	
s 19(5)	Duty to ensure public roads register is available for public inspection	DSI, MAP, PAO	
s 21	Function of replying to request for information or advice	DSI, MAP	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DSI, MAP	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	CEO, DSI	
s 22(5)	Duty to give effect to a direction under s 22	CEO, DSI, MAP	
s 40(1)	Duty to inspect, maintain and repair a public road	DSI, MAP, MO	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DSI, MAP, MO	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DSI, MAP, MO	
s 42(1)	Power to declare a public road as a controlled access road	CEO, DSI	Power of coordinating road authority and sch 2 also applies

OFFICIAL

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, DSI	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CEO, DSI	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road		Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO, DSI, MAP	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CEO, DSI, MAP	
s 49	Power to develop and publish a road management plan	CEO, DSI, MAP	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, DSI, MAP	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DSI, MAP	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, DSI, MAP	

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, DSI, MAP	
s 54(6)	Power to amend road management plan	CEO, DSI, MAP	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, DSI, MAP	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, DSI, MAP	
s 63(1)	Power to consent to conduct of works on road	CEO, DSI, MAP, MO	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO, DSI, MAP, MO, MFPO, MRM, EMO	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CEO, DSI, MAP, MO	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, DSI, MAP, MO	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	CEO, DSI, MAP, MO	Where Council is the coordinating road authority
s 67(3)	Power to request information	CEO, DSI, MAP, MO	Where Council is the coordinating road authority

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 68(2)	Power to request information	CEO, DSI, MAP, MO	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	CEO, DSI, DPG, MPC	
s 85	Function of receiving report from authorised officer	CEO, DSI, MAP	
s 86	Duty to keep register re s 85 matters	DSI, MAP	
s 87(1)	Function of receiving complaints	CEO, DSI, MAP, MO	
s 87(2)	Duty to investigate complaint and provide report	CEO, DSI, MAP, MO	
s 96	Power to authorise a person for the purpose of instituting legal proceedings	CEO, DSI	
s 112(2)	Power to recover damages in court	CEO, DSI	
s 116	Power to cause or carry out inspection	CEO, DSI, MAP, MO	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, DSI	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CEO, DSI	

OFFICIAL

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	CEO, DSI	
s 121(1)	Power to enter into an agreement in respect of works	CEO, DSI	
s 122(1)	Power to charge and recover fees	CEO, DSI	
s 123(1)	Power to charge for any service	CEO, DSI	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, DSI	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, DSI	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, DSI	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DSI	
sch 2 cl 5	Duty to publish notice of declaration	CEO, DSI	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CEO, DSI, MAP	Where Council is the infrastructure manager or works manager

OFFICIAL

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, DSI, MAP	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	DSI, MAP, MO	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	DSI, MAP, MO	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DSI, MAP, MO	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	DSI, MAP, MO	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DSI, MAP, MO	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DSI, MAP, MO	Where Council is the coordinating road authority

OFFICIAL

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 12(5)	Power to recover costs	CEO, DSI, MAP, MO	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	CEO, DCP, MAP, MO	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	DSI, MAP	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CEO, DSI, MAP, MO	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CEO, DSI	Where Council is the coordinating road authority

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ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 18(1)	Power to enter into an agreement	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, DSI	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CEO, DSI	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause streetlights to be installed on roads	DSI, MAP	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DSI, MAP	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	DSI, MAP	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	DSI, MAP	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

OFFICIAL

CEMETERIES AND CREMATORIA REGULATIONS 2015 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements		
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves		
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)		
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator		
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner		
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator		
r 30(2)	Power to release cremated human remains to certain persons		Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation		

OFFICIAL

CEMETERIES AND CREMATORIA REGULATIONS 2015 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation		
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation		
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period		
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)		
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)		
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)		
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)		
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist		

OFFICIAL

CEMETERIES AND CREMATORIA REGULATIONS 2015 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 40	Power to approve a person to play sport within a public cemetery		
r 41(1)	Power to approve fishing and bathing within a public cemetery		
r 42(1)	Power to approve hunting within a public cemetery		
r 43	Power to approve camping within a public cemetery		
r 45(1)	Power to approve the removal of plants within a public cemetery		
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)		
r 47(3)	Power to approve the use of fire in a public cemetery		
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area		
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2		See note above regarding model rules

