



ORDINARY COUNCIL MEETING

Tuesday 25 August 2020

6:00pm

Via Zoom:

AGENDA

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13.	Meeting Close	

5 CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

Author: Governance Officer

Responsible Officer: Chief Executive Officer

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

To present for confirmation the minutes of the Council Meeting held on 28 July 2020 and on an extra Council Meeting held on 11 August 2020.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

The minutes of meetings remain unconfirmed until the next meeting of Council.

REPORT

Council keeps minutes of each meeting of the Council and Special Committees, and those minutes are submitted to the next appropriate meeting for confirmation.

CONSULTATION/COMMUNICATION

Once confirmed minutes become available, they will replace the unconfirmed minutes currently on the Council's website.

FINANCIAL & RESOURCE IMPLICATIONS

Costs included in the Governance and communications budgets.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices. This process conforms to the requirements of the Local Government Act 1989. Although the relevant section has been repealed from the Local Government Act 1989, Council has not finalised its Governance Rules which will detail the form and availability of meeting records. Publication of the minutes increases transparency and reduces the risk of maladministration.

CONCLUSION

The unconfirmed minutes of the Council Meetings held on 28 July 2020 and 11 August 2020 are presented for confirmation.

ATTACHMENTS

1. Unconfirmed Minutes of Council Meeting held 28 July 2020
2. Unconfirmed Minutes of Council Meeting held 11 August 2020

RECOMMENDATION

That Council confirms the Minutes of the Council Meetings held on 28 July 2020 and 11 August 2020.



MEETING OF COUNCIL MINUTES

Tuesday 28 July 2020
6:00pm
Via Zoom:

MEMBERSHIP

Administrator Noel Harvey
Administrator Karen Douglas
Administrator Hugh Delahunty

To be confirmed at the Council Meeting
scheduled for 25 August 2020

UNCONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm

The Chair, Administrator Noel Harvey read the Council Prayer and acknowledgement of country.

IN ATTENDANCE via videoconference Zoom

Administrator Noel Harvey
Administrator Hugh Delahunty
Administrator Karen Douglas

Chief Executive Officer, Lucy Roffey
General Manager Corporate Performance, Paul Brumby
General Manager Community Wellbeing, Martin Collins
General Manager Infrastructure Assets and Planning, Rebecca Stockfeld

2. APOLOGIES

Nil

3. LEAVE OF ABSENCE

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

5. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING

To present for confirmation the minutes of the Council Meeting held on 23 June 2020.

Council Resolution

That Council confirms the Minutes of the Council Meeting held on 23 June 2020.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

6. REPORTS FROM COMMITTEES

6.1 Noting of the Approved Minutes of Special Committee meetings and Advisory Committee meetings

To present for noting the confirmed minutes of Council's Special Committees established under section 86 of the Local Government Act 1989 and the confirmed minutes of the Audit and Risk Committee established in accordance with section 139 of the Local Government Act 1989.

UNCONFIRMED MINUTES

Council Resolution

That Council notes the confirmed minutes of the Dunolly Historic Precinct Committee Meeting 24 February 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

7. PETITIONS

Nil

8. OFFICER REPORTS

8.1 ASSEMBLIES OF COUNCILLORS

The purpose of this report was to provide the record of any assembly of councillors, which has been held since the last council meeting, so that they are recorded in the minutes of the formal council meeting.

Council Resolution

That Council note the record of assemblies of councillors for the period 17 June 2020 to 17 July 2020.

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.2 PRIORITY PROJECTS PLAN 2020-21 – ADVOCACY DOCUMENT

The purpose of this report is to present the Priority Projects Plan advocacy document for Council to consider for adoption.

The purpose of the document is to assist in council advocacy to state and federal funding agencies for investment in key projects in Central Goldfields Shire.

Council Resolution

That Council adopt the Priority Projects Plan and endorse its use as an advocacy document when seeking funding support from other levels of government.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

UNCONFIRMED MINUTES

8.3 INSTRUMENT OF DELEGATION COUNCIL TO CHIEF EXECUTIVE OFFICER

The purpose of this report is to brief Council on the status of Council delegations to the Chief Executive Officer (CEO) under the Local Government Act 2020 and adopt the new instrument of delegation.

Council Resolution

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

- 1. There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument.*
- 2. On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked.*
- 3. 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.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

8.4 COMMUNITY SATISFACTION SURVEY RESULTS 2020

The purpose of this report is to present the Community Satisfaction Survey Results for 2020 to Council for noting.

The Community Satisfaction Survey is undertaken annually to specifically measure a number of KPIs on Council's performance that are mandated in the Local Government Act and reported in Council's Annual Report. The survey also asks the community to rate a number of Council services in terms of importance and performance.

Council Resolution.

That Council note the results of the Community Satisfaction Survey 2020.

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

UNCONFIRMED MINUTES

8.5 AUDIT AND RISK COMMITTEE CHARTER

The purpose of this report is to recommend that Council establish an Audit and Risk Committee in accordance with section 35 of the Local Government Act 2020, present the updated Audit and Risk Committee Charter for adoption and recommend the reconfirmation of the current Committee members.

Council Resolution

That Council:

1. *Establish an Audit and Risk Committee in accordance with section 53 of the Local Government Act 2020*
2. *Approve the attached draft Audit and Risk Committee Charter in accordance with Section 54 of the Local Government Act 2020.*
3. *Reconfirm the membership of the Audit and Risk Committee as resolved at its Meeting on 28 April 2020 as follows:*
 - a. *Appoint John Watson to be an Independent Member and the Chair of the Audit and Risk Committee for a further term of three years, ending on 23 May 2023;*
 - b. *Appoint Robert Tommasini to be an Independent Member of the Audit and Risk Committee for a further term of two years, ending on 23 May 2022;*
 - c. *Appoint Cheryl Fitzgerald to be an Independent Member of the Audit and Risk Committee for a further term of one year, ending on 23 May 2021; and*
 - d. *Appoint Administrators Hugh Delahunty and Karen Douglas to the Audit and Risk Committee for the remainder of their term as Administrators of the Central Goldfields Shire Council.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

10 NOTICES OF MOTION

Nil

11 URGENT BUSINESS

Nil

12 CONFIDENTIAL BUSINESS

Nil

UNCONFIRMED MINUTES

13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6.37pm

To be confirmed at the Council Meeting
to be held on 25 August 2020.

Chair, Administrator Noel Harvey



MEETING OF COUNCIL MINUTES

Tuesday 11 August 2020

6:00pm

Via Zoom:

MEMBERSHIP

Administrator Noel Harvey
Administrator Karen Douglas
Administrator Hugh Delahunty

To be confirmed at the Council Meeting
scheduled for 25 August 2020

UNCONFIRMED MINUTES

1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm

The Chair, Administrator Noel Harvey read the Council Prayer and acknowledgement of country.

IN ATTENDANCE via videoconference Zoom

Administrator Noel Harvey
Administrator Hugh Delahunty
Administrator Karen Douglas

Chief Executive Officer, Lucy Roffey
General Manager Corporate Performance, Paul Brumby
General Manager Community Wellbeing, Martin Collins
General Manager Infrastructure Assets and Planning, Rebecca Stockfeld

2. APOLOGIES

Nil

3. LEAVE OF ABSENCE

Nil

4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

5. OFFICER REPORTS

5.1 2020-2021 PROPOSED BUDGET

The purpose of this report is to recommend to Council the adoption of a Budget for the 2020-2021 financial year.

Council Resolution

That Council:

- 1. Receives and notes submissions on the 2020-2021 Proposed Budget including the Strategic Resource Plan and the Proposed Rates, Fees and Charges in accordance with Section 223 of the Local Government Act 1989;*
- 2. Thanks all those people and organisations that made submissions on the 2020-2021 Proposed Budget including the Strategic Resource Plan and the Proposed Rates, Fees and Charges;*
- 3. Adopt the 2020-2021 Budget including the Strategic Resource Plan, and the Rates, Fees and Charges prepared for the 2020-2021 financial year for the purposes of Section 126 and 127 of the Local Government Act 1989;*
- 4. Immediately commence a review of its COVID-19 Financial Hardship Policy with a focus on the expansion of Council support measures, including but not limited to those businesses that have been directed to cease trading by the State Government as part of its response to the COVID-19 pandemic.*

Moved Administrator Delahunty
Seconded Administrator Douglas

CARRIED

UNCONFIRMED MINUTES

5.2 2020-2021 ANNUAL ACTION PLAN

The purpose of this report is to present the draft 2020-2021 Annual Action Plan to Council for adoption. .

The 2020-2021 Annual Action Plan outlines the actions that will be undertaken in 2020-2021 to deliver on the strategic objectives in the four year Council Plan.

Council Resolution

That Council:

- 1. Adopt the attached 2020-2021 Annual Action Plan.*
- 2. Receive quarterly reports on the progress made against the 2020-2021 Annual Action Plan.*

Moved Administrator Douglas
Seconded Administrator Delahunty

CARRIED

6 URGENT BUSINESS

Nil

7 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 6.30pm

To be confirmed at the Council Meeting
to be held on 25 August 2020.
Chair, Administrator Noel Harvey

6.1 NOTING OF THE APPROVED MINUTES OF SPECIAL COMMITTEE MEETINGS AND ADVISORY COMMITTEE MEETINGS

Author: Governance Officer

Responsible General Manager: Chief Executive Officer

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

To present for noting the confirmed minutes of Council's Special Committees established under section 86 of the *Local Government Act 1989* and the confirmed minutes of the Audit and Risk Committee established in accordance with section 139 of the *Local Government Act 1989*.

POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

In accordance with section 86 of the *Local Government Act 1989*, Council has established Special Committees.

The Terms of Reference for the Special Committees require the minutes to be presented to Council for noting.

Minutes of Special Committees are confirmed/approved at the next scheduled meeting of that Special Committee.

Provisions relating to Council meetings under the *Local Government Act 2020* come into effect as of 1 September 2020.

REPORT

The following special and advisory committees of Council have provided confirmed minutes from their meeting as follows:

- Dunolly Historic Precinct Committee Meeting 22 June 2020

RESOURCE IMPLICATIONS

There are no resource implications involved in the preparation of this report.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices. This process conforms to the requirements of the Local Government Act 1989. The requirement for reporting provides increased transparency of declarations of conflict of interest.

CONCLUSION

Recently received, confirmed minutes of Council's special and advisory committees are presented to Council for noting.

ATTACHMENTS

1. Dunolly Historic Precinct Committee Meeting 22 June 2020

RECOMMENDATION

That Council notes the confirmed minutes of the Dunolly Historic Precinct Committee Meeting 22 June 2020.

Minutes of the meeting of the Dunolly Historic Precinct Committee held on Monday, 22 June 2020, in the Court House at 1pm

Welcome to

Karen Douglas, Administrator CGSC
Maree Stephenson, Coordinator Library Services
Martin Collins, General Manager Community Wellbeing
Grant Rogers Project Manager

Present: Joe Eddy, Judy Meldrum, Kath Ryan, Fiona Lindsay. Marion Da Costa

Apologies: Jenny Scott

Declaration of Interests

No interests declared.

Minutes of the last meeting

Taken as read. Judy moved that the minutes be accepted. Second Joe. Carried.

Business Arising

DL Town Brochure

Delivered to the RTC last Thursday.

Distribution:

VIC Marion

Castlemaine, Bendigo Fiona

Street, Avoca, St Arnaud, Tarnagulla, Judy

Joe

Correspondence

In

CGSC- Covid 19 form

Out

Treasurer's Report

See attached. Marion moved that the report be accepted. Second Joe. Carried.

Agenda

Covid Protocols

See attached. Marion to inform DDI that they need to book the Town Hall. Marion to give protocols to the RTC from distribution with each booking.

Library

See attached briefing document which was provided to the Shire representatives.

Consultation

Martin expressed disappointment as he thought that communication was satisfactory. Following discussion, it was clarified that the words 'static library' was taken as meaning permanent by the Maryborough Advertiser. Rather it means that the books remain in the library and are not transported each week. A note to be placed in the weekly Council news article and Welcome Record to clarify this to interim library.

A misunderstanding regarding letters was also rectified.

Project Brief

In discussion it was discovered that there were differing expectations of a project brief. For Council the

process is: Funding application; tender document which is likened to a project brief. Fiona has a different understanding.

Time Scale

The library will remain in the police station in the interim until a ten year financial plan is drafted by Council. At least 3-5 years. Also a proposal of the long term outcome for the community use of the Dunolly library is yet to be commenced.

Martin to draft a MOU that establishes the committee and Council responsibilities. He apologised for the misunderstandings that had occurred.

Martin to attend all committee meetings while the project build is occurring.

Next Meeting

Monday 27 July, 2020

1pm in the Town Hall

8. OFFICER REPORTS

8.1 ASSEMBLIES OF COUNCILLORS

Author: **Manager Governance Property and Risk**

Responsible Officer: **Chief Executive Officer**

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to provide the record of any assembly of councillors, which has been held since the last council meeting, so that it can be recorded in the minutes of the formal council meeting.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective Provide leadership in governance and Council decision making

Section 80A of the Local Government Act 1989 requires the record of any assembly of councillors to be reported to the next practicable council meeting and recorded in the minutes and to include the names of all administrators and council staff attending, the matters considered and any conflicts of interest recorded.

BACKGROUND INFORMATION

The Local Government Act provides a definition of an assembly of councillors where conflicts of interest must be disclosed.

A meeting will be an assembly of councillors if it considers matters that are likely to be the subject of a council decision, or, the exercise of a council delegation and the meeting is:

1. A planned or scheduled meeting that includes at least half the councillors and a member of council staff; or
2. An advisory committee of the council where one or more councillors are present.

REPORT

Outlined below are the details of assemblies of councillors:

Date	23 July 2020	Meeting:	Community Meeting
Councillor Attendees	Noel Harvey (Chief Administrator), Hugh Delahunty (Administrator)		
Council Staff Attendees	Paul Brumby (GMCP);		
Guests	Tony Vadala – Maryborough Football Netball Club		
Conflict of interest disclosures:	NIL		
Time and Location	Meeting held via zoom 2.00pm – 3.10pm		
Matters Considered	Maryborough FNC occupancy agreement for Princes Park Maryborough.		

Date	28 July 2020	Meeting:	Briefing Meeting
Councillor Attendees	Noel Harvey (Chief Administrator), Karen Douglas (Administrator), Hugh Delahunty (Administrator)		
Council Staff Attendees	Lucy Roffey (CEO);		
Guests			
Conflict of interest disclosures:	NIL		
Matters Considered	Pre-meeting briefing		

Date	3 August 2020	Meeting:	Administrator Meeting
Councillor Attendees	Noel Harvey (Chief Administrator), Hugh Delahunty (Administrator), Karen Douglas (Administrator)		
Council Staff Attendees	Paul Brumby (GMCP)		
Guests	NIL		
Conflict of interest disclosures:	NIL.		
Time and Location	Meeting held via zoom 1.00pm – 1.40pm		
Matters Considered	New Councillor induction focussing on Council finances.		

Date	11 August 2020	Meeting:	Briefing Meeting
Councillor Attendees	Noel Harvey (Chief Administrator), Karen Douglas (Administrator), Hugh Delahunty (Administrator)		
Council Staff Attendees	Lucy Roffey (CEO); Paul Brumby (GMCP); David Anderson (A/g GMCP); Rebecca Stockfeld (GMIAP); Martin Collins (GMCW); Megan Kruger, Manager Governance, Property and Risk; Lori Paez, A/g Waste Officer; Kym Murphy, Manager Community Partnerships; Philip Schier, Manager Strategy and Economic Development; Andrew Page, Statutory Planner.		

Guests	Camille White, North Central Catchment Management Authority
Conflict of interest disclosures:	NIL.
Matters Considered	<ul style="list-style-type: none"> • Development and Community Safety Report • Operations Work Order Report • Councillor Induction Workshop • Waste Transition Plan • COVID-19 Hardship provisions • Implementation of Flood Studies for Dunolly and Carisbrook • Planning App 017/19 at 17-23 Margaret Avenue, Maryborough • Tree Management Plan • Annual Action Plan Quarterly Update • Governance Rules • Public Transparency Policy • Councillor Expenses Policy • Update of Instrument of Delegation by Council to Staff • Rescheduling of Council meeting dates for the remainder of 2020 • Proposed Road Names

CONSULTATION/COMMUNICATION

Assemblies of Councillors reported to Council and minuted thereby informing the community of any reportable assemblies.

FINANCIAL & RESOURCE IMPLICATIONS

Costs included in the Governance budget.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices. This process conforms to the requirements of the Local Government Act 1989 and provides increased transparency of declarations of conflict of interest.

CONCLUSION

All assemblies of councillors are reported as required under the Act.

ATTACHMENTS

NIL

RECOMMENDATION

That Council note the record of assemblies of councillors for the period 18 July 2020 to 17 August 2020.

8.2 AMENDMENT C031CGOL - DUNOLLY AND CARISBROOK FLOOD STUDIES

Author: Strategic Planner

Responsible Officer: General Manager Infrastructure Assets and Planning

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to present the submissions made in response to the exhibition of Planning Scheme Amendment C031cgol, and enable Council to consider the available options for addressing them under the Planning and Environment Act.

The purpose of the amendment is to implement appropriate planning controls to address flood risk for the townships of Carisbrook and Dunolly.