OFFICIAL

CEMETERIES AND CREMATORIA REGULATIONS 2015 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery		See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours		See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted		See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials		See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial		See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment		See note above regarding model rules
sch 2 cl 11(2)	Duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner		See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies		See note above regarding model rules

OFFICIAL

CEMETERIES AND CREMATORIA REGULATIONS 2015 – NOT APPLICABLE TO STRATHBOGIE SHIRE COUNCIL			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery		See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery		See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust		See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery		See note above regarding model rules

OFFICIAL

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DCP, MPI, PP, SP1, SP2	Where Council is not the planning authority, and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	DCP, MPI, PP, S1P, SP2	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) in accordance with the public availability requirements	DCP, MPI, PP, SP1, SP2, PAO	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available in accordance with the public availability requirements	DCP, MPI, PP, SP1, SP2, PAO	Where Council is not the responsible authority, but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	DCP, MPI, PP, SP1, SP2	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.

OFFICIAL

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DCP, MPI	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DCP, MPI	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	DCP, MPI	

OFFICIAL

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	DCP, DSI, DPG, MCS	
r 10	Function of receiving application for registration	DCP, MCS, SEHO, EHO	
r 11	Function of receiving application for renewal of registration	DCP, MPI	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	DCP, MCS, SEHO, EHO	
r 12(1)	Power to refuse to grant the registration if not satisfied that the caravan park complies with these regulations	CEO, DPC	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	DCP, MCS, SEHO, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DCP	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DCP, MCS, SEHO, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	DCP, MCS, SEHO, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	DCP, MCS, SEHO, EHO	

OFFICIAL

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 14(3)	Power to determine where notice of transfer is displayed	DCP, MCS, SEHO, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	MCS, SEHO, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	MCS, SEHO, EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	MCS, SEHO, EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration		
r 17	Duty to keep register of caravan parks	MCS, SEHO, EHO	
r 21(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	MCS, SEHO, EHO, EMO	
r 21(2)	Duty to consult with relevant emergency services agencies	MCS, SEHO, EHO, EMO	
r 22	Power to determine places in which caravan park owner must display a copy of emergency procedures	MCS, SEHO, EHO, MRM, EMO	

OFFICIAL

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23	Power to determine places in which caravan park owner must display copy of public emergency warnings	TLC, SEHO, EHO, MRM, EMO	
r 24(2)	Power to consult with relevant floodplain management authority	MCS, SEHO, EHO, MRM	
r 26(b)(i)	Power to approve system for the discharge of sewage and wastewater from a movable dwelling	MCS, SEHO, EHO	
r 38	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	DCP, MCS, SEHO, EHO	
r 38 (b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	DCP, MCS, SEHO, EHO	
r 39(3)	Function of receiving installation certificate	DCP, MCS, SEHO, EHO	
r 45(3)	Power to determine places in which caravan park owner must display name and telephone number of an emergency contact person	MCS, SEHO, EHO, MBS, DMBS, EMO	
r 45(5)	Power to determine places in which caravan park owner must display the certificate of registration or certificate of renewal of registration, the plan of the caravan park and a copy of the caravan park rules	MCS, SEHO, EHO, MBS, DMBS	

OFFICIAL

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	CEO, DSI, MAP, MO	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DSI, MAP, MO,	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CEO, DSI	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CEO, DSI	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, DSI	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CEO, DSI	
r 16(3)	Power to issue permit	DSI, MAP, MO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DSI, MAP, MO	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	DSI, MAP, MO	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DSI, MAP, MO	Where Council is the coordinating road authority

OFFICIAL

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DSI, MAP, MO, CO, CPCO, CSO, CSSO	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CEO, DSI, MAP, MO	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, DSI, MAP, MO	

OFFICIAL

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

11.4.4 S11A and S11B Instruments of Appointment and Authorisation

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

Regular reviews are required to be made to the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) and the S11B Instrument of Appointment and Authorisation (*Environmental Protection 2017*) to ensure the Instruments reflect the current organisation structure and legislation.

The *Local Government Act 1989* is still active in relation to the appointment of authorised officers, not the *Local Government Act 2020*. These Instruments give specified officers the ability to enforce legislation and ensure any enforcement action is undertaken on behalf of Council in a legal and efficient manner. The Instruments also appoint officers to key roles and positions including (but not limited to) Senior Strategic Planner, Senior Environmental Health Officer, and Community and Planning Compliance Officer.