It is recommended that Council make some minor mapping changes in response to submissions, as recommended by North Central Catchment Management Authority (NCCMA), and request the Minister for Planning appoint an independent planning panel to consider unresolved submissions.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Built and Natural Environment

Outcome: A supported, cohesive community, living full and healthy life.

Objective 1.4: Provide leadership in municipal emergency and fire prevention planning and strengthen public safety.

Initiative: Implement recommendations from flood management plans including flood mitigation works.

Other relevant legislation

- Local Government Act 1989
- Planning and Environment Act 1987
- Catchment and Land Protection Act 1994
- North Central Regional Floodplain Management Strategy 2018-2028
- Victorian Floodplain Management Strategy 2016


BACKGROUND INFORMATION

Amending the Planning Scheme to address flood risk for the townships of Carisbrook and Dunolly is recognised as a high priority in the North Central Regional Floodplain Management Strategy 2018-2028. The North Central Catchment Management Authority (CMA) has received funding to assist Central Goldfields Shire Council to engage an appropriate resource to work on flood-related planning scheme amendments.

At the Ordinary Meeting of Council on 23 July 2019, Council authorised the CMA to become the planning authority for the Flood Overlay (FO) and Land Subject to Inundation (LSIO) Overlay amendment. This amendment process consigned the CMA to lead a group of Councils in a 'GC' amendment to make changes to the Central Goldfields Planning Scheme. However, this option is no longer being pursued due to a policy directive from the DELWP Water Office.

At the Ordinary Meeting of Council on 26 November 2019, Central Goldfields Shire Council Administrators authorised Council to progress with a C amendment, with the Council as the planning authority. Section 8A (2) of the Act stipulates that a municipal Council may only prepare an amendment to a Planning Scheme if it is authorised to do so by the Minister for Planning. The amendment was authorised by DELWP on 25 February 2020 and exhibition progressed on 22 May and concluded on 23 July, 2020. Sections 17-19 of the Act stipulate the exhibition and notice requirements for a planning scheme amendment. Council has exhibited the amendment in accordance with these requirements.

Table 1 Amendment Timeline

Steps	Status
<i>Council decides whether to seek Ministerial authorisation to prepare the amendment</i>	Completed 26 November 2020
<i>Minister determines whether amendment may be placed on exhibition</i>	Completed 25 February, 2020
<i>Public exhibition of planning scheme amendment</i>	Completed 22 May to 23 July, 2020
<i>Submissions received and considered; Council requests an independent panel to consider submissions if required</i>	25 August 
<i>Panel hearing and report</i>	Weeks of 26 October and 30 November, 2020
<i>Council considers the recommendations of the Panel, and decides whether to adopt or abandon the planning scheme amendment</i>	January 2021
<i>If adopted, send to Minister for approval and gazettal</i>	February 2021

REPORT

Planning scheme amendment C031cgol proposes to implement the findings of the Dunolly Flood Investigation 2014 and Carisbrook Flood and Drainage Management Plan 2013.

The effects of flooding in Central Goldfields are magnified by the proximity of urban development to natural or modified creeks and channels resulting in damage to roads, residential, commercial and industrial properties.

Carisbrook and Dunolly have a long history of flooding. Whilst the flow from the local catchment contributed less than 5% of the total flow that impacted upon the township of Carisbrook, the overland flow is significant and causes frequent flooding to a number of properties in Carisbrook.

Until now Council has relied on outdated and patchy information to support planning decisions in these townships. This has caused a range of issues for property owners and for Council when providing customer advice. A key recommendation of both township flood studies was to update the flood information in the Central Goldfields Planning Scheme to ensure future development is designed to manage flooding in a safe way.

Purpose of Flood Study Amendment Implementation

This amendment proposes to update the planning scheme in accordance with the most recent and accurate flood studies and mapping. This will enable flood hazard to be identified when considering future land development.

In the short term it is expected that this amendment will result in changes to new building proposals that will respond to the constraints of the land and its capacity to flood. This may result in some increased building costs but will reduce other costs by exempting planning permit requirements when certain conditions are met.

In the longer term it is expected that this amendment will deliver positive environmental, social and financial impacts, by reducing the economic and social impact that flooding has on built infrastructure and the environment.

It is well recognised that floods can negatively impact on individuals and the community in a number of ways. These impacts can have significant psychological and health related consequences for individuals and wider social consequences for the community. Further, inappropriate development can reduce a floodplain's capacity to store and transport floodwater effectively which often diverts floodwater to other land not normally flooded.

Amendment C031gol proposes to amend the Central Goldfields Planning Scheme by applying two overlays:

The Land Subject to Inundation Overlay (LSIO)

The LSIO is applied to land affected by flooding associated with waterways and open drainage systems.

- Schedule 2 (LSIO2) is flooding from creeks up to 500mm depth.
- Schedule 1 (LSIO1) is being applied to the existing LSIO outside the flood study boundary.

The Schedule 1 is an administrative change only as it simply allocates a number to the existing schedule. The LSIO already exists on some land in the Shire. This amendment may change the area that the LSIO covers and will change it to either an LSIO1 or an LSIO2.

The Floodway Overlay (FO)

The FO is being applied to land that is subject to the highest flood risk and where floods occur most frequently.

- Schedule 1 (FO1) is mainstream flooding in both rural and urban areas.

Council officers have worked with the CMA to further refine the proposed overlay maps from the flood studies based on best practice evidence flood mapping. The overlay schedules will exempt minor developments from requiring a permit (e.g. minor dwelling extensions, small outbuildings, carports, hay sheds and similar). The amendment documents also include a

minor alteration to the Municipal Strategic Statement (MSS) to include the flood risks for these local areas.

The amendment affects approximately 765 properties which are located in Carisbrook and Dunolly. Of these properties to be affected, approximately:

- 10 properties will have the new Flood Overlay (FO) applied.
- 481 properties will have the LSIO applied
- 274 properties will have both the LSIO and FO applied
- 146 properties will be removed from the existing LSIO
- 306 properties with no current flood controls will be included in the amendment
- 200 properties will have little to no change as they are already covered by the LSIO.

Summary of Submissions

A total of twelve (12) submissions were received which included:

- Five (5) submissions from referral authorities, including the Environment Protection Authority (EPA), Country Fire Authority (CFA), Central Highlands Water (CHW), Goulburn Murray Water (GMW) and Coliban Water. All authorities who responded were supportive of the Amendment and did not object.
 - The response from the CFA supported the amendment, however requests that a Bushfire Management Statement be incorporated within the strategy to address potential risk as a result of revegetation programs in areas covered by the Flood Studies. Council's position is that this submission does not warrant any change to the amendment. No revegetation programs are triggered by the amendment, so the request is outside the scope of the amendment. Any bushfire risk associated with revegetation programs should be considered through normal processes at the time. On 17 August 2020, the CFA formally withdrew their recommendations to the amendment.
- Five (5) submissions which included:
 - Landowner submissions who object to the application of overlay controls on their land and seek to have the overlay extent either completely removed or reduced;
 - A group submission which objected to the amendment as a whole;
- Two (2) submissions that have been withdrawn.

Of the outstanding landowner submissions, five (5) relate to Carisbrook.

All landowner submissions were referred to the NCCMA for comment and to establish the validity of submission statements. It was established that:

- Changes requested by four objecting submitters cannot be accommodated as the mapping is accurate and evidence based; the information provided by submitters is not considered by NCCMA to justify a change to the proposed extent of the overlays.
- Changes requested by one submitter (who represented two others) cannot be accommodated for several reasons:
 - The amendment cannot be exhibited via the traditional town hall meeting due to the restrictions required by the COVID-19 pandemic. Changes to Planning

and Environment Act 1987 via the Covid-19 Omnibus (Emergency Measures) Bill 2020 enabled amendments to be publicly exhibited online. Every provision was made to ensure these submitters were consulted, including a printed version of the amendment dropped off at the submitter's home, phone calls and emails by Council and the CMA.

- The submission's recommended removals and inclusions to the LSIO are not considered by the CMA to be justified;
- The Carisbrook western levee development still has acquisitions and funding to be approved before works can start. The amendment is funded to progress immediately and address existing risks. Any changes to flood risk as a result of future mitigation works can be reviewed by a subsequent assessment and a future amendment can make changes to the planning controls if these are warranted.
- Changes recommended by one submitter in Carisbrook expressed similar concerns to the above, such as the timing of the amendment with the western levee. This submission also questioned the inclusion of higher areas of Bucknall Street, Carisbrook, in the LSIO. The CMA contends that although these sites are not directly impacted by flooding across the site, they are impacted by flooding impeding access to the site.

Of the submissions that were withdrawn, one was in Carisbrook and one was in Dunolly. Upon receipt of the submissions, they were referred to the NCCMA for comment and to establish the validity of submission statements. It was established that:

- Changes recommended by Submission 5 from Dunolly can be resolved by updating the proposed amendment mapping (as provided at Attachment 2). It is anticipated that the flood mitigation works recently completed in the subject area will improve drainage. Therefore the CMA has advised that there is no longer a need to include a flood related overlay over this area. On 29 July 2020 the applicant withdrew their submission on the condition that this updated mapping is adopted.
- Changes requested by Submission 1 from Carisbrook related to land at 5, 7,9,11,13,15,19, 21, 23, 29 and 31 Bucknall Street Carisbrook. The CMA stated that although land on these sites is slightly elevated than the surrounding area, these sites would be completely inaccessible in the 1% AEP flood event. Therefore the sites should be retained within the LSIO. The applicant was satisfied with the explanation provided by the CMA and Council and withdrew the application on 14 July 2020.

None of the submissions commented on or sought changes to the proposed Overlays' scheduled provisions. However, the referral authorities noted in their general comments that the ordinance was an improvement upon the existing provisions and will aid future decision making.

1. Refer to the attachment: Summary of Submissions to Amendment C031cgol

Amendment C031cgol – NCCMA map review in response to Submission 5 – 40 Pierce Hill Rd Dunolly - Exhibited Map.

Council's options in response to submissions

As the planning authority, at this point in the amendment process Council could decide to

- a) abandon the Amendment;
- b) adopt the amendment with all of the changes requested by submitters and submit it to the Minister for approval; or
- c) make any changes to the Amendment that it regards as warranted in response to submissions and refer unresolved submissions to an independent planning panel.

There is no planning justification for abandoning the Amendment as this would be contrary to the recommendations of both township flood studies, as well as the adopted strategies in Council's Municipal Strategic Statement at Clause 21.09 (Protection of Land and Water Resources). No evidence in the submissions warrants abandoning the amendment.

While a minor change to the Amendment is warranted in response to Submission 5, officers and the NCCMA do not regard the other requested changes as justified by the evidence. Adopting all of them would diminish the effect of the Amendment and undermine its overall strategic justification.

Officers therefore recommend the third of option of making some minor changes in response to submissions and referring unresolved submissions to an independent planning panel.

CONSULTATION/COMMUNICATION

The exhibition process is prescribed under Sections 17-19 of the *Planning and Environment Act 1987*. Exhibition exceeded the minimum prescribed process, and there were several methods of communication utilised during the exhibition phase, as described below.

Alternatives to the open consultation approaches traditionally used during exhibition, such as advertised drop in sessions, face to face meetings and hard copy documents available for viewing, were made possible by the amendment to the Planning and Environment Act 1987 via the Covid-19 Omnibus (Emergency Measures) Bill 2020. The changes allowed:

- Planning documents previously required to be physically available to view at state and local government offices are now only required to be available for online inspection. This includes copies of planning scheme amendments and submissions and planning permit applications and objections.

At Central Goldfields, all of this information was made available online, and landowners were actively encouraged to engage with Council via email or telephone or written letter. On request, printed versions of the amendment documents were dropped directly to landowners' homes.

Opportunities for Personal Consultation

The exhibition included public videoconference drop-in sessions in Dunolly and Carisbrook, held via Zoom, in lieu of drop-in sessions with physical attendance. The conferences were not well attended, with only two landowners for Carisbrook present at the Carisbrook meeting on 17 June 2020. Phone or email follow up was conducted with landowners to discuss specific issues raised in submissions. These approaches provided options for affected property owners to raise any issues with the amendment, in the context of the restrictions on face-to-face contact due to COVID-19.

Printed Press

In collaboration with Council's communications department and the CMA, a multi-page question and answer brochure was developed for direct mail to landowners. The document contained content available on social media and Council's webpage, along with maps and timelines. The direct mail out contained a letter about the proposed amendment and a site specific map about the proposed changes to land.

The amendment was also advertised in the Maryborough Advertiser on 22 May 2020 and the Government Gazette G21 on 28 May 2020 (pg. 995). The amendment was regularly advertised in the Council news section in the Maryborough Advertiser during the exhibition timeframe. After the videoconference session, a news article about the amendment was featured in the Carisbrook Mercury (June 25 2020).

Electronic media

Information associated with amendment, such as policy, documents, mapping and timelines was available on Council's website and weekly reminders to Have Your Say on Facebook and Twitter. The exhibited documents are also available on DELWP's amendments webpage.

Council's IT department uploaded the proposed overlay maps to the online sharing GIS system POZI, so landowners could visualise the proposed changes. A direct link to this was provided on printed material and the C031cgol webpage.

The social media platforms have been utilised to update the community on how the engagement methods were progressing, such as videoconference attendance, number of submissions and reminders to contact council for communication.

Previous Consultation

It is noted that previous community consultation activities occurred during the development of the Carisbrook and Dunolly flood plans, which were both managed using community-based steering committees. At the time, broader community feedback was sought and used to verify the accuracy of the flood models and when determining the final recommendations of the plans which included amending the Central Goldfields Planning Scheme with updated flood mapping*.

*Note: an amendment was not listed in Section 13 Conclusions and Recommendations of the *Carisbrook Flood and Drainage Management Plan 2013*, however it was referenced as an action in the Executive Summary (page vi) and recommended in Section 6.2.1 (page 137). It is considered that not listing a planning scheme amendment in Section 13 as a recommendation is an accidental omission from this section of the report.

FINANCIAL & RESOURCE IMPLICATIONS

Amendment costs to Council can generally be categorised into staff time and fees.

Staff time – in this instance, Council is being assisted by the CMA who have received funding for a planning resource for two years to assist local Councils to implement a backlog of amendments, including Carisbrook and Dunolly. Council and the CMA have entered an MOU for the provision of planning services to carry out the majority of tasks required for this amendment. The planning resource will remain an employee of the CMA. There will be a low level of requirement on existing Council staff to assist with exhibition activities and a planning panel if required. The General Manager Infrastructure, Assets and Planning will oversee and manage the CMA employee in accordance with the MOU agreement.

Fees – The CMA will cover the costs for Planning Panels via DELWP funding.

The staff time to prepare an amendment is generally the most significant cost of an amendment process and therefore Council has taken the opportunity presented by the CMA whilst available.

RISK MANAGEMENT

This report addresses Council's strategic risk Government policy changes - change in government policy and/or funding resulting in significant impact on the delivery of critical services by implementing recommendations in the Council Plan and Municipal Strategic Statement Clause 21.09.

Managing flood risk through Planning Schemes is a local government responsibility. The Central Goldfields Planning Scheme should be a robust document that correctly identifies known flood risk and provides clear guidance and transparency on potential uses and development of land. Where mapping doesn't exist or is outdated the Planning Scheme should be amended. The *Victorian Floodplain Management Strategy 2016* states that "LGAs (Councils) are accountable for ensuring that their Planning Schemes correctly identify the areas at risk of a 1% Annual Exceedance Probability (1 in 100 year) flood, and that they contain the appropriate objectives and strategies to guide decisions in exercising land use controls in regard to flooding."

The amendment is required to update the overlay maps and amend the associated ordinance that controls buildings and works to ensure development within the floodplain is appropriately managed.

Managing development through accurate and effective planning schemes is considered the most cost-effective method of managing flood risk and avoiding future flood damages and can promote faster recovery from major floods (e.g. because house floor levels were set above the flood levels). The amendment updates mapping in the Carisbrook and Dunolly townships using information developed in the flood plans. It also removes significant expanses of flood controls in rural areas along Tullaroop Creek where additional new mapping produced by the North Central CMA shows these maps to be clearly wrong (therefore not requiring individuals to obtain permits where flooding is not a risk).

The amendment will also include the introduction of permit exemptions for minor buildings and works, meaning the need for obtaining permits and applying flood-management conditions is only required for developments with a higher likelihood of detrimental flood impacts.

From a consultation perspective, the amendment process is heavily prescribed in legislation and provides transparency and meaningful opportunities for community input. This explicitly defines the scope of community engagement activities and therefore manages any risks associated with community concerns of bias or unfairness.

CONCLUSION

During the development of township flood studies for Carisbrook and Dunolly, extensive community engagement was undertaken where it was resolved that the planning scheme should be amended with updated mapping and ordinance for identifying flood risk.

A statutory public exhibition was undertaken as part of the amendment process. The amendment was made publicly available from 22 May to 23 July 2020. As part of the statutory exhibition period, affected landowners and relevant referral authorities were notified on 22 May 2020 by mail, as well as a notice placed in the Maryborough Advertiser and the Government

Gazette. Recent changes to the Planning and Environment Act allowed Council to exhibit documents electronically, therefore the documents were available online, via email and frequently mentioned in social media.

Council and the CMA have attempted to resolve the submissions presented to the exhibition via phone, email and letter. Several submissions have been received, with two (2) resolved and five (5) outstanding. Council now must resolve to consider the options to address these submissions and request the Minister for Planning appoint an independent planning panel to consider the submissions.

ATTACHMENTS

1. Summary of Submissions to Amendment C031cgoI
2. Map of Proposed Amendment Mapping Change - 40 Pierce Hill Rd, Dunolly

RECOMMENDATION

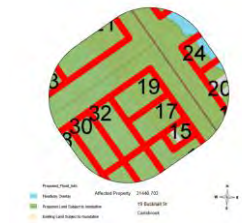
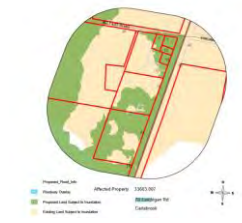
That Council:



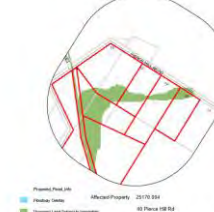

1. *In response to submissions to the exhibited Amendment C031gogI, make a minor change to the amendment mapping by reducing the area covered by the LSIO2 as requested in Submission 5, as documented in Attachment 2;*
2. *Refer unresolved submissions to Amendment C031gogI to an independent planning panel for consideration.*


After reviewing the submission Amendment C031cgol Response to Submissions


Map Legend

- Land currently in the LSIO
- Land proposed to have FO applied
- Land proposed to have LSIO applied

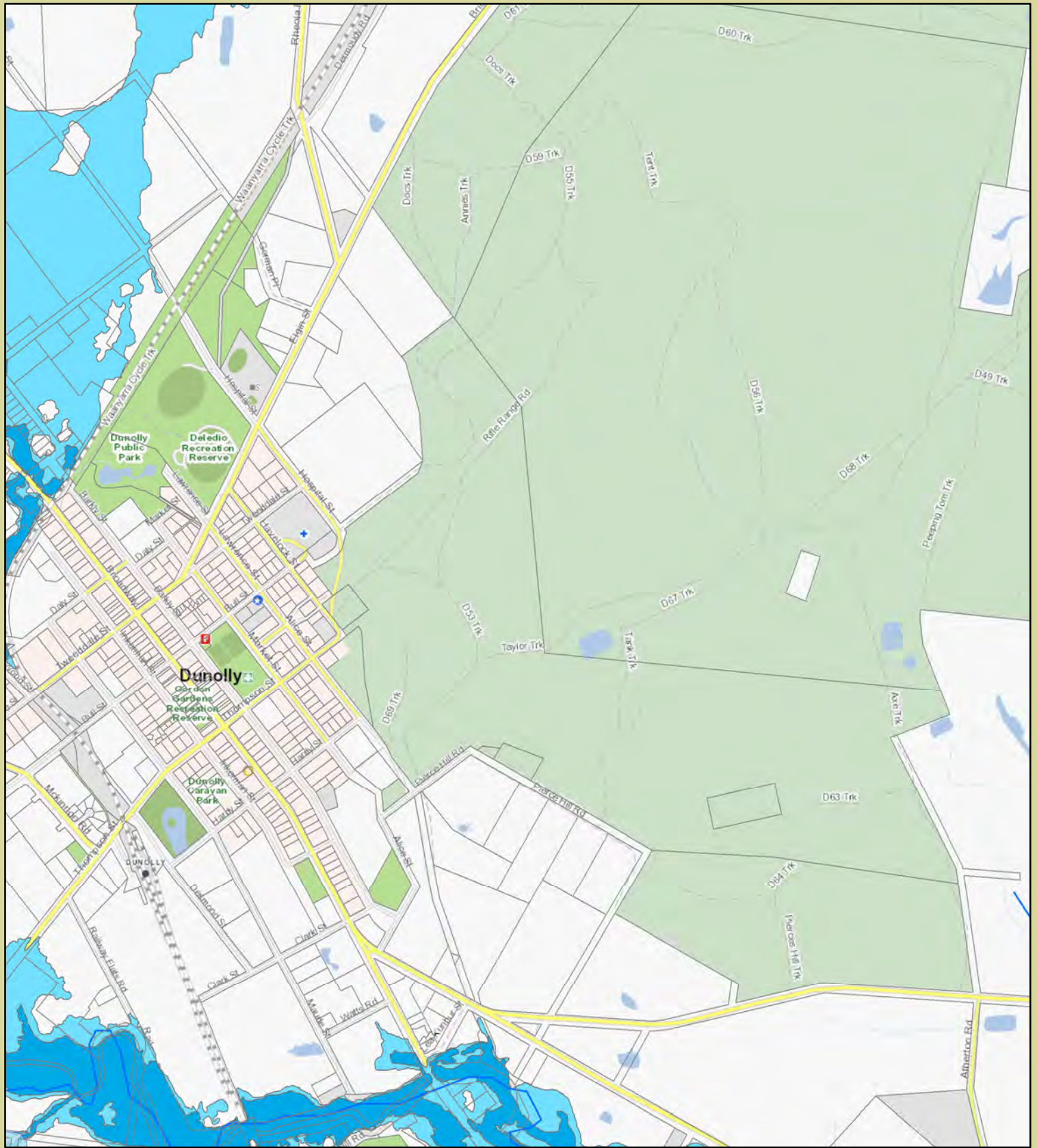
Submission Number & Type	Position on Amendment	Requested C031cgol change	Summary of submitter's argument	Affected property	Map of affected property	Response to submission	Proposed changes
1 Landowner - Carisbrook	Not support LSIO over at 5,7,9,11,13,15, 19 (Town Hall), 21, 23, 29 and 31 Bucknall Street Carisbrook	Retain overlay as flood risk includes the ability to access to properties	Islands of land that do not have flood activity as shown on the Flood Eye should be removed from LSIO	5,7,9,11,13,15,19 (Town Hall), 21, 23, 29 and 31 Bucknall Street Carisbrook		LSIO as proposed in the amendment are evidence based and should be retained	None Note: submission withdrawn 14/07
2 Landowner - Carisbrook	Not support LSIO over land on road reserve or on property	Would prefer LSIO redacted	Flooding caused by drainage and not overland flooding; how can we predict the future	70 Landrigan Rd Carisbrook		LSIO as proposed in the amendment are evidence based and should be retained	none

<p>3</p> <p>Landowner - Carisbrook</p>	<p>Wants the LSIO extended over the land at 52 Victoria Street Carisbrook</p>	<p>Wants the LSIO extended</p>	<p>After lived experience, the area should be included in the LSIO due to inundation</p>	<p>52 Victoria St Carisbrook</p>		<p>LSIO as proposed in the amendment are evidence based and should be retained</p>	<p>none</p>
<p>4</p> <p>Landowner - Carisbrook</p>	<p>Questions the application of the FO and LSIO along the creek line</p>	<p>Wants LSIO and FO redacted in line with nomination on map</p>	<p>Believes that the FO and LSIO are too high and don't reflect the true flood height</p>	<p>33 MacCallum St Carisbrook</p>		<p>LSIO and FO as proposed in the amendment are evidence based and should be retained</p>	<p>none</p>
<p>5</p> <p>Landowner - Dunolly</p>	<p>Questions the application of the LSIO width</p>	<p>Wants LSIO severely redacted in width</p>	<p>Believes the flood waters never extended the width proposed in the amendment</p>	<p>42 Pierce Hill Rd Dunolly</p>		<p>CMA propose to amend the mapping and remove the LSIO.</p>	<p>Proposed changes to mapping</p>  <p>Note: submission withdrawn 29/07/2020 on the</p>

							basis of amendedd mapping
6 Landowner - Carisbrook	Questions LSIO over building area as historic mud brick retained despite flooding history (islands of areas not impacted by flood)	Believes amendment should be delayed until flood mitigation works complete	Believes LSIO incorrect in Bucknall Street elevated areas and amendment should be delayed post western levee construction	9 Bucknall St Carisbrook		LSIO and FO as proposed in the amendment are evidence based and should be retained.	None – a future amendment may revise the overlays, subject to detailed assessment following levee construction.
7 Coliban Water	Support	No change	Response from Coliban Water				n/a
8 Environmental Protection Authority	Support	No change	Response from Environmental Protection Authority				n/a
9 Central Highlands Water	Support	No change	Response from Central Highlands Water				n/a
10 GMW	Supports exemptions in proposed	No change	Response from GMW				n/a

	Clause 44.04-2 and 44.03-2						
11 Landowners - Carisbrook	Queries why LSIO not over school, leisure centre and Mill, object to LSIO over Carisbrook township; objects to amendment occurring now rather than after the levee construction	LSIO be removed from Carisbrook township; LSIO applied over Carisbrook Primary School, Tullaroop Leisure Centre and the Mill	Believes LSIO incorrectly applied; amendment should be delayed	Not specified		LSIO and FO as proposed in the amendment are evidence based and should be retained.	No change. A future amendment may revise the overlays, subject to detailed assessment following levee construction.
12 CFA	Concerns that any proposed measure that could increase risk from bushfire/grassfire be considered (whether increased vegetation or management for improved flood mitigation increases bushfire)	No change to amendment in its current form. Recommend s a Bushfire Management Plan be incorporated	Response from CFA Community Safety Fire and Emergency Management	All land around Floodway Overlay in Carisbrook and Dunolly		CGSC will liaise with NCCMA to ensure that bushfire risk is considered in any future proposed revegetation works in the creek corridors but this issue is immaterial	No change. Note: Recommendations from the submission withdrawn via email 17/08/2020 after conversation with the CMA

						to the amendment	
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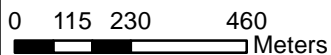
PROJECT:
Amendment c031cgol

TITLE:
**40 Pierce Hill Road
Dunolly**

MAP #:
Amended Overlays



1:15,000



Legend

- FO (AS EXHIBITED)
- LSIO2 (AMENDED)

The State of Victoria does not warrant the accuracy or completeness of information in this publication and any person using or relying upon such information does so on the basis that the State of Victoria shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.



Date: 22/07/2020

8.3 PLANNING APPLICATION 17/19 FOR A 5 LOT SUBDIVISION AND REMOVAL, LOPPING OR DESTRUCTION OF NATIVE VEGETATION AT 25 MARGARET AVENUE, MARYBOROUGH

Author: Coordinator Statutory Planning

Responsible Officer: General Manager Infrastructure Assets and Planning

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is seek a Council determination on a planning permit application 017/19 received by Council for a 5 lot subdivision and removal, lopping or destruction of native vegetation at 25 Margaret Avenue, Maryborough.

Public notice of the application has been given and one objection has been received.

The Application has been assessed against the Planning Scheme and it is considered that the proposed development is appropriate.

This report recommends that a Notice of Decision to grant a planning permit be issued.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Economy

Outcome: A vibrant local economy which contributes to the municipality's economic prosperity.

2.3 Objective: Promote Central Goldfields as a place of choice to live, work and play.

This report has been developed in accordance with the Planning and Environment Act 1986, the Central Goldfields Planning Scheme.

BACKGROUND INFORMATION

Planning application 017/19 was lodged 29 April 2019 and proposes a 5 lot subdivision and removal of native vegetation.

The proposed lots range from 675m² to 1,430m². Proposed lots 1, 3, 4 and 5 will have access off Margaret Avenue, and proposed lot 2 will have access via McPherson Avenue (see attachment 1: Proposed Plan of Subdivision).

The application will result in the loss of 5 scattered trees and 1 large tree (0.187 ha). The trees are not proposed to be physically removed from the site, however in accordance with Victorian Civil and Administrative Tribunal (VCAT's) decision in Villawood Properties v Greater Bendigo CC (20 December 2005) all native vegetation on the proposed lots is considered to be 'lost' for biodiversity purposes and therefore must be offset accordingly.

This is due to the exemption from requiring a permit to remove vegetation on land less than 0.4 ha which currently exists within the Planning Scheme. All 5 lots are proposed to be less

than 0.4 ha in size; as such future owners will be able to claim the above exemption and clear the native vegetation without a planning permit under clause 52.17 of the Central Goldfields Planning Scheme.

The subject site is not within the Cultural Sensitivity Overlay, as such a Cultural Heritage Management Plan is not required.

REPORT

Site and Surrounds

The subject site is approximately 4,226m² in size and is currently vacant with some native vegetation existing across the site. The subject site has frontage to Margaret Avenue (currently unsealed). The site is within the General Residential Zone and is covered by the Bushfire Management Overlay.

Land surrounding the subject site is used in various ways; land directly to the north of the subject site is currently used as the Highlander Haven Motel, land to the south and west is generally used for residential purposes with the majority of the land containing single dwellings. A self-storage facility is located approximately 100 metres to the north-west. Land to the east of the subject site contains a power station and state forest or heavily vegetated private land.

All land immediately surrounding the subject site is within the General Residential Zone or the Rural Living Zone.

Planning Permit Trigger

Under clause 32.08-2 of the General Residential Zone a planning permit is required to subdivide land.

Under clause 44.06-2 of the Bushfire Management Overlay a planning permit is required to subdivide land.

Under Clause 52.17 Native vegetation a planning permit is required to remove, lop or destroy native vegetation.

Planning Scheme Provisions

Planning Policy Framework

11.01-1R Settlement - Loddon Mallee South

Strategies

- Support Bendigo as the regional city and the major population and economic growth hub for the region, offering a range of employment and services.
- Manage and support growth in Castlemaine, Gisborne, Kyneton and Maryborough as employment and service hubs that reinforce the network of communities in the region.
- Support sustainable growth and expansion in Inglewood, Bridgewater, Marong and Harcourt to capitalise on their proximity to Bendigo.
- Facilitate increased commercial and residential densities, mixed use development and revitalisation projects for underutilised sites and land in Bendigo.
- Maintain non-urban breaks between settlements.

12.01-2S Native Vegetation Management

Objective

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

13.02-1S Bushfire Planning

Objective

To strengthen the resilience of settlements and communities to bushfire through risk-based planning that prioritises the protection of human life.

13.07-1S Land Use Compatibility

Objective

To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.

14.02-1S Catchment Planning and Management

Objective

To assist the protection and restoration of catchments, water bodies, groundwater, and the marine environment.

15.01-3S Subdivision Design

Objective

To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.

Local Planning Policy

21.06 Residential Development

Objective 3

Provide opportunity for residential development in a range of types, lot sizes and costs to meet the needs of the future population of the Shire.

Zones

32.08 General Residential Zone

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Planners comment: The proposed subdivision is considered to be in accordance with the purpose of the General Residential Zone. The proposal will offer opportunity for further

residential development within an existing residential area with the appropriate services available.

Overlay(s)

44.06 Bushfire Management Overlay

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
- To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.
- To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

Planners comment: The proposal is considered to be consistent with the purpose of the BMO. The applicant has provided a Bushfire Management Plan which has been approved by the CFA and will be required to be enforced via a Section 173 agreement to ensure that the bushfire protection measures set out in the plan are continued to be enforced.

Particular Provisions

52.17 Native Vegetation

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.

This is achieved by applying the following three step approach in accordance with the Guidelines for the Removal, Destruction or Lopping of Native Vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

56 Residential Subdivision

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.

- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

The planner’s assessment of the proposal against Clause 56 is as follows:

Clause	Standard	Comment
<p>56.01-1 – Subdivision site and context description</p>	<p><i>The site and context description may use a site plan, photographs or other techniques and must accurately describe:</i></p> <p><i>In relation to the site:</i></p> <ul style="list-style-type: none"> – <i>Site shape, size, dimensions and orientation.</i> – <i>Levels and contours of the site.</i> – <i>Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.</i> – <i>The siting and use of existing buildings and structures.</i> – <i>Street frontage features such as poles, street trees and kerb crossovers.</i> – <i>Access points.</i> – <i>Location of drainage and other utilities.</i> – <i>Easements.</i> – <i>Any identified natural or cultural features of the site.</i> – <i>Significant views to and from the site.</i> – <i>Noise and odour sources or other external influences.</i> – <i>Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.</i> – <i>Any other notable features or characteristics of the site.</i> – <i>Adjacent uses.</i> – <i>Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.</i> – <i>An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:</i> <ul style="list-style-type: none"> • <i>The pattern of subdivision.</i> • <i>Existing land uses.</i> 	<p>COMPLIES – The site is a vacant rectangular lot of 4,257m² in total area with the long axis running in a north/south direction fronting Margaret Avenue with rear access also from McPherson Street.</p> <p>The site has some scattered vegetation that will be considered as lost for biodiversity purposes, as such the vegetation will be offset. No watercourses are present on the site and it slopes slightly downward to the north-west.</p> <p>Margaret Avenue is an unsealed road fronting the subject site and contains open style drains for stormwater and a number of electricity distribution poles.</p> <p>The subject site is part of an existing residential settlement on the eastern entrance to Maryborough. The subject site is adjoined by residential uses on its north, west and southern sides. To the east of Margaret Avenue exists vacant bushland within the Rural Living Zone. Some Industrial Zoned land exists along Sutton Road (Pyrenees Highway).</p> <p>The pattern of subdivision are</p>