The instrument comes into force immediately the Council's Chief Executive Officer and the Mayor signature is affixed to the instrument and remains in force until Council determines to vary or revoke it.

RECOMMENDATION

That Council:

In the exercise of the powers conferred by section 224 of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached instruments of appointment and authorisation (S11A and S11B), Strathbogie Shire Council (Council) resolves that:

- 1. The members of Council staff referred to in the instruments be appointed and authorised as set out in the instruments**
- 2. The S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) endorsed by Council as its meeting of 10 December 2024 be revoked and replaced by the 18 March 2025 Instrument**
- 3. The S11B Instrument of Appointment and Authorisation (*Environment Protection Act 2017*) endorsed by Council as its meeting of 10 December 2024 be revoked and replaced by the 18 March 2025 instrument**
- 4. The Instruments be executed by two Councillors and the Chief Executive Officer and sealed by Council under the Strathbogie Shire Council Local Law No 1 Use of the Common Seal 2020**
- 5. The Instruments come into force immediately when the Common Seal of Council is affixed to the Instruments and remains in force until Council determines to vary or revoke it/them.**

PURPOSE AND BACKGROUND

The purpose of this report is to update changes to the S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) and the S11B Instrument of Appointment and Authorisation (*Environment Protection Act 2017*) due to organisation changes, and specific legislation relating to:

1. Wording of the S11A instrument to more closely aligned with wording of section 147(4) of the *Planning and Environment Act 1987*

ISSUES, OPTIONS AND DISCUSSION

The S11A Instrument of Appointment and Authorisation (*Planning and Environment Act 1987*) is used to authorise officers to enforce the Planning and Environment Act 1987 and institute proceedings on behalf of the Council or represent the Council.

The S11B Instrument of Appointment and Authorisation (*Environment Protection Act 2017*) is used to authorise officers to enforce the *Environmental Protection Act 2017* and institute proceedings on behalf of the Council or represent the Council.

A person who is appointed to a position has the authority to exercise the powers of that position directly from the enabling legislation. Authorisations also allow the relevant officers of Council to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the various Act(s).

Council's endorsement of the S11A and S11B Instruments means that:

- Updated Instruments of Appointment reflect the current organisation structure
- Council is practicing good governance in line with its obligations under the *Local Government Act 1989* and *Local Government Act 2020* and other statutory bodies that affect Council operations
- Public safety is monitored and maintained in line with our legislative obligations.

COMMUNITY ENGAGEMENT

No external community consultation was necessary given that the instruments of authorisation are internal documents responding to a legislative requirement.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Maximise public transparency and accountability around our performance and decision-making processes.

Regional, State and National Plans, Policies and Legislation

This report is aligned with the following legislation, Council Policies and key strategic documents:

- *Local Government Act 2020*
- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Environment Protection Act 2017*

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
If the Instruments of Appointment and Authorisations are not current, the enforceability of decisions and actions taken may be compromised and there may be legal, reputational, and administrative concern for the Council.	Possible	Moderate	Medium	Legal, reputational, and administrative risk is minimised by maintaining the currency of Instruments of Appointment and Authorisation and reviewing them every six months or as required.

LEGAL CONSIDERATIONS

Not maintaining Instruments of Appointment and Authorisation can compromise compliance and impact on enforcement capability.

A copy of the Instruments will be made available to the public in accordance with the *Local Government Act 2020* and regulations.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

FINANCIAL VIABILITY CONSIDERATIONS

There are no financial implications associated with this report.

COLLABORATION

No formal collaboration was undertaken in the production of this report.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications arising from this report.

CONCLUSION

The S11A and S11 B Instruments of Appointment and Authorisation give specified officers the ability to enforce legislation under the *Planning and Environment Act 1987* and *Environment Protection Act 2017* and ensuring any enforcement action undertaken on behalf of Council is legal and enforceable.