	<ul style="list-style-type: none"> • <i>The location and use of existing buildings on adjacent land.</i> • <i>Abutting street and path widths, materials and detailing.</i> • <i>The location and type of significant vegetation.</i> <p><i>If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.</i></p> <p><i>The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.</i></p> <p><i>This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.</i></p>	<p>rectangular lots in a semi grid layout with lot sizes ranging from approximately 600m² – 1,000m².</p> <p>See attachment 2: Existing Conditions Plan (3075) submitted with the application.</p>
<p>56.01-2 - Subdivision design response</p>	<p><i>The design response must explain how the proposed design:</i></p> <ul style="list-style-type: none"> – <i>Derives from and responds to the site and context description.</i> – <i>Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.</i> – <i>Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.</i> – <i>Meets the relevant objectives of Clause 56.</i> <p><i>The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.</i></p>	<p>COMPLIES – The proposed subdivision contains five vacant lots with lots ranging in size:</p> <ul style="list-style-type: none"> – ▪ Lot 1- 803m² – ▪ Lot 2-1,430m² – ▪ Lot 3- 675m² – ▪ Lot 4- 675m² – ▪ Lot 5- 675m² <p>The size and layout of the lots continues the identified pattern of subdivision in the area. This area does not have an identified character policy identified in a local policy and is not subject to a Neighbourhood Character Overlay (NCO). See attachment 1: Proposed Plan of Subdivision.</p>
<p>56.03-5 Neighbourhood character objective <i>To design subdivisions that respond to neighbourhood character</i></p>	<p>C6</p>	<p>COMPLIES – The proposed layout of the subdivision is consistent with the established pattern of subdivision in the area. This area does not have an identified character policy identified in a local policy and is not subject to a Neighbourhood Character Overlay (NCO). Some scattered native vegetation will be lost as a result of the proposal, this will be appropriately offset. The required offsets are to be required to be secured by conditions on a permit. The applicant has provided an appropriate offset quote.</p>
<p>56.04-1 Lot diversity and distribution objectives <i>To achieve housing densities that support compact and walkable neighbourhoods and</i></p>	<p>C7</p>	<p>COMPLIES – The proposed lots range in size from 675m² – 1,430m². It can provide for more diverse development to occur. The subject site is less than 1km</p>

<p><i>the efficient provision of public transport services.</i> <i>To provide higher housing densities within walking distance of activity centres.</i> <i>To achieve increased housing densities in designated growth areas.</i> <i>To provide a range of lot sizes to suit a variety of dwelling and household types.</i></p>		<p>from the Maryborough Railway station and 1.5km from the commercial centre of Maryborough. Bus stops exist along Sutton Road (Pyrenees Highway to the North).</p>
<p>56.04-2 Lot area and building envelopes objective <i>To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.</i></p>	C8	<p>COMPLIES – All lots exceed 500m² and can accommodate a 10m by 15m envelope leaving 2m setbacks to either boundary in the northern and southern elevations. The setbacks will also aid solar access. The setbacks, particularly the front setback of 6m are further required for bushfire mitigation measures and the required BAL rating of 29 for each lot in accordance with CFA requirements.</p>
<p>56.04-3 Solar orientation of lots objective <i>To provide good solar orientation of lots and solar access for future dwellings</i></p>	C9	<p>COMPLIES – Maintaining the pattern of previous subdivisions will protect solar access on the proposed lots coupled with setbacks will aid solar access for north facing habitable windows in any new dwelling</p>
<p>56.04-4 Street orientation objective <i>To provide a lot layout that contributes to community social interaction, personal safety and property security.</i></p>	C10	<p>COMPLIES - All lots have street frontage, access from Margaret Avenue and lot 2 from McPherson Street. All lots will create appropriate siting to facilitate passive surveillance. The permit will require that any future dwelling constructed on lot 2 faces Margaret Avenue to ensure a consistent street orientation. Continuing the pattern of subdivision in the area can maintain a level of personal safety and visibility.</p>
<p>56.04-5 Common area objectives <i>To identify common areas and the purpose for which the area is commonly held.</i> <i>To ensure the provision of common area is appropriate and that necessary management arrangements</i></p>	C11	<p>N/A – No common property is proposed as each lot has its own street frontage and access.</p>

<i>are in place. To maintain direct public access throughout the neighbourhood street network.</i>		
56.05-1 Integrated urban landscape objectives <i>To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas. To incorporate natural and cultural features in the design of streets and public open space where appropriate. To protect and enhance native habitat and discourage the planting and spread of noxious weeds. To provide for integrated water management systems and contribute to drinking water conservation.</i>	C12	N/A – The subdivision does not create public open space or new streets. The subdivision accesses the existing street network.
56.06-2 Walking and cycling network objectives <i>To contribute to community health and well-being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors. To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists. To reduce car use, greenhouse gas emissions and air pollution.</i>	C15	COMPLIES – The proposed subdivision while not creating a walking and cycling network, will be connected to an existing network in an established residential area.
56.06-4 Neighbourhood street network objective <i>To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.</i>	C17	COMPLIES – The subdivision will connect to the existing street network and not create additional streets.
56.06-5 Walking and cycling network detail objectives <i>To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well-</i>	C18	COMPLIES – The subdivision will connect to the existing walking and cycling network and not create additional networks.

<i>constructed and accessible for people with disabilities. To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.</i>		COMPLIES – No new roads are proposed. The proposed subdivision connects to the existing network.
56.06-7 Neighbourhood street network detail objective <i>To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.</i>	C20	
56.06-8 Lot access objective To provide for safe vehicle access between roads and lots.	C21	COMPLIES – Lot access will be provided to each individual lot. Lot 1, 3, 4, and 5 will be accessed from Margaret Avenue and lot 2 from McPherson Street. Access requirements will be subject to conditions from the CGS Engineering department. The application has been referred to engineering for comment and conditions.
56.07-1 Drinking water supply objectives <i>To reduce the use of drinking water.</i> <i>To provide an adequate, cost-effective supply of drinking water.</i>	C22	COMPLIES – Reticulated water is available and will be connected to each individual lot in accordance with Central Highland Water (CHW) requirements for supply. The application has been referred to CHW for comments and conditions. CHW have consented to a permit being issued under s.56 of the Act.
56.07-2 Reused and recycled water objective <i>To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.</i>	C23	N/A – Recycled water is not proposed as part of this subdivision. There is no specific requirement to provide recycled water in this instance.
56.07-3 Waste water management objective <i>To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.</i>	C24	COMPLIES - Reticulated sewer is available and will be connected to each individual lot in accordance with CHW requirements for supply. The application has been referred to CHW for comments and conditions. CHW have consented to a permit being issued under s.56 of the Act.
56.07-4 Stormwater management objectives <i>To minimise damage to properties and inconvenience to residents from stormwater.</i> <i>To ensure that the street</i>	C25	COMPLIES – The application has been referred CGS Engineer. A design for stormwater runoff must be completed, approved and implemented prior to the issue of

<p><i>operates adequately during major storm events and provides for public safety. To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater. To encourage stormwater management that maximises the retention and reuse of stormwater. To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.</i></p>		<p>a statement of compliance. The design will be in accordance with the Infrastructure Design Manual (IDM).</p>
<p>56.08-1 Site management objectives <i>To protect drainage infrastructure and receiving waters from sedimentation and contamination. To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works. To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.</i></p>	<p>C26</p>	<p>COMPLIES – Standard conditions will be included on any permit that may e issued regarding management of the site. Engineering conditions will also address site management, sediment control and asset protection.</p>
<p>56.09-1 Shared trenching objectives <i>To maximise the opportunities for shared trenching. To minimise constraints on landscaping within street reserves.</i></p>	<p>C27</p>	<p>COMPLIES – Each individual lot will have its own connection to the available services. Shared trenching is not required within the subdivision.</p> <p>Undergrounding of services within the street reserve will be at the direction of supply authorities and relevant standards.</p>
<p>56.02-1 Electricity, telecommunications and gas objectives <i>To provide public utilities to each lot in a timely, efficient and cost effective manner. To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.</i></p>	<p>C28</p>	<p>COMPLIES – Electricity and telecommunications will be provided to each lot in accordance with the Victorian Service and Installation Rules 2014 (VSIR) and Telecommunication supply standards.</p> <p>Powercor as a referral authority have consented to a permit being issued and the applicant will enter into an agreement with the relevant telecommunications</p>

		<p>provider to provide connections to each lot. The requirement for an agreement will be a standard condition on any permit that may issue.</p> <p>Downer as a referral authority have consented to a permit being issued, however gas is not currently available to the site.</p>
56.09-3 Fire hydrants objective	C29	COMPLIES – A fire hydrant exists at the front of proposed lot 2 and is within 120m of the rear of all lots. The CFA have consented to the granting of a permit which further addresses hydrants, access, and water supply.
<p><i>To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.</i></p>		
56.09-4 Public lighting objective	C30	COMPLIES – Public lighting will be included in the proposal and implemented through engineering conditions that will be placed on any permit that may be issued. The application was referred to the engineering department and conditions for street lighting are included to design and construction standards approved by Powercor.
<p><i>To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.</i></p> <p><i>To provide pedestrians with a sense of personal safety at night.</i></p> <p><i>To contribute to reducing greenhouse gas emissions and to saving energy.</i></p>		

Planners comment: Overall the proposed subdivision is considered to comply with the standards and objections set out in clause 56.

General Provisions

65.02 Approval of an application to subdivide land

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots. The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities. The staging of the subdivision.

- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

Planners comment: The proposed application is considered to be consistent with the general provisions set out in Clause 65.02.

ASSESSMENT OF APPLICATION

Referrals

The following tables outline the referrals undertaken under both clause 55 and 52 of the Central Goldfields Planning scheme.

Department	Response
Country Fire Authority (S.55)	<p>1. Bushfire Management Plan</p> <p>The Bushfire Management Plan (dated October 2019) included the Bushfire Management Statement prepared by Central Highlands Environmental Consultancy must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.</p> <p>Further comments: Please ensure that the correct version of the Bushfire Management Plan is endorsed. The BMP shows a construction standard of BAL 29.</p>
Planners comments	The CFA requested a number of further information requests prior to an acceptable BMP being submitted.

Department	Response
Central Highlands Water (CHW) (S.55)	<p>We refer to your letter received 26th June 2019 and advise that in accordance with Section 56(1)(b) of the Planning and Environment Act, this Authority has no objection to the issue of a planning permit if the following conditions are included on any permit issued: Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.</p> <p>Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.</p>

	<p>A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.</p> <p>The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.</p> <p>If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.</p>
Planners comments	Nil

Department	Response
Department of Environment, Land, Water and Planning (S.55)	<p>Before the department can further consider the above application, the following additional information is required to support the application:</p> <ol style="list-style-type: none"> 1. Information about the native vegetation to be removed, including: <ul style="list-style-type: none"> • The assessment pathway and reason for the assessment pathway. This includes the location category of the native vegetation to be removed. • A description of the native vegetation to be removed that includes: <ul style="list-style-type: none"> ○ Whether it is a patch or a scattered tree (or both); ○ The extent (in hectares); ○ The number and circumference (in centimetres measured at 1.3 metres above ground level) of any large trees within a patch; ○ The number and circumference (in centimetres measured at 1.3 metres above ground level) of any scattered trees, and whether each tree is small or large - the strategic biodiversity value score - the condition score; ○ If it includes endangered Ecological Vegetation Classes - if it includes sensitive wetland or coastal areas. • Maps showing the native vegetation and property in context and containing: <ul style="list-style-type: none"> ○ Scale, north point and property boundaries; ○ Location of any patches of native vegetation and the number of large trees within the patch proposed to be removed; ○ Location of scattered trees proposed to be removed, including their size

- The offset requirement, determined in accordance with section 5 of the Guidelines, that will apply if the native vegetation is approved to be removed.

Note:

A report from DELWP systems and tools contains information required to address this application requirement.

2. Topographic and land information relating to the native vegetation to be removed, showing ridges, crests and hilltops, wetlands and waterways, slopes of more than 20 percent, drainage lines, low lying areas, saline discharge areas, and areas of existing erosion, as appropriate. This may be represented in a map or plan.
3. Recent, dated photographs of the native vegetation to be removed.
4. Details of any other native vegetation approved to be removed, or that was removed without the required approvals, on the same property or on contiguous land in the same ownership as the applicant, in the five year period before the application for a permit is lodged.
5. An avoid and minimise statement. The statement describes any efforts to avoid the removal of, and minimise the impacts on the biodiversity and other values of native vegetation, and how these efforts focussed on areas of native vegetation that have the most value. The statement should include a description of the following:
 - Strategic level planning:
 - Any regional or landscape scale strategic planning process that the site has been subject to that avoided and minimised impacts on native vegetation across a region or landscape
 - Site level planning – how the proposed use or development has been sited or designed to avoid and minimise impacts on native vegetation.
 - That no feasible opportunities exist to further avoid and minimise impacts on native vegetation without undermining the key objectives of the proposal.
6. A copy of any Property Vegetation Plan contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987 that applies to the native vegetation to be removed.
7. Where the removal of native vegetation is to create defensible space, a written statement explaining why the removal of native vegetation is necessary. This statement must have regard to other available bushfire risk mitigation measures. This statement is not required when the creation of defensible space is in conjunction with an application under the Bushfire Management Overlay.

	<p>8. If the application is under Clause 52.16, a statement that explains how the proposal responds to the Native Vegetation Precinct Plan considerations at decision guideline 8.</p> <p>9. An offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines. A suitable statement includes evidence that the required offset:</p> <ul style="list-style-type: none"> • Is available to purchase from a third party, or • Will be established as a new offset and has the agreement of the proposed offset provider, or • Can be met by a first party offset. <p>10. A site assessment report of the native vegetation to be removed, including:</p> <ul style="list-style-type: none"> • A habitat hectare assessment of any patches of native vegetation, including the condition, extent (in hectares), Ecological Vegetation Class and bioregional conservation status. • The location, number, circumference (in centimetres measured at 1.3 metres above ground level) and species of any large trees within patches. The location, number, circumference (in centimetres measured at 1.3 metres above ground level) and species of any scattered trees, and whether each tree is small or large. <p>11. Information about impacts on rare or threatened species habitat, including:</p> <ul style="list-style-type: none"> • The relevant section of the Habitat importance map for each rare or threatened species requiring a species offset. • For each rare or threatened species that the native vegetation to be removed is habitat for, according to the Habitat importance maps: <ul style="list-style-type: none"> ○ The species' conservation status - the proportional impact of the removal of native vegetation on the total habitat for that species; ○ Whether their habitats are highly localised habitats, dispersed habitats, or important areas of habitat within a dispersed species habitat. <p>Note: A report from DELWP systems and tools contains information required to address this application requirement.</p>
<p>Planners comment</p>	<p>The application material originally provided to the planning department determined that the application was a Detailed Assessment Pathway, which required section 55 referral to DELWP under clause 66.02-2.</p> <p>On recent review of the material submitted it came to the planner's attention that the report provided included a number of incorrect pieces of information. As a result, the proposed removal was classified within a higher than necessary assessment pathway.</p> <p>The applicant was advised to review and resubmit the native vegetation assessment. Once completed it was found that the proposed removal</p>

	<p>should be assessed under the Intermediate Assessment Pathway; which does not require referral to DELWP under the scheme.</p> <p>This issue was discussed with DELWP and the referral was withdrawn.</p>
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Department	Response
AusNet Gas Services (Downer Utilities) (s.55)	No objection and no conditions
Planners comment	Downer utilities does note that gas is not currently available to the site.

Department	Response
Goulburn Murray Water (S.55)	<p>Based on the information provided and in accordance with Section 56 (b) of the Planning and Environment Act 1987, Goulburn-Murray Water has no objection to this planning permit being granted subject to the following conditions:</p> <ol style="list-style-type: none"> 1. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991). 2. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority. 3. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.
Planners comments	Nil

Department	Response
Powercor	<p>Subject to the following conditions, Powercor Australia Ltd (the Distributor) does not object to the issue of a planning permit for the abovementioned application:</p> <ol style="list-style-type: none"> 1. This letter shall be supplied to the applicant in its entirety. 2. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act. 3. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant. 4. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

5. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. Notes: Areas set aside for substations will be formalised to the Distributor’s requirements under one of the following arrangements:

- RESERVES established by the applicant in favour of the Distributor.
- SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.

6. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements. Notes:

- Existing easements may need to be amended to meet the Distributor’s requirements.
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Planners comments	Nil
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Department	Response
Engineering Department (S.52)	<p>Prior to the issue of a Statement of Compliance (or as otherwise stated) the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority (alternative requirements may be approved, in writing, by Council’s Manager Infrastructure):</p> <p>Roads</p> <ol style="list-style-type: none"> 1. The subdivision and development allowed by this permit must not be commenced until three copies of a subdivision road layout and road reserve plan drawn to scale and with dimensions is submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. Such plan must show: 2. Extension of Margaret Avenue to provide access to Lot 1. 3. Margaret Avenue road formation as a 7.9 m wide roadway with 6 m wide seal, inclusive of a 20 m diameter vehicle turn around area (court bowl) at the north end of the road (which will require part of the road reserve to be widened to at least 30 m to accommodate the court bowl).

4. Margaret Avenue road is to be designed and constructed in accordance with Council's Road Management Plan 'Road Hierarchy' design service level standards to Urban Access 1 road standard, (kerb and channel on subject land side of road) pavement depth 300mm depth minimum, pavement design to be verified via subgrade and pavement materials testing (CBR) with kerb & channel both sides, to the satisfaction of the Responsible Authority.
5. Margaret Avenue shall be designed to accommodate and contain road surface stormwater drainage; Margaret Avenue road surfacing shall be sealed surface, to the satisfaction of the Responsible Authority.