ATTACHMENTS

1. S11A Instrument Appointment and Authorisation Planning Environment Act 1987
2. S11B Instrument of Appointment and Authorisation EPA Act 2017

OFFICIAL

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



Strathbogie Shire Council

Instrument of Appointment and Authorisation
(Planning and Environment Act 1987 only)

OFFICIAL

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

In this instrument "officer" means -

Daniel Moloney	Senior Strategic Planner [SP1]
Jack Francis	Senior Planner [SP2]
Gillian Williamson	Principal Planner [PP]
Stephanie Glasbergen	Town Planner [TP]
Barbara Taylor	Town Planner [TP]
Vacant	Manager Planning and Investment [MPI]
Rachael Frampton	Director Community and Planning [DCP]
Lisa Eade	Senior Environmental Health Officer [SEHO]
Jennifer Rebecchi	Environmental Health Officer [EHO]
Leanne Carbonneau	Manager Community Safety [MCS]
David Rosevear	Compliance Officer [CO]
Tracey Maney	Community and Planning Compliance Officer [CPCO]
Oliver McNulty	Director Sustainable Infrastructure [DSI]
Vacant	Community Safety Support Officer (CSSO)
Robert Graham	Community Safety Officer (CSO)

By this instrument of appointment and authorisation Strathbogie Shire Council -

under s 147(4) of the *Planning and Environment Act 1987*- authorises the officers to carry out the duties or functions and to exercise the powers of an authorised officer under the *Planning and Environment Act 1987*; and [SP1, SP2, PP, TP, MPI, DCP, SEHO, EHO, MCS, CO, CPCO, DSI, CSSO, CSO]

and

1. under s 313 of the *Local Government Act 2020* authorises the officers either generally or in a particular case to institute proceedings for offences against the Acts and regulations described in this instrument.

[SP1, SP2, PP, TP, MPI, DCP, SEHO, EHO, MCS, CO, CPCO, DSI, CSO, CSSO]

It is declared that this instrument -

- comes into force immediately upon its execution
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Strathbogie Shire Council on **18 March 2025**

The Common Seal of the)..... Councillor

Strathbogie Shire Council)..... Councillor

was hereunto affixed)..... Chief Executive Officer

on the March 2025

OFFICIAL

*S11B Instrument of Appointment and Authorisation
(Environment Protection Act 2017)*



Strathbogie Shire Council

**Instrument of Appointment and Authorisation
(*Environment Protection Act 2017* only)**

OFFICIAL

Instrument of Appointment and Authorisation
(Environment Protection Act 2017)

In this instrument "officer" means -

Lisa Eade	Senior Environmental Health Officer [SEHO]
Jennifer Rebbechi	Environmental Health Officer [EHO]
Vacant	Manager Planning and Investment [MPI]
Gillian Williamson	Principal Planner [PP]
Daniel Moloney	Senior Strategic Planner [SP1]
Jack Francis	Senior Planner [SP2]
Stephanie Glasbergen	Town Planner [TP]
Barbara Taylor	Town Planner [TP]
Leanne Carbonneau	Manager Community Safety [MCS]
Shaun Langlands	Environment and Waste Coordinator [EWC]
David Rosevear	Compliance Officer [CO]
Tracey Maney	Community and Planning Compliance Officer [CPCO]
Rachael Frampton	Director Community and Planning [DCP]
Oliver McNulty	Director Sustainable Infrastructure [DSI]
Robert Graham	Community Safety Officer (CSO)
Vacant	Community Safety Support Officer (CSSO)

By this instrument of appointment and authorisation, Strathbogie Shire Council -

under s 242(2) of the *Environment Protection Act 2017* ('Act') and the Instrument of Delegation of the Environment Protection Authority under the Act dated 4 June 2021 - appoints the officers to be authorised officers for the purposes of exercising the powers and functions set out in the Instrument of Direction of the Environment Protection Authority under the Act dated 4 June 2021.

[SEHO, EHO, MPI, PP, SP1, SP2, TP, MCS, EWC, CO, CPCO, DCP, DSI, CSSO, CSO]

It is declared that this instrument -

- comes into force immediately upon its execution
- remains in force until varied or revoked.

This instrument is authorised by a resolution of the Strathbogie Shire Council on 18 March 2025

The Common Seal of the).…………… Councillor

Strathbogie Shire Council).…………… Councillor

was hereunto affixed).…………… Chief Executive Officer

on the March 2025

OFFICIAL



Maddocks

11.4.5 Contracts, Works, Variations and Grants Awarded Under Delegation 1 February 2025 to 28 February 2025

AUTHOR Chief Financial Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

The purpose of this report is to inform Council and the community of the status of requests for the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded under delegation for the period 1 February 2025 to 28 February 2025.

The report specifically relates to works that form part of Council's 2024-25 adopted Budget.

The report also details any grants awarded as per Council's adopted Community Funding Model, or variations approved under delegation. Council adopted a Community Funding Model at the July 2023 Council Meeting authorising the Chief Executive Officer to award Quick Response Grants.

RECOMMENDATION

That Council note:

- 1. There were nil contracts awarded under delegated authority by the Interim Chief Executive Officer**
- 2. There were nil contracts awarded under delegated authority by Director(s)**
- 3. There were nil contracts awarded under delegated authority by Manager(s)**
- 4. There were no low value contract variations of up to 15% of original contract value awarded under delegation by the Interim Chief Executive Officer in February 2025**
- 5. There was one quick response grant applications received during the reporting period.**

PURPOSE AND BACKGROUND

In line with Council's approach to transparency and good governance, the Contracts, Works and Grants Awarded Under Delegation report will be tabled for information purposes at each Council Meeting.

The report details any contracts, works or grants that have been awarded under delegated authority by the Interim Chief Executive Officer, a Director, or a Manager within their approved financial threshold. This report specifically relates to works and/or services that formed part of Council's approved 2024-25 budget.

ISSUES, OPTIONS AND DISCUSSION

Any contract awarded under delegation is made in accordance with Council's Procurement Policy. Through the Instrument of Delegation to the Interim Chief Executive Officer the Council has delegated authority to the following:

- Interim Chief Executive Officer – award a contract up to the value of \$170,000 for goods and services and \$220,000 for works
- A Director – award a contract up to the value of \$100,000 for goods, services and works
- A Manager – varies in value depending on the functionality contained within the portfolio, awarding of contracts up to the value of between \$10,000 to \$50,000 for goods and services and works.

Council adopted a Community Funding Model in July 2023 authorising the Interim Chief Executive Officer to award Quick Response Grants via this report. Officers received one Quick Response Grants in this period.

Contracts Awarded Under Delegated Authority by Interim Chief Executive Officer

Nil

Contracts Awarded Under Delegated Authority by Director

Nil

Contracts Awarded Under Delegated Authority Manager(s)

Nil

Contract Variations of up to 15% of original Contract value awarded under delegation by Interim Chief Executive Officer

Nil

Quick Response Grants Awarded Under Delegated Authority by Interim Chief Executive Officer

Applicant	Strathbogie Tableland Land-Care Group
Project Overview	Equipment for Landcare activities – new battery powered brush cutter to support maintenance of walking tracks and trails in the Strathbogie Tableland.
Grant Amount Approved	\$589

COMMUNITY ENGAGEMENT

Where required, external stakeholders have been engaged providing input on relevant projects.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Maximise public transparency and accountability around our performance and decision-making processes.

Regional, State and National Plans, Policies and Legislation

- Community Funding Model
- Delegations and Instruments of Appointment and Authorisation

RISK CONSIDERATIONS

This report has identified the following risk(s):

Risk(s)	Likelihood	Consequence	Rating	Mitigation Action
Lack of transparency with community	Unlikely	Moderate	Low	Regular reporting to Council and the community on contracts and grants awarded under delegation
Without projects being awarded under delegation, delays to progressing approved and budgeted projects and not meeting annual Council plan targets are possible.	Possible	Moderate	Low	Delegations in place and regular reporting to Council and the community on contracts and grants awarded under delegation

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

This report demonstrates that Council is being transparent by providing information to the community regarding the awarding of any works projects and grants issued under delegation.

FINANCIAL VIABILITY CONSIDERATIONS

The contracts, works and grants awarded under delegation are projects that have formed part of Council's adopted 2024-25 budget and were within the budget allocation.

SUSTAINABILITY CONSIDERATIONS

Economic

Works awarded under delegation provide an opportunity to generate great economic benefit using local contractors and the purchasing of materials and supplies. In addition, the enhancement of infrastructure continues to make our municipality a place of destination, one where people choose to live, work and play.

Social

Each project includes several social benefits to our community. Some of these benefits include infrastructure that encourages health and wellbeing activities and amenity improvements.

HUMAN RIGHTS CONSIDERATIONS

The recommendations do not limit any Human Rights under the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

CONCLUSION

It is important that decisions and actions taken under delegation are properly documented and transparent in nature.