Access

6. Vehicular access to Lots 1, 3, 4 and 5 to be provided from the road frontage to Margaret Avenue. Access to Lot 2 to be provided from either McPherson Avenue or Margaret Avenue.
7. Vehicular crossovers must be constructed between each of the lots and the Margaret Avenue (or for Lot 2 to McPherson Avenue). Such crossovers/driveways must be of concrete construction and be from kerb to property boundary, (Refer Infrastructure Design Manual Standard Drawing 240) to the satisfaction of the Responsible Authority.
8. Once constructed the crossover(s) must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.
9. Alternatively, a Section 173 agreement between Council and the permit holder be entered into for each lot created in the subdivision to guarantee the future owner of each lot to provide a crossover to the satisfaction of the Responsible Authority. The Section 173 agreement shall be prepared at the cost of the permit holder and be to the satisfaction of the Responsible Authority.
10. Any works to crossovers/driveways in Margaret Avenue will require the owner/applicant to apply and have approved driveway crossing and/or consent for works permit/s for crossover/driveway/access works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
11. Once constructed the crossovers crossovers/driveways/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Street Lighting

12. Street lighting must be provided on street light pole, adequately located and at the court bowl to the satisfaction of the Responsible Authority.
13. Prior to installation the exact location, type and design of such street light(s) must be approved, in writing, by the Responsible

Authority. The design must be one of a standard approved by Powercor.

Drainage

- 14. The owner/applicant must design and construct a drainage system to drain the development to the legal point of discharge.
- 15. Subdivision drainage plans must be provided to the satisfaction and approval of the Responsible Authority.
- 16. The drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff – Flood Analysis and Design for a 10-year annual recurrence interval.
- 17. The Major flow drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff – Flood Analysis and Design for a 100-year annual recurrence interval.
- 18. All stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.
- 19. Stormwater and surface water drainage from lots, driveways and roadways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.
- 20. A legal point of stormwater discharge shall be provided for each lot, with the legal point of stormwater discharge from the subdivision to be designed and constructed to the satisfaction of the Responsible Authority.
- 21. A Stormwater Management Strategy detailing all proposed stormwater quality works (including operation and maintenance schedules) within the subdivision must be submitted to the Responsible Authority for approval. All stormwater must be accommodated and treated within the subject land.
- 22. Provision must be made within the subject land, or other land downstream of the to accommodate the necessary stormwater drainage and treatment system, including, but not limited to, bio retention and treatment basins, wet lands, open water zones, landscaped areas, pits and underground pipes. Such storm water retention system must be used to limit flow down stream from the site to pre-development levels.

Landscaping

- 23. Upon completion of all works all nature strips must be levelled, topsoiled and seeded. Alternate landscaping methods may be undertaken, but must be approved, in writing, by the Responsible Authority prior to any works being undertaken;

Defects Liability

- 24. A defects liability period of 12 months will apply to all civil construction works undertaken.

25. Handover of nature strips, road related assets and storm water drainage and treatment system assets will occur at the end of the defects liability period, where the condition and operation/function of each asset is to be to the satisfaction of the Responsible Authority.
26. The operation, function, maintenance, or repairs of nature strips, road related assets, landscaped areas and stormwater drainage and treatment system assets will be undertaken by the permit holder up to handover, where the operation/function of each asset is to be to the satisfaction of the Responsible Authority.

Prior to the Certification of the plan of subdivision

27. Prior to Certification of the Plan of Subdivision the applicant/owner must submit digital format (*.dwg) and 3 hard copy format site plans drawn to scale with dimensions and inclusive of a proposed timeline of works to the Responsible Authority. When approved, the plan(s) will be endorsed and will then form part of this permit. Such plan must be generally in accordance with the plan submitted but modified to show:

- Detailed civil drawings of all proposed roads, including the ability to accommodate a garbage truck and vehicle turn around facilities;
- Construction access routes (subdivision & dwellings);
- Vehicular crossovers;
- Traffic control facilities;
- Drainage (including computations and Water Sensitive Urban Design treatment measures) and legal point of stormwater discharge for each lot (house drains);
- Stormwater retention and treatment basins, lagoons and or wetlands;
- Street lights and signage; and
- Landscaping.

Prior to the commencement of any works the applicant/owner must:

28. Ensure all civil drawings are approved and to the satisfaction of the Responsible.
29. The Responsible Authority is to be paid a fee of 0.75% of the total construction costs for these road works for the approval of the said plans plus 2.5% for supervision of construction.
30. Make application for and have approved driveway crossing permits (vehicular crossover) and road occupation permit(s) (road intersection and landscaping). All works constructed or carried out must be in accordance with the approved plans/permit(s).
31. The permit holder must provide temporary garbage collection points for developed properties during staged subdivision construction to the satisfaction of the responsible authority.

General Requirements

	<p>32. All works constructed or carried out must be in accordance with the approved plans and specifications.</p> <p>33. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).</p> <p>34. Only the approved subdivision construction access points shall be utilised, or developed, unless with the prior consent of the Responsible Authority.</p> <p>35. At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by subdivision works or the construction of subsequent stages of the subdivision. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority</p>
Planners comment	Nil

CONSULTATION/COMMUNICATION

The application was advertised to adjoining land owners and has received one objection. The issues raised in the objection are as follows:

- Dust issues created by current unsealed form of Margaret Avenue.
- Safety concerns with the additional traffic usage along Margaret Avenue and vehicles accessing Sutton Road (VicRoads Road) due to lack of traction on 'dirt road'.
- Vehicles speeding along Sutton Road adding to safety concerns.
- Issues with extending sewerage to the lots.
- Increase in existing odour issue caused by sewerage as a result of the motel land use to the north of the subject site.

It is considered that the objectors concerns will be managed with via the implementation of the proposed planning permit conditions (included within this report) which will require various works and appropriate service connections to be undertaken prior to the subdivision being finalised.

If a permit was to be issued, the permit holder would be required to upgrade Margaret Avenue in accordance with the conditions required by Council's Engineering Department. These works include sealing the road to a 6 metre width and creating a 7.9 metre road formation. This is considered to adequately alleviate issues of dust, safety concerns of vehicles entering Sutton Road and safety concerns regarding the amount of traffic Margaret Avenue is capable of catering for.

Prior to the certification of the plan, the applicant will be required to submit a plan of required works to Central Highland Water to determine the sewer connection. The most appropriate way to achieve this connection is to be determined between Central Highlands Water and the applicant during this stage of the application process.

The planning application cannot consider the issue of vehicle speed along Sutton Road or the claimed existing odour issue.

The objector has been sent an invite for participation in a hearing meeting. No response has been received from the objector.

ASSESSMENT OF THE APPLICATION

The planning application is proposing a 5 lot subdivision and the removal, lopping or destruction of native vegetation within the General Residential Zone and the Bushfire Management Overlay.

The proposal is considered to be consistent with the intent and purpose of the General Residential Zone and the Bushfire Management Overlay.

The proposal is consistent with clause 56 of the planning scheme and is able to be connected to the appropriate services.

The loss of the native vegetation on the site has been considered as the proposed lots will be less than 0.4 ha, and as such will be able to be removed without a planning permit being required under Clause 52.17.

The application material includes an offset quote which demonstrates that third party offsets can be appropriately secured should a permit issue.

FINANCIAL & RESOURCE IMPLICATIONS

The assessment of planning permit applications is within the normal operational budget of Council.

Should any party appeal any decision that Council makes there would be a VCAT hearing. Additional costs will be incurred if a VCAT hearing occurs.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices and Legislative compliance - Failure to manage our compliance with relevant legislative requirements.

The risk management issues in relation to this planning permit application have been discussed in the Report and Assessment of Application sections above.

The risk to Council of not making a decision on the application is a 'failure to determine' appeal at VCAT.

Should the proposal be approved by Council and VCAT (upon appeal) there is a risk of non-compliance with the permit conditions. Council has a planning compliance function to mitigate this risk.

CONCLUSION

The proposed planning application seeks approval for a five lot subdivision and the removal, lopping or destruction of native vegetation at 25 Margaret Avenue, Maryborough.

The application has been assessed against the Central Goldfields Planning Scheme and is considered to be appropriate.

Council are asked to determine a position on the application for a planning permit and take one of the following options:

- I. Issue a Refusal to Grant a Planning Permit for the proposal, or;
- II. Approve a planning permit, and issue a Notice of Decision to approve a five lot subdivision, and the removal of native vegetation at 25 Margaret Avenue, Maryborough.

ATTACHMENTS

1. Proposed plan of subdivision
2. Existing condition plan

RECOMMENDATION

That Council or a delegate of council, having caused notice of Planning Application No. 017/19 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a notice of decision to issue planning permit 017/19; subject to the following conditions:

Prior to Certification

1. Before the plan of subdivision is certified under the Subdivision Act 1988, an amended plan of subdivision must be submitted to the responsible authority. The plans must be generally in accordance with the plans submitted (Version 1) with the application/other specified plans but modified to show:
 - a) The street name on the plan of subdivision corrected to 'Margaret Avenue' rather than Margaret Street.
2. Prior to Certification of the Plan of Subdivision the applicant/owner must submit digital format (*.dwg) site plan(s) drawn to scale with dimensions and inclusive of a proposed timeline of works to the Responsible Authority. When approved, the plan(s) will be endorsed and will then form part of this permit. Such plan must be generally in accordance with the plan submitted but modified to show:
 - Detailed civil drawings of all proposed roads, including the ability to accommodate a garbage truck and vehicle turn around facilities;
 - Construction access routes (subdivision & dwellings);
 - Vehicular crossovers;
 - Traffic control facilities;
 - Drainage (including computations and Water Sensitive Urban Design treatment measures) and legal point of stormwater discharge for each lot (house drains);
 - Stormwater retention and treatment basins, lagoons and or wetlands;
 - Street lights and signage; and
 - Landscaping.

Prior to Statement of Compliance

3. Prior to statement of compliance being issued the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:
 - (a) any future dwelling constructed on lot 2 is orientated to Margaret Avenue
Before statement of compliance being issued, application must be made to the Registrar of Titles to register the section 173 agreement on the title to the land

under section 181 of the Act. The owner/operator under this permit must pay the reasonable costs of the preparation, (and) execution and registration of the section 173 agreement.

No Alteration Layout

4. The development and/or use(s) permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.

Mandatory Conditions

5. The owner of the land must enter into an agreement with:
 - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and;
 - b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
6. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Construction Phase

7. All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality.

Engineering

8. Prior to the issue of a Statement of Compliance (or as otherwise stated) the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority (alternative requirements may be approved, in writing, by Council's Manager Infrastructure):

Roads

9. The subdivision and development allowed by this permit must not be commenced until three copies of a subdivision road layout and road reserve plan drawn to scale

and with dimensions is submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. Such plan must show:

- Extension of Margaret Avenue to provide access to Lot 1.
- Margaret Avenue road formation as a 7.9 m wide roadway with 6 m wide seal, inclusive of a 20 m diameter vehicle turn around area (court bowl) at the north end of the road (which will require part of the road reserve to be widened to at least 30 m to accommodate the court bowl).

10. Margaret Avenue road is to be designed and constructed in accordance with Council's Road Management Plan 'Road Hierarchy' design service level standards to Urban Access 1 road standard, (kerb and channel on subject land side of road) pavement depth 300mm depth minimum, pavement design to be verified via subgrade and pavement materials testing (CBR) with kerb & channel both sides, to the satisfaction of the Responsible Authority.
11. Margaret Avenue shall be designed to accommodate and contain road surface stormwater drainage; Margaret Avenue road surfacing shall be sealed surface, to the satisfaction of the Responsible Authority.

Access

12. Vehicular access to Lots 1, 3, 4 and 5 to be provided from the road frontage to Margaret Avenue. Access to Lot 2 to be provided from either McPherson Avenue or Margaret Avenue.
13. Vehicular crossovers must be constructed between each of the lots and the Margaret Avenue (or for Lot 2 to McPherson Avenue). Such crossovers/driveways must be of concrete construction and be from kerb to property boundary, (Refer Infrastructure Design Manual Standard Drawing 240) to the satisfaction of the Responsible Authority.
14. Once constructed the crossover(s) must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Alternatively, a Section 173 agreement between Council and the permit holder be entered into for each lot created in the subdivision to guarantee the future owner of each lot to provide a crossover to the satisfaction of the Responsible Authority. The Section 173 agreement shall be prepared at the cost of the permit holder and be to the satisfaction of the Responsible Authority.

15. Any works to crossovers/driveways in Margaret Avenue will require the owner/applicant to apply and have approved driveway crossing and/or consent for works permit/s for crossover/driveway/access works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
16. Once constructed the crossovers crossovers/driveways/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

Street Lighting

17. Street lighting must be provided on street light pole, adequately located and at the court bowl to the satisfaction of the Responsible Authority.
18. Prior to installation the exact location, type and design of such street light(s) must be approved, in writing, by the Responsible Authority. The design must be one of a standard approved by Powercor.

Drainage

19. The owner/applicant must design and construct a drainage system to drain the development to the legal point of discharge.
20. Subdivision drainage plans must be provided to the satisfaction and approval of the Responsible Authority.
21. The drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff – Flood Analysis and Design for a 10-year annual recurrence interval.
22. The Major flow drainage system must be designed and constructed in accordance with the current Australian Rainfall and Runoff – Flood Analysis and Design for a 100-year annual recurrence interval.
23. All stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.
24. Stormwater and surface water drainage from lots, driveways and roadways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.
25. A legal point of stormwater discharge shall be provided for each lot, with the legal point of stormwater discharge from the subdivision to be designed and constructed to the satisfaction of the Responsible Authority.
26. A Stormwater Management Strategy detailing all proposed stormwater quality works (including operation and maintenance schedules) within the subdivision must be submitted to the Responsible Authority for approval. All stormwater must be accommodated and treated within the subject land.
27. Provision must be made within the subject land, or other land downstream of the to accommodate the necessary stormwater drainage and treatment system, including, but not limited to, bio retention and treatment basins, wet lands, open water zones, landscaped areas, pits and underground pipes. Such storm water retention system must be used to limit flow downstream from the site to pre-development levels.
28. Upon completion of all works all nature strips must be levelled, topsoiled and seeded. Alternate landscaping methods may be undertaken, but must be approved, in writing, by the Responsible Authority prior to any works being undertaken;

Defects Liability

29. A defects liability period of 12 months will apply to all civil construction works undertaken.
30. Handover of nature strips, road related assets and storm water drainage and treatment system assets will occur at the end of the defects liability period, where the condition and operation/function of each asset is to be to the satisfaction of the Responsible Authority.
31. The operation/function/maintenance/repairs of nature strips, road related assets, landscaped areas and stormwater drainage and treatment system assets will be undertaken by the permit holder up to handover, where the operation/function of each asset is to be to the satisfaction of the Responsible Authority.

Prior to the commencement of any works the applicant/owner must:

32. Ensure all civil drawings are approved and to the satisfaction of the Responsible.
33. The Responsible Authority is to be paid a fee of 0.75% of the total construction costs for these road works for the approval of the said plans plus 2.5% for supervision of construction.
34. Make application for and have approved driveway crossing permits (vehicular crossover) and road occupation permit(s) (road intersection and landscaping). All works constructed or carried out must be in accordance with the approved plans/permit(s).
35. The permit holder must provide temporary garbage collection points for developed properties during staged subdivision construction to the satisfaction of the responsible authority.

General Requirements

36. All works constructed or carried out must be in accordance with the approved plans and specifications.
37. The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).
38. Only the approved subdivision construction access points shall be utilised, or developed, unless with the prior consent of the Responsible Authority.
39. At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by subdivision works or the construction of subsequent stages of the subdivision. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority

Native Vegetation Offsets

40. Before works start, the permit holder must advise all persons undertaking the vegetation removal or works on site of all relevant permit conditions and associated statutory requirements or approvals.

Offset Requirements

41. To offset the removal of 0.187 hectares of native vegetation the permit holder must secure a native vegetation offset, in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP 2017) as specified below:

General offset A general offset of 0.033 general habitat units:

- Located within the North Central Catchment Management Authority boundary or the Central Goldfield municipal district with a minimum strategic biodiversity score of at least 0.152
- The offset(s) secured must provide protection of at least 1 large tree(s).

Goulburn Murray Water

42. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).
43. Each lot must be provided with connection to the reticulated sewerage system in accordance with the requirements of the relevant urban water authority.
44. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.

Central Highlands Water

45. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.
46. Reticulated sewerage facilities must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
47. A reticulated water supply must be provided to each lot by the owner of the land (or applicant, in anticipation of becoming the owner) to the satisfaction of the Central Highlands Region Water Corporation. This will include the construction of works and the payment of major works contributions by the applicant.
48. The owner will provide easements to the satisfaction of the Central Highlands Region Water Corporation, which will include easements for pipelines or ancillary purposes in favour of the Central Highlands Region Water Corporation, over all existing and proposed sewerage facilities within the proposal.
If the land is developed in stages, the above conditions will apply to any subsequent stage of the subdivision.

Country Fire Authority

49. The Bushfire Management Plan (dated October 2019) included the Bushfire Management Statement prepared by Central Highlands Environmental Consultancy must be endorsed to form part of the permit and must not be altered unless otherwise agreed in writing by the CFA and the Responsible Authority.
50. Prior to the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:
- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the Central Goldfields Planning Scheme.
 - Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.
 - State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.