The report details the publicly advertised tenders, invitations for written quotations and quotations provided using collaborative and/or third-party contracts which have been awarded by the Interim Chief Executive Officer, Directors and Managers under delegated authority of the Council during the period 1 February 2025 to 28 February 2025.

This report advises Council of any grants awarded under CEO delegation as per Council's adopted Community Funding Model. There was one grant awarded during the reporting period.

This report also advises of any contract variations. Contract variations of up to 15% of original Contract value. There were no variations to Contracts that meet this requirement during the reporting period.

ATTACHMENTS

Nil

11.4.6 Record of Informal Meetings of Councillors - February 2025

AUTHOR Governance Officer

RESPONSIBLE DIRECTOR Director People and Governance

EXECUTIVE SUMMARY

In accordance with Section (114) of the Strathbogie Shire Council Governance Rules, if there is a meeting of Councillors that:

- is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors
- is attended by at least one member of Council staff, and
- is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting, these are known as Informal Meetings of Councillors.

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

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

The details of the Record of Informal Meetings of Councillors for the period 1 February 2025 to 28 February 2025 are shown in the attachments below.

RECOMMENDATION

That Council:

Notes the Record of Informal Meetings of Councillors from 1 February 2025 to 28 February 2025.

POLICY CONSIDERATIONS

Council Plan

This report is consistent with the following key strategic focus areas and or actions in the 2021-25 Council Plan:

Strategic Focus Area 6: Accountable. Transparent. Responsible.

Achieve the highest level of good governance across the organisation and as an elected Council.

Be accountable for the decisions we make and the quality of service we deliver.

Maximise public transparency and accountability around our performance and decision-making processes.

CONFLICT OF INTEREST DECLARATION

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

TRANSPARENCY

This report will be presented to Council in a Council meeting, open to the public and live streamed to the public. This is consistent with Council's Transparency Policy, enabling the community to have oversight regarding the matters being discussed by Council and the decisions being made.

ATTACHMENTS

1. 20250204 Record of Informal Meetings of Councillors
2. 20250211 Record of Informal Meetings of Councillors
3. 20250218 Record of Informal Meetings of Councillors
4. 20250225 Record of Informal Meetings of Councillors

Staff Only

Record of Informal Meetings of Councillors

Meeting Details	Title	Councillor Briefing	
	Date and Time	4 February 2025 at 9:30 am	
	Location	Euroa Conference Room	
Present	Councillors	<ul style="list-style-type: none"> • Mayor Cr Ewart-Kennedy • Deputy Mayor Cr Jeffery • Cr Binks • Cr Carlson • Cr Halsall 	<ul style="list-style-type: none"> • Cr Holloway • Cr Stevens • Marg Allan (Municipal Monitor)
	Officers	<ul style="list-style-type: none"> • Tim Tamlin – Interim CEO • Amanda Tingay – Director People and Governance • Rachael Frampton – Director Community and Planning • Andrew Davis – Chief Financial Officer • Sagara Gunasekara – Finance Coordinator • Brian Doyle – Acting Director Sustainable Infrastructure • Kerry Lynch – Governance Officer 	
	Guest Speakers	Mark Davies, Financial Performance Solutions, VLGA David Walker (LGI) Sinead Flatley (LGI) Stephen Pritchard (IBAC) Melissa Borg-Manche (IBAC)	
	Apologies		

Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
 (Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	VLGA Module 6 Mandatory Training: Financial Literacy for Councillors	None
2	Values and Commitments	None
3	Presentations from Local Government Inspectorate (LGI) and Independent Broad-based Anti-Corruption Commission (IBAC)	None

The meeting concluded at 5:00 pm

Record completed by	Officer Name - Officer Title	Kerry Lynch, Governance Officer
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Staff Only

Record of Informal Meetings of Councillors

Meeting Details	Title	Councillor Briefing	
	Date and Time	11 February 2025 at 9:15 am	
	Location	Euroa Conference Room	
Present	Councillors	<ul style="list-style-type: none"> • Mayor Cr Ewart-Kennedy • Deputy Mayor Cr Jeffery • Cr Binks • Cr Carlson • Cr Halsall 	<ul style="list-style-type: none"> • Cr Holloway • Cr Stevens • Marg Allan (Municipal Monitor)
	Officers	<ul style="list-style-type: none"> • Tim Tamlin – Interim CEO • Amanda Tingay – Director People and Governance • Rachael Frampton – Director Community and Planning • Andrew Davis – Chief Financial Officer • Sagara Gunasekara – Finance Coordinator • Brian Doyle – Acting Director Sustainable Infrastructure • Kerry Lynch – Governance Officer 	
	Guest Speakers	Kendra Pope VLGA	
	Apologies		

Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
(*Local Government Act 2020* - Section 131)

Matters Considered		Disclosures and Comments
1	VLGA Module 3 – Mandatory Training Effective Decision Making	None
2	Ausnet Briefing	Cr Clarke Holloway
3	Australia Day Decision Reflections	None
4	Budget Process 2025-26	
5	Draft Agenda Review Council Meeting 18 February 2025	None

The meeting concluded at 5:15 pm

Record completed by	Officer Name - Officer Title	Kerry Lynch, Governance Officer
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Staff Only

Record of Informal Meetings of Councillors

Meeting Details	Title	Councillor Briefing	
	Date and Time	18 February 2025 at 9:15 am	
	Location	Euroa Conference Room	
Present	Councillors	<ul style="list-style-type: none"> • Mayor Cr Ewart-Kennedy • Deputy Mayor Cr Jeffery • Cr Binks • Cr Carlson • Cr Halsall 	<ul style="list-style-type: none"> • Cr Holloway • Cr Stevens • Marg Allan (Municipal Monitor)
	Officers	<ul style="list-style-type: none"> • Tim Tamlin – Interim CEO • Amanda Tingay – Director People and Governance • Rachael Frampton – Director Community and Planning • Michelle Harris – Interim Media and Communications Manager • Kerry Lynch – Governance Officer 	
	Guest Speakers	Kendrea Pope, VLGA	
	Apologies		

Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	VLGA Module 2 Mandatory Training Councillor Conduct, Integrity and Behaviour Model Code of Conduct	None
2	Model Councillor Social Media Policy	None

The meeting concluded at 5:15 pm

Record completed by	Officer Name - Officer Title	Kerry Lynch, Governance Officer
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Staff Only

Record of Informal Meetings of Councillors

Meeting Details	Title	Councillor Briefing	
	Date and Time	25 February 2025 at 9:15 am	
	Location	Euroa Conference Room	
Present	Councillors	<ul style="list-style-type: none"> • Mayor Cr Ewart-Kennedy • Deputy Mayor Cr Jeffery • Cr Binks • Cr Carlson • Cr Halsall 	<ul style="list-style-type: none"> • Cr Holloway • Cr Stevens • Marg Allan (Municipal Monitor)
	Officers	<ul style="list-style-type: none"> • Tim Tamlin – Interim CEO • Amanda Tingay – Director People and Governance • Rachael Frampton – Director Community and Planning • Michelle Harris – Interim Media and Communications Manager • Brian Doyle – Acting Director Sustainable Infrastructure • Andrew Davies - Chief Financial Officer • Sagara Gunasekara – Finance Co-ordinator • Kerry Lynch – Governance Officer • June Strutt – Corporate Planning Advisor 	
	Guest Speakers	Kendrea Pope, VLGA	
	Apologies	Cr Ewart-Kennedy left the meeting at 3:00 pm	

Disclosures of Conflict of Interests

Disclosure of Interests are to be made immediately prior to any relevant item being discussed
(Local Government Act 2020 - Section 131)

Matters Considered		Disclosures and Comments
1	Review of Community Funding Model (incorporating Event Guidelines)	None
2	Revenue and Rating Plan, Long Term Financial Plan Annual Budget, Asset Plan	None
3	Council Plan and Community Vision	None
4	Strategic Risks	None
5	Priority Project Framework	None

The meeting concluded at 5:15 pm

Record completed by	Officer Name - Officer Title	Kerry Lynch, Governance Officer
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11.5 Communications, Engagement and Advocacy

Nil reports.

12 Notice of Motion

Nil

13 Notice of Rescission

Nil

14 Urgent Business

Nil

15 Confidential Business

Nil

16 Next Meeting

The next meeting of Strathbogie Shire Council will be held on 15 April 2025 at the Euroa Community Conference Centre commencing at 4:00 pm (to be confirmed).

There being no further business the meeting closed atpm.

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Chair

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Date