Powercor

51. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
52. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
53. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR). Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.
54. The applicant shall, when required by the Distributor, set aside areas with the subdivision for the purposes of establishing a substation or substations. Notes: Areas set aside for substations will be formalised to the Distributor's requirements under one of the following arrangements:
- RESERVES established by the applicant in favour of the Distributor.
 - SUBSTATION LEASE at nominal rental for a period of 30 years with rights to extend the lease for a further 30 years. The Distributor will register such leases on title by way of a caveat prior to the registration of the plan of subdivision.
55. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements. Notes:

- Existing easements may need to be amended to meet the Distributor’s requirements.
- Easements required by the Distributor shall be specified on the subdivision and show the Purpose, Origin and the In Favour of party as follows:

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited / In Favour Of
	Power Line		Section 88 - Electricity Industry Act 2000	Powercor Australia Ltd

Expiry

56. This permit will expire if:
- a) The plan of subdivision is not certified within two years of the date of this permit or;
 - b) The subdivision is not finalised within 5 years of the date of this permit.

PLAN OF SUBDIVISION	EDITION 1	PS825214F
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<p>LOCATION OF LAND</p> <p>PARISH: MARYBOROUGH</p> <p>TOWNSHIP:</p> <p>SECTION: 3</p> <p>CROWN ALLOTMENT: 10 (PART)</p> <p>CROWN PORTION: -</p> <p>TITLE REFERENCE: Vol.9211 Fol.737</p> <p>LAST PLAN REFERENCE: LOT 2 ON LP120747</p> <p>POSTAL ADDRESS: 17-23 MARGARET AVENUE (at time of subdivision) MARYBOROUGH VIC 3465</p> <p>MGA CO-ORDINATES: E: 744 882 ZONE: 54 (of approx centre of land N: 5 896 017 GDA 2020 in plan)</p>	<p>Council Name: Central Goldfields Shire Council</p> <p>SPEAR Reference Number: S137588B</p>
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VESTING OF ROADS AND/OR RESERVES	NOTATIONS
---	------------------

IDENTIFIER	COUNCIL/BODY/PERSON	
NIL	NIL	<p><u>CREATION OF A RESTRICTION</u></p> <p>UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS TO BE CREATED:</p> <p>LAND TO BENEFIT: LOT 1 ON THIS PLAN</p> <p>LAND TO BURDEN: LOT 1 ON THIS PLAN</p> <p>DESCRIPTION OF RESTRICTION: A DWELLING MUST NOT BE CONSTRUCTED WITHIN THE HATCHED AREA</p>

NOTATIONS	
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DEPTH LIMITATION: 15.24m

SURVEY:
This plan is based on survey.

STAGING:
This is not a staged subdivision.

Planning Permit No. : -

This survey has been connected to permanent marks No(s). Maryborough PM's 154 & 404
In Proclaimed Survey Area No. N/A

EASEMENT INFORMATION

LEGEND: A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)

Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of

MGA 2020 ZONE 54

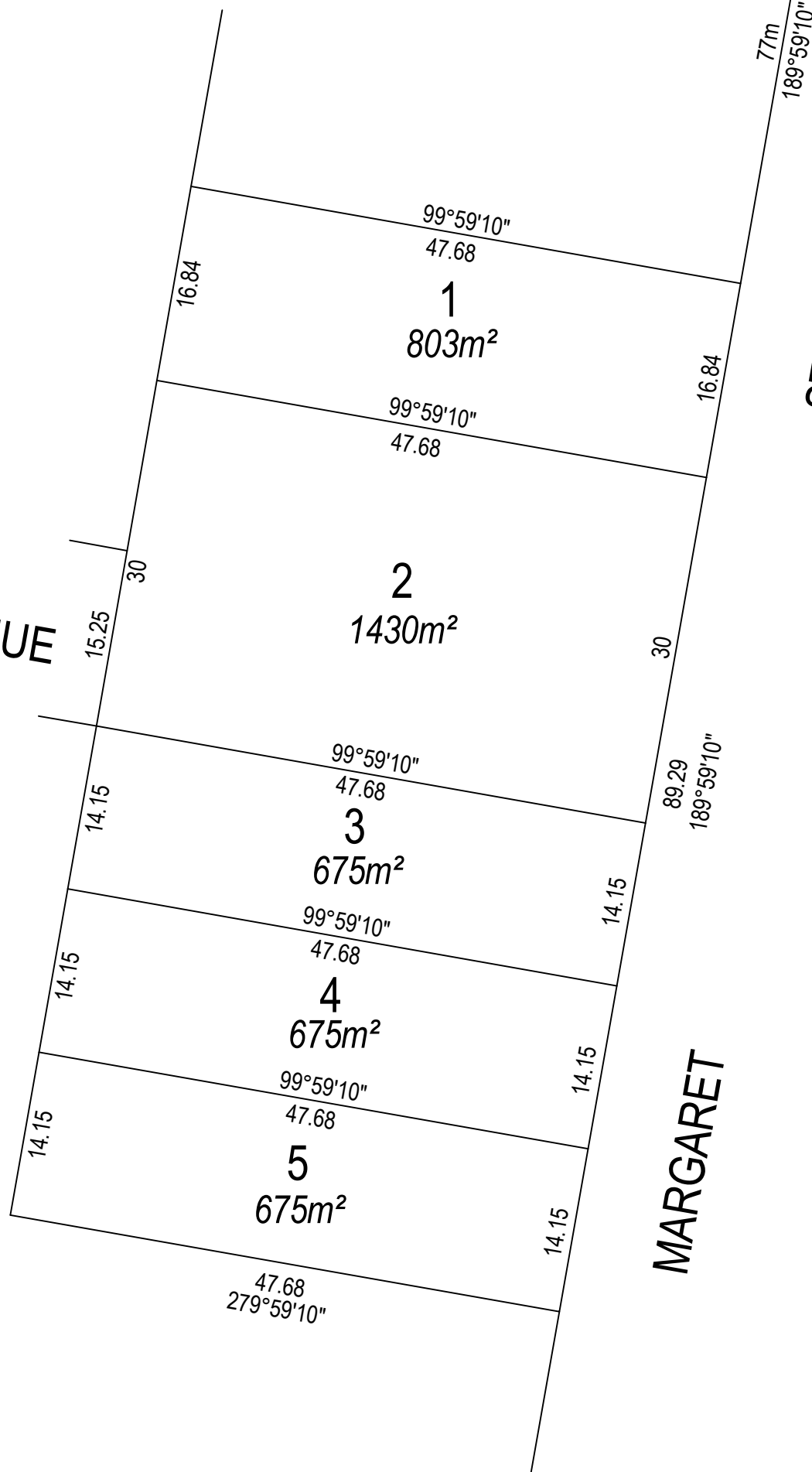
PYRENEES HIGHWAY

STREET

MARGARET

McPHERSON AVENUE

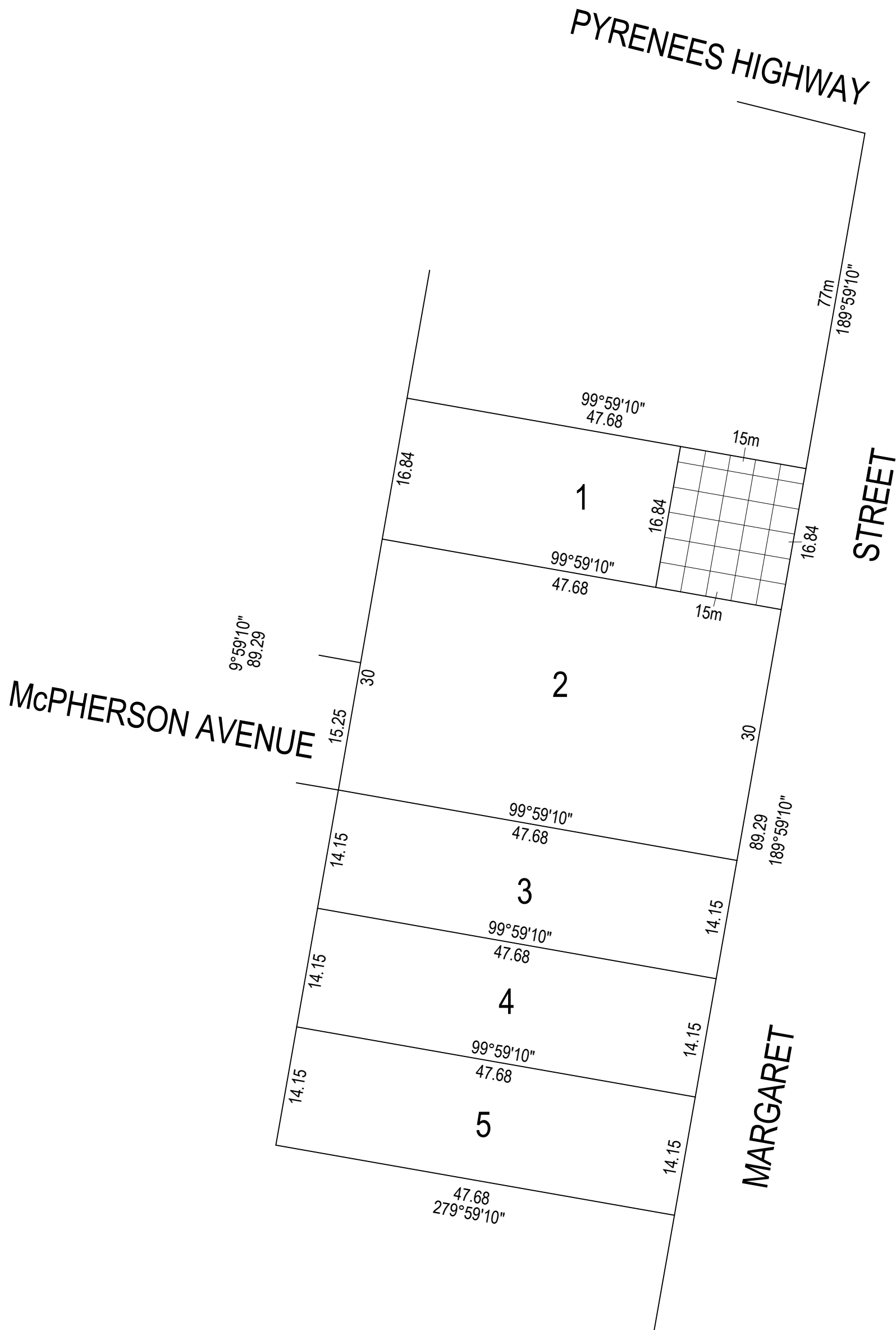
9°59'10"
89.29

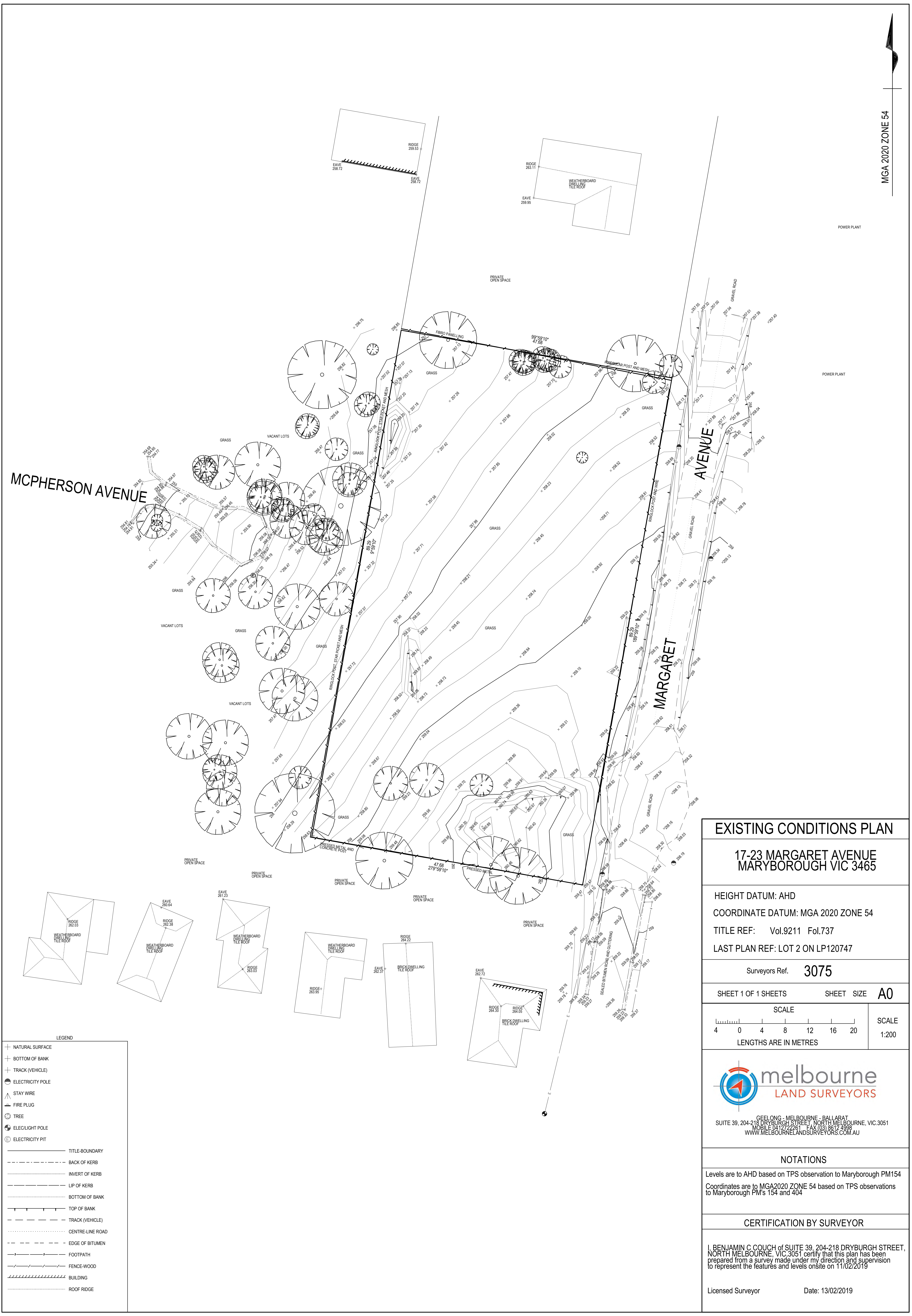



CREATION OF A RESTRICTION

SEE NOTATIONS ON FACE SHEET FOR DETAILS

MGA 2020 ZONE 54





EXISTING CONDITIONS PLAN	
17-23 MARGARET AVENUE MARYBOROUGH VIC 3465	
HEIGHT DATUM: AHD	
COORDINATE DATUM: MGA 2020 ZONE 54	
TITLE REF: Vol.9211 Fol.737	
LAST PLAN REF: LOT 2 ON LP120747	
Surveyors Ref.	3075
SHEET 1 OF 1 SHEETS	SHEET SIZE A0
SCALE	
4 0 4 8 12 16 20	
LENGTHS ARE IN METRES	
SCALE 1:200	
 GEE LONG - MELBOURNE - BALLARAT SUITE 39, 204-218 DRYBURGH STREET, NORTH MELBOURNE, VIC.3051 MOBILE 0412722281 FAX (03) 8612 4988 WWW.MELBOURNELANDSURVEYORS.COM.AU	
NOTATIONS	
Levels are to AHD based on TPS observation to Maryborough PM154	
Coordinates are to MGA2020 ZONE 54 based on TPS observations to Maryborough PM's 154 and 404	
CERTIFICATION BY SURVEYOR	
I, BENJAMIN C COUCH of SUITE 39, 204-218 DRYBURGH STREET, NORTH MELBOURNE, VIC.3051 certify that this plan has been prepared from a survey made under my direction and supervision to represent the features and levels onsite on 11/02/2019	
Licensed Surveyor	Date: 13/02/2019

8.4 ADOPTION OF DRAFT TREE MANAGEMENT PLAN

Author: Manager Operations

Responsible Officer: General Manager Infrastructure Assets and Planning

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to present the draft Tree Management Plan to Council for adoption.

A tree management plan is needed to ensure that council appropriately manages the risks associated with trees on our townships, both street trees, trees in parks and gardens and caravan parks.

A tree management plan enables council staff to develop an inspection regime appropriate to the level of risk of the tree and in its location, and then to undertake any pruning and so forth to the tree.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Built and Natural Environment

Outcome: Our Shire celebrates the rich built and natural heritage and a sustainable environment.

Objective 3.2: Improve the appearance of township entrances and streetscapes

Initiative: Collaborate with township tree committees on tree plantings and maintenance

Participate in regional environmental projects through the Central Victorian Greenhouse Alliance

BACKGROUND INFORMATION

Council has collected tree data and currently manages township trees without a formal tree management plan.

Tree management has become an issue for a number of Victorian Councils following tragedies involving tree failures that have resulted in deaths.

Investigations into such tragedies have highlighted the need for robust tree management plans that would best mitigate against tree failures

REPORT

The lack of formalised processes for managing township trees exposes members of the Community to the risk of injury or death. Without a formal management plan Council has a heightened exposure to reputational and financial risk in the event of such an occurrence.

Currently Council Operations conduct tree assessments largely on a reactive basis. Council has previously been proactive in the collection of tree data. With a known inventory of street and parkland trees within the townships. It is crucial to upkeep the currency of this information, this is the primary purpose of the Tree Management Plan.

CONSULTATION/COMMUNICATION

The Audit and Risk Committee have reviewed the Tree Management Plan and have made changes to the plan.

The collection of data and the management of township trees will have minimal impact on the community, therefore community consultation is not considered necessary.

FINANCIAL & RESOURCE IMPLICATIONS

Council currently has budget for managing street trees, which includes Electrical Line Clearance auditing, and proportioned budget from general street tree operating costs.

With a shift in efficiency of proactive programmed works, against reactive works. This will free up a greater proportion of the operational budget for inspections and reporting.

Considering existing budgets and efficiencies created, it is expected that there will be no resource implications.

RISK MANAGEMENT

This report addresses Council's strategic risk. Property and Assets - Failure to maintain, renew and expand our assets in a timely and robust way, that considers service and delivery needs

The benefits to the community include better maintained and managed trees throughout all townships including urban cooling benefits. The tree management plan will also reduce the risk to the community of catastrophic failure in the event of undetected defects in public trees.

The reduction in the likelihood of reputational risk to Council, with a robust and implement plan in place will reduce Councils exposure.

CONCLUSION

The tree management plan will allow Council to appropriately manage the risks associated with trees in our townships.

A tree management plan enables council staff to develop an inspection regime appropriate to the level of risk of the tree and in its location, and then to undertake any pruning and so forth to the tree.

ATTACHMENTS

1. Draft Tree Management Plan

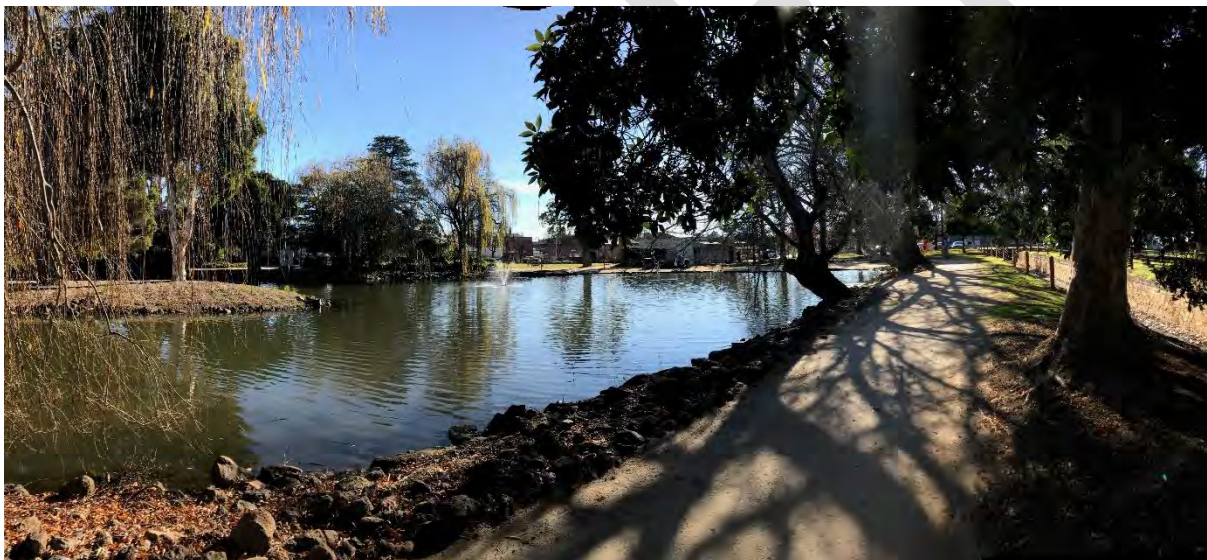
RECOMMENDATION

That Council adopt the Tree Management Plan.



Tree Management Plan

2020-2024



DOCUMENT ID: 315788
 ISSUE: Version 1.0.9 ISSUE DATE: 31st July 2020
 CONTROL STATUS: Unapproved

APPROVAL

FUNCTION	POSITION	NAME	SIGNATURE
Prepared by	Manager Operations	Glenn Deaker	
Reviewed by	General Manager Infrastructure Assets and Planning	Rebecca Stockfeld	
Approved by			

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1. Executive Summary

This Tree Management Plan has been developed in order to:

- Provide a clearly defined and consistent approach to the way Central Goldfields Shire Council manages tree assets and issues from an operational perspective; and
- Assist Central Goldfields Shire Council staff in determining priorities for tree programs and works.
- Support and complement Council's focus on a greening approach and achieving urban cooling.

The Tree Management Plan will provide principles and reference policies for how Central Goldfields Shire Council addresses:

- Tree management;
- Risk identification and mitigation;
- Tree inspections and assessments;
- Tree selection and planting;
- Tree removal;
- Tree protection;
- Infrastructure protection;
- Electric line clearance;
- Tree maintenance.

2. Background

Central Goldfields Shire Council has a very wide diversity of trees in terms of species, age, size and density.

In mid-2016 an alliance was formed between the municipalities of Buloke, Gannawarra, Loddon, Central Goldfields, Mt Alexander and Macedon Ranges. A Victorian state government grant to conduct a street tree inventory within these municipalities was approved. The preliminary trial data capture and upload to council systems was conducted in late 2016.

From January to March 2017, 31,852 assets were recorded across the 6 local government areas. Information was collected by a 6 person team of qualified arborists from Homewood Consulting recording information relating to tree species, dimensions, condition, recommended works and risk.

Within Central Goldfields there were a total of 6,088 trees assessed and recorded. Data collected included tree species, life expectancy, trees dead or in poor health, trees that have been worked on, trees that have not been worked on, tree removals, high moderate and low risk trees.

Through this process a significant amount of data on Council's trees has been collected and recorded. Maintaining records requires significant resources in order to protect and enhance the overall treescape within the shire.

Trees are an essential part of the urban and rural fabric, providing economic, social and ecological benefits. They are highly important and should be managed similarly to other Council assets including the drainage network, roads and footpaths. Trees are however living assets and need to be managed as such.

3. Tree Management Issues

Trees, like any other asset, need to be managed to maximise their benefits and minimise adverse effects. As biological assets, trees do not behave evenly over their life and are prone to many factors outside the control of the tree owner e.g. drought, weather, site conditions and disease. Their life cycle can vary enormously, is not easy to predict and requires ongoing assessment.

Trees take many years to develop to maturity and provide maximum benefits to the community and the local ecology. They cannot be quickly replaced. The retention and protection of larger trees in particular is important, especially in an expanding and ever changing urban environment as they provide the maximum community benefit. The Central Goldfields Shire Council is committed to the efficient and effective management of trees within the municipality, however given the number of trees, it is not possible to completely address all risks associated with trees at any one time. As such, the inspection and maintenance of the tree network is conducted on a risk basis. Trees are assessed based on their location, any identifiable defects, and the probability of the defects resulting in limb or trunk failure and the likely consequences if failure occurs. Proactive and reactive works will always need to be managed carefully when the level of resources is limited.

An inventory of trees which includes their location, species, condition, size and surrounding environment provides the basis for making informed decisions. It is also essential to be able to interrogate the data and keep the information up-to-date. To this end it is imperative that any works conducted are recorded in Council's asset management system, "Asset Master". Council continues these efforts to map and assess the large number of trees within the municipality. Currency and completeness of inventory data are also essential for good long term strategic assessment, direction and plan development.

4. Risk Management

A primary reason for tree asset management is to manage the risks to the community. The Risk Management approach is based on a three-step process:

- Inspect the asset;
- Identify any defects which may affect the structural integrity of the tree;
- Implement the appropriate action within the required Response Time (see Appendix B).

The risk associated with trees is a combination of the location and condition of the tree and the public or asset use in the vicinity of the tree. Management of the risk needs to take these factors into account.

The Australian Standard, (ISO 31000:2018 Risk Management), provides a sound methodology for managing risk and is used for these assessments.

Risk assessment is the overriding factor in determining priority for works and allocating resources. Inspections and risk assessments require standardised and documented procedures. These are undertaken by suitably qualified and experienced Arborists.

4.1.1 Proactive Inspections

These inspections are scheduled in accordance with Appendix A. A qualified Arborist will inspect the tree for any defects which may impact the structural integrity of the tree. Any mitigation works logged on the tree will be determined in accordance with the location of the tree, the type of defect identified and the likelihood that the defect will result in trunk or branch failure and the likely consequences if failure occurs. Mitigation works will be referred for further action in accordance with Appendix B.

4.1.2 Reactive Inspections

These inspections come about after Council is notified of:

- An incident related to an insurance claim;
- A report of an issue by the community;
- Identification of an issue by a Council employee.

Depending on the Risk Assessment, within 2 – 30 working days of Council's Arborist team becoming aware of an issue, an appropriately qualified Arborist will carry out an inspection and confirm any defects or issues and then refer these for further action in accordance with the time frames stipulated in Appendix B below. The reactive inspection timeframe will be determined by the location of the tree and the nature of the defect or incident.

4.1.3 Integrated Asset Management System

Council utilises an Integrated Asset Management System (IAMS) to store all relevant information regarding Council's tree assets, as well as the results of any inspections, and works carried out. This system enables the appropriate scheduling of maintenance and programmed works, as well as providing data for the internal auditing of processes.

4.1.4 Customer Tracking and Document Management Systems

Council's asset management system includes a customer request module that records and associates customer requests with inspections and outcomes. The system enables the appropriate delegation of maintenance and programming requests to the Operations team.

5. Plan Improvement and Monitoring

The Tree Management Plan is an evolving document to be reviewed and refined on an ongoing basis. A complete review of the plan and compliance is to be conducted every four years within 12 months of any council election.

5.1.1 Performance Measures

The following objectives must be met to measure the performance of the plan:

- Inspection frequencies meet the prescribed schedule; and
- Responses to defect requests within the prescribed timeframe.

A report is to be presented to the General Manager Infrastructure Assets and Planning on an annual basis regarding compliance with the plan.

5.1.2 Internal Auditing of Processes

The processes that are to be audited internally annually are as follows:

- Recording of complaints/requests in the appropriate database in the manner required;
- Complaint/request is inspected and/or assessed in relation to risk/safety & specified maintenance intervention levels;
- Proactive inspections are carried out as scheduled;
- Relevant inspection reporting and recording mechanisms are in place;
- Reported defects are being properly recorded in the system;
- Where required, appropriate rectification responses are determined and Works Orders issued;

- Record of maintenance activities is made in the database against the asset, including actual date of completion;
- Record that maintenance works have been delivered as intended (i.e. an appropriate Council Officer has signed off on the satisfactory completion of the work);
- Management system in place to record and respond to customer enquiries;
- Asset handover/update process is being managed as required.

The outcome of the internal audit is to be reported to Council's Audit Committee, while responsibility for overseeing the audit process belongs to the General Manager Infrastructure Assets and Planning.

6. Access to Document

This document is available to the public at the following locations:

- Online at www.CentralGoldfields.vic.gov.au; and
- Council Depot, 72 Burns Street, Maryborough Vic 3465.

7. Definitions

- "TMP" – Tree Management Plan
- "Street trees" – trees planted by Council, or for which Council has assumed responsibility, located in the road reserve.
- "Parkland trees" – trees planted by Council, or for which Council has assumed responsibility, on land located in public parks and reserves.
- "Private trees" – trees located on private property.
- "Roadside trees" – trees located on the road reserve which have not been planted by Council or trees for which Council has not assumed responsibility – typically rural roads.
- "Arborist (qualified)" – a person with a Certificate 3 in Arboriculture as a minimum (or equivalent qualification), and a minimum of three years of relevant industry experience. Consulting and inspecting (Certificate 5 or diploma or higher)
- "Structural defect" – A weak point in or on a tree causing its structural deterioration diminishing its stability in full or part.
- "Diameter at Breast Height (DBH)" – a measurement taken at 1.4. metres above the ground, that being a convenient height at which to measure a tree's diameter. For trees on slopes, multi-trunked trees, leaning trees or where branches interfere with measuring at 1.4 metres, refer to the International Society of Arboriculture's "Simplified Guide to Measuring DBH".
- "Immediate risk" – a qualified Arborist has determined that the structural integrity of the tree is in such poor condition that it creates a risk of failure in the near future and may cause injury to the public or damage to property.

8. Applicability

This Tree Management Plan applies to the following:

- Street trees planted by Council or for which Council has assumed responsibility
- Parkland trees planted by Council or for which Council has assumed responsibility located in Council managed parks and reserves
- Trees located in other Council owned for managed properties.

Excluded from the TMP are the following:

- Private trees located on private land
- Roadside trees pursuant to Section 107 of the Road Management Act 2004.

Whilst (except when put on notice of a defect or danger) Council has no Statutory or Common Law duty to inspect roadside trees, inspections and mitigation works are conducted when resources allow for such works or in the event of a reactive inspection.

9. Tree Inspections

Council will endeavour to assess all applicable trees within the municipality to determine their potential for public risk with inspection frequencies determined by that potential. Trees in “high risk” areas will warrant more frequent inspections.

Appendix A details the location of these “high risk” areas, and provides a hierarchy for further tree inspections.

To enable Council to effectively monitor and maintain its tree assets Council must maintain an up-to-date inventory of applicable trees within the Asset Management System (AMS).

Each tree in the AMS is uniquely identified and assigned a category in the hierarchy relevant to its location. Further information relating to the AMS can be found in the Asset Management Strategy and the relevant Asset Management Plans.

Information contained within this inventory is defined within Council's data standards.

10. Tree Selection and Planting

Street and parkland tree planting should be done in a programmed and sustainable manner. This approach is sound both environmentally and economically. Due to lead times associated with the production of tree stock it is essential to forward plan to determine what tree stock will be needed to be assured of obtaining the right species, acceptable quality of stock and availability at the right time.

A “sustained amenity” approach which results in a diversity of tree ages and sizes across the municipality, should be followed to achieve long term stability of the tree population and landscape character.

The right mix of species and age diversity are vital components of a sustainable tree population. A generally accepted rule for achieving this is for a single generation to not make up any more than ten percent of the whole tree population. The age of trees should also be spread evenly across the towns within the shire with variation between young and old trees to lessen the impact of, or need, to remove large areas of trees.

Priority for tree planting by the Central Goldfields Shire Council should be given to:

- Major road entry spins to all communities;
- Areas with a lack of trees;
- Areas where residents or community groups have requested trees;
- High profile and high use areas;
- Areas where there are high percentages of old aged trees, low species diversity and/or trees in poor condition; and
- Sites where trees have been removed.

When selecting species for street and parkland tree planting the following factors must be considered:

- Preferred “Landscape Character”;
- Adopted masterplans, strategies and development plans;
- The significance of previous history of tree planting;
- Drought tolerance/low water usage;
- Longevity;
- Growth habit, size and structural integrity;
- Tolerance to harsh urban environments;
- Soil type and structure;
- Root growth characteristics and tolerances;
- Pruning requirements;
- Amount and type of debris shed;
- Proximity and form of surrounding existing and future below ground and above ground infrastructure;
- Solar radiation/orientation;

- Pest and disease susceptibility;
- Existing and future use of the surrounding area;
- Habitat value;
- Suitability to a public environment ie allergens or pathogens
- Weed potential;
- Existing and likely future adjacent land use; and
- Future planning for expected climate change.

Trees shall be planted in the nature strip of each property using the following guidelines:

- 4 metres from a fire hydrant
- 1 metre from underground services
- 1 metre either side of a pedestrian gate
- 3 metres from a vehicular driveway
- 5 metres from an intersection
- 3 metres from power poles
- 7 metres from a street light
- Existing Avenues/replacement plantings – same alignment
- Nature strips (standard) – 1.5m from back of kerb where practicable
- Nature strips (wide) – Centre
- 15 metres from Centre of intersection
- Streets with setback drainage and wide road shoulders – minimum 3m from sealed road edge.
- 1 Tree every 15 Meters or 1 Per Frontage

Note: location of overhead and underground services may result in variations to the above guidelines.

Central Goldfields Shire Council's Annual Tree Planting program will be undertaken from May to September. Single or replacement planting may occur outside this timeframe if adequate watering can be provided.

Where advanced stock is to be planted, trees shall comply with the National Specification and be a minimum of 1.5 metres high.

Planting of all trees shall be in accordance with International Society of Arboriculture standards for tree planting.

New trees planted in prominent locations where there is potential for future root damage to hard landscape features or services shall have root control barrier installed at the time of planting.

New tree planting should reinforce the existing character of municipal areas. Cross referencing Council documents such as Open Space Strategies and Masterplans must be part of the selection process.

Council must be consulted and give approval for any significant tree planting within streets and parklands it controls, or will take control of as Council will ultimately become responsible for their maintenance and any problems that may arise.

Refer AS 2303-2018 Tree Stock for Landscape Use.

11. Tree Removal

Trees can take many years to develop fully and once removed cannot be quickly replaced. Urban trees are living organisms with a finite lifespan; they often grow in non-ideal environments; they can be subject to numerous forms of physical damage; and can become a potential risk. Removal of trees will therefore be a regular and necessary process of Council's tree management program. Tree removal decisions must be undertaken systematically and with due consideration of all factors.

Prior to tree removal in most instances an attempt will be made to inform adjacent residents of the removal works. Notification will generally be in the form of an informational letter, either physical or electronic, to the residence. Council officers will also 'door knock' prior to works starting where possible.

Exceptions to the notification process are when there is an immediate risk to the public or property. In these cases, tree removal will occur as a priority to ensure public safety. Additionally, trees assessed by Council's qualified Arborists as being an immediate risk to public safety are exempt from the requirement for a planning permit.

All State and local planning requirements controlling the removal of trees must be adhered to.

Where possible Council tree removals should involve some form of consultation with directly affected parties unless there is an immediate risk to public safety. In these instances, all assessment documentation and photographs must be recorded in Councils Records system.

Council's Operations department will liaise with stakeholders in relation to any queries regarding the removal of the tree. When consultation is possible and practicable, written notification of Council's intention to remove the tree will be sent to the residence directly adjacent to the tree. Any trees removed should be replaced when possible in order to maintain the sustainability of the overall tree asset.

Any decision to remove a tree will be based on the best long-term outcome for the community as a whole.

In the event of any unauthorised removal, damage, application of herbicide or any impact leading to the death or irreversible damage to public trees any costs incurred by Council for the removal, reinstatement and replanting including aftercare will be recouped from the responsible persons or corporate body.

Any costs incurred by Council for removal and reinstatement resulting from unauthorised landscaping, planting or other unauthorised works in a Council road reserve will be recouped from the responsible persons or corporate body.

12. Tree Protection

All work on and around trees must comply with:

- AS 4373-2007 Pruning of amenity trees; and
- AS 4970-2009 Protection of trees on development sites.

Trees and infrastructure are essential items in a modern environment. It is simply not possible to avoid all potential conflicts. They can be minimised however through innovative design and correct management of maintenance activities.

Trees may be subject to damage, above and below ground, from civil works. Where any civil works are proposed in the vicinity of trees, an assessment and works plan is essential to ensure tree damage is avoided or minimized. Large tree specimens that may have local or cultural significance may require protection measures that are not general practice for most street and park trees. Protection measures for these trees may include fencing, mulching, greater clearances from adjoining works and structural assistance measures such as propping or cable bracing to protect from damage or disturbance.

Over the trafficable lane of a road reserve, Council has a legal obligation to provide adequate tree clearance for traffic but not for telecommunication cables. Clearance around telecommunications cables is the responsibility of the telecommunications provider.

Works within the vicinity of a Council tree or trees that will become the responsibility of Council must comply with AS 4970-2009.

13. Infrastructure Protection

Infrastructure may be subject to damage/ interference from adjacent trees. When any tree plantings are proposed in the vicinity of above and below ground infrastructure, careful consideration of species selection, soil type, planting technique, available root space and the appropriateness of root control measures are needed to ensure damage is avoided or minimised. In the vicinity will generally mean within the expected mature “drip-line” of a tree or at least a radius from the centre of the trunk equal to 12 times the mature trunk diameter, whichever is the greater.

Tree roots are not invasive by nature but are known to seek water in damaged drainage pipes. The responsibility for unblocking and repair of the private house drainage pipes remains with the property owner.

Tree roots can, on occasions cause damage to vehicle crossovers, fences and other private infrastructure. Upon being informed of such damage, Council shall inspect the tree and, if appropriate, undertake remediation works which may include arranging for a root prune and installation of a root barrier.

Refer Australian Standard AS 28702011 Residential Slabs and Footings.

14. Electric Line Clearance

Energy Safe Victoria (ESV) is the responsible authority for ensuring electrical safety of the power distribution system in Victoria. The Central Goldfields Shire Council has a statutory obligation under the Electricity Safety Act (1998) for maintaining clearance of public trees from overhead power lines within the “Declared Area”.

The “Declared Area” is clearly defined and mapped and is entirely within the urban area of Maryborough only.

Refer to the “Central Goldfields Shire Council Electric Line Clearance Management Plan” for details on how this is managed and “Declared Area” maps.

Maintaining overhead electric line clearances for all trees outside of the ‘Declared Area’ is the responsibility of the local power distribution company which is Powercor. In some cases private land owners are responsible for the clearance of trees from powerlines.

15. Tree Maintenance

Tree maintenance should be based on a risk priority basis. High priority maintenance works must take precedence over reactionary or lower priority requests. Due to the specialised nature of tree works only experienced Council staff and or approved contractors are to undertake maintenance works on Council trees.

Formative tree works on young and developing trees has the potential to significantly reduce the future risks and costs associated with mature trees. Formative works on young street trees should aim to develop a straight single trunked tree that is clear of side branching up to approximately 2.5 meters from the base.

Refer Australian Standard AS 4373-2007.

16. Existing Tree Controls and Regulations

There are existing laws and regulations that control the removal and pruning of both native and exotic vegetation on private and public land. The policies and procedures in this Plan are in support of those laws and regulations and need to be viewed as being in addition to those laws and regulations.

It is the responsibility of all persons to ensure they do not do anything that is in contravention of any existing laws and regulations. The following information is provided to assist you in determining what laws and regulations may apply to your situation.

There is State Government legislation which controls what may or may not be done with vegetation e.g. the Planning and Environment Act 1987. More information on this Act and the Department of Environment, Land, Water and Planning's Native Vegetation Management Framework (NVMF) can be found at www.dwelp.vic.gov.au/planning.

Central Goldfields Shire Council has a variety of planning scheme overlays and local laws that specify what may or may not be undertaken with certain types of vegetation. Some of the overlays include:

- Vegetation Protection Overlay1 (VPO1) - native vegetation only
- Vegetation Protection Overlay 2 (VPO2) - native and exotic vegetation
- Heritage Overlay (HO)
- Significant Landscape Overlay (SLO)
- Environmental Significance Overlay (ESO)
- Neighbourhood Character Overlay (NCO)
- Erosion Management Overlay (EMO)
- Salinity Management Overlay (SMO)
- Public Acquisition Overlay (PAO).

More details can be found on these at www.centralgoldfields.vic.gov.au.

17. Exceptional Circumstances

Trees are a living organism and the environment in which they live can change quickly. Council will make every endeavour to meet all aspects of its Tree Management Plan. However, in the event of natural disasters and other events including, but not limited to, storms, fires, floods, droughts, a lack of Council staff or suitably qualified Contractors and the like, Council reserves the right to suspend compliance with its Tree Management Plan.

General Manager Infrastructure Assets and Planning, will inform the Chief Executive Officer and Council's Property and Risk department in writing of any suspensions or reactivations of the Tree Management Plan.

18. Appendix A

Inspection Frequencies

Hierarchy Category	Proactive Inspections - Defect	Reactive Inspections
T1-High use areas <ul style="list-style-type: none"> • Childcare/Kindergartens • Caravan Parks • Regional Parks See Appendix D	Every 12 months	Within 2 working days of notification
T2-Parks and High risk areas including <ul style="list-style-type: none"> • Picnic tables • Playgrounds • BBQ's • Swimming pools • Main School entrances • School crossings • Bus stops • Shopping precincts-major retail areas. 	Every 24 months	Within 5 working days of notification
T3-General Parks, Reserves and Street trees	Every 5 years	Within 10 working days of notification
T4-Low use public areas with dispersed recreation walkways, easements, drainage reserves, vacant open areas, riparian zones and peripheral areas with limited use and access	Reactive inspections only	Within 30 working days of notification

19. Appendix B

Response Times

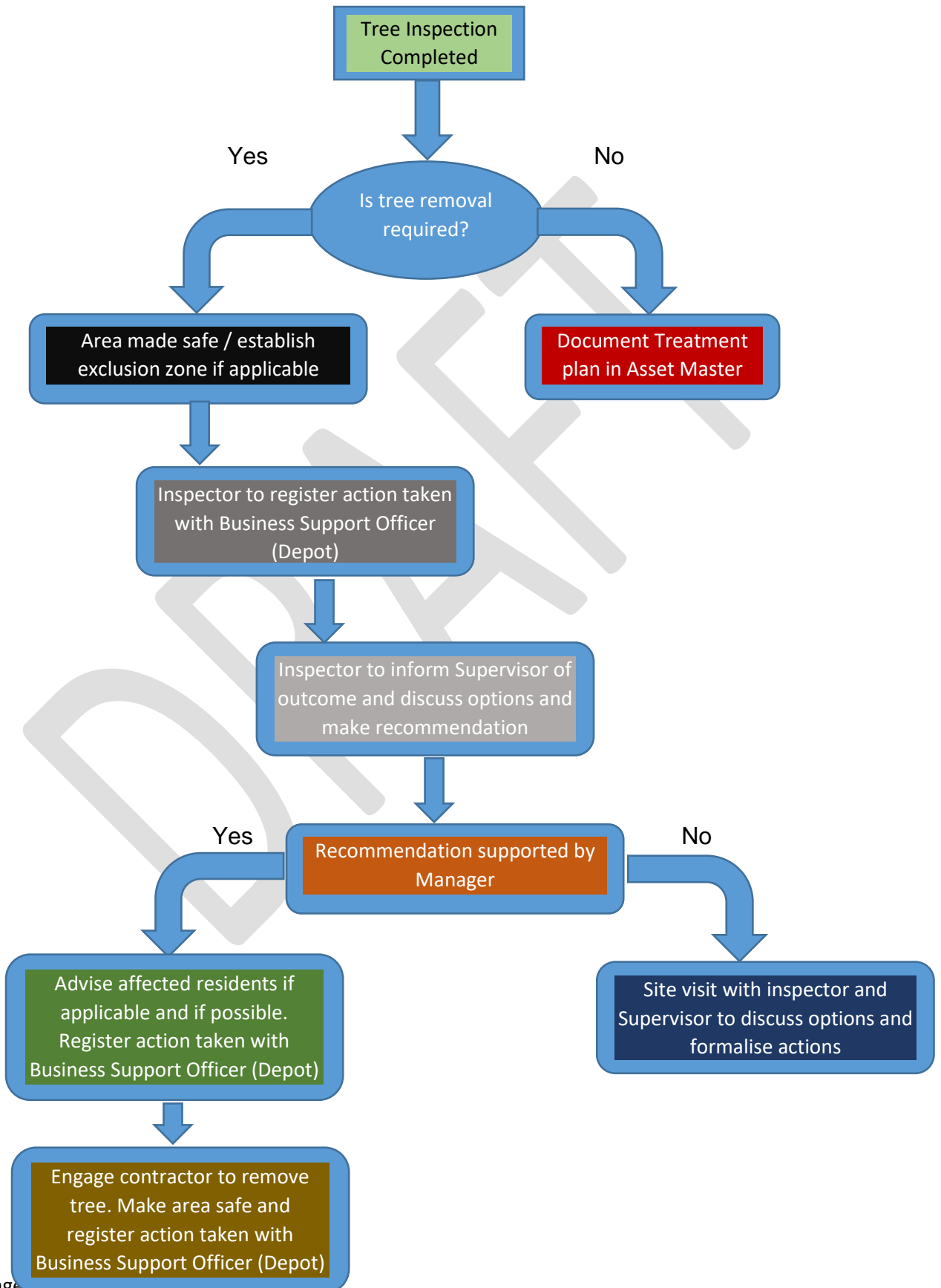
Tree Defect				
Description	Response Code by Hierarchy			
	T1	T2	T3	T4
Poor structure	B	B	C	E
Dead tree	B	C	E	F
Broken and hanging branches	A	A	B	C
Deadwood	B	C	E	F
Fallen tree	A	A	C	F
Fallen branch	A	B	C	F
Root plate lift/sink	A	A	B	B
Contacting powerlines	B	B	B	A
Tree root infrastructure damage	D	D	D	D

Response Time Code	Notification Source*	Notification To Arborist Unit	Rectification Response Time*
A	Asset Inspection Officer	Immediate Notification – phone call + AMS	2 working days
	Customer/Other Officer	As soon as possible – phone call + AMS	
B	Asset Inspection Officer	Same day	5 working day
	Customer/Other Officer	Pathway/AMS workflow	
C	Asset Inspection Officer	Same day	1 month
	Customer/Other Officer	Pathway/AMS workflow	
D	Asset Inspection Officer	Same day	3 months
	Customer/Other Officer	Pathway/AMS workflow	
E	Asset Inspection Officer	Same day	6 months
	Customer/Other Officer	Pathway/AMS workflow	
F	Asset Inspection Officer	Same day	12 months
	Customer/Other Officer	Pathway/AMS workflow	

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Appendix C

Emergency Tree Removal Procedure



20. Appendix D

T1 Inspection Zones

Princes Park Precinct Including Maryborough Caravan Park, T.L. Stone Kindergarten



Dunolly Kindergarten



Gordon Garden Precinct



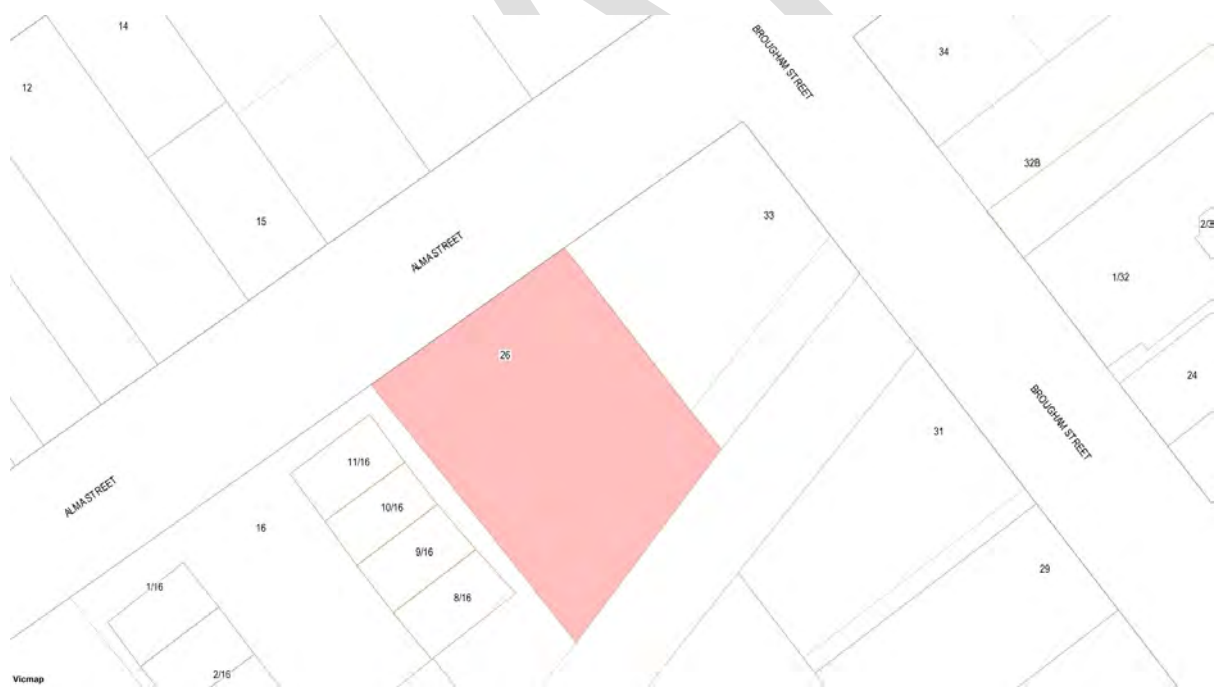
Goldfields Family Centre



Phillips Gardens



A.G. Leech Kindergarten



California Gully Kindergarten



Station Domain Precinct



8.5 PROPOSED ROAD NAMES – PAGE STREET AND BARBARA COURT

Author: Manager Business Transformation

Responsible Officer: General Manager Corporate Performance

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of the report is to seek Council approval of the proposed road naming of Page Street and Barbara Court, as well as the extension of Chisholm Street within plan of subdivision PS 830204 approved by planning permit D081/13 Amended.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Built and Natural Environment

Outcome: Our Shire celebrates the rich built and natural heritage and a sustainable environment.

3.3 Objective: Protect and enhance our environment while planning for growth.

Relevant policies:

Place Naming Policy (Council Policy)

Relevant Acts:

Geographic Place Names Act 1998

BACKGROUND INFORMATION

Council previously issued a planning permit D51/07 for a multi lot subdivision in 2007 which created Whirrakee Rise Estate. Council subsequently issued a planning permit D081/13 Amended, for a multi lot subdivision in 2014 which created an extension to this estate.

In order to work towards finalisation of the development of Whirrakee Rise Estate (stage 10, 11 and 12), a Plan of Subdivision (PS 830204) has been lodged with Council for approval. The developer is proposing to use the names Page Street, Barbara Court and Chisholm Street (extension of existing road name) which requires approval from Council (see attachment 1).

REPORT

The subdivision developer has proposed that a section of the existing road reserve located within the south eastern section of the development (see attachment 2) of PS 830204 be named Page Street. This is in recognition of W.M Page who was the mayor of Maryborough in 1879 and was one of sixteen members of the Botanical Reserve Bowls Club and was a president of the Maryborough Cycle Club in 1882. The drinking fountain in Civic Square (outside the town hall) was also sculptured in courtesy of Page for the town.

Chisholm Street is proposed to be a continuation of the existing street name (see attachment 1).

The developer has also proposed that the new road proposed within the north western section of the development be named Barbara Court (see attachment 3). This is in recognition of Sister Barbara of Maryborough's St. Augustine's church. Sister Barbara was an active member in the community and is acknowledged for the time she gave to help many families who had ill loved ones as well as her continued support to those families after their passing.

CONSULTATION/COMMUNICATION

Public consultation has not occurred in this instance as the road reserves to be named are either on private land or are an extension of the roadway on private land so should have the same name approved.

Any proposed name must comply with the Naming Rules prepared by the office of Geographic Names. Preliminary checks with appropriate Emergency Services has been undertaken to check suitability and no duplicates have been determined.

FINANCIAL & RESOURCE IMPLICATIONS

The process of lodgement of road names, formalised by State Government agency, is a normal part of Council's day to day operations.

Street blades will need to be installed by the developer (at the cost of the developer) upon completion of the road naming process.

RISK MANAGEMENT

This report addresses Council's strategic risk Legislative compliance - Failure to manage our compliance with relevant legislative requirements. The risk management issues in relation to this request for Council to determine geographic place names have been addressed by ensuring this decision is consistent with the requirements of Councils Place Naming Policy adopted in May 2019 and in accordance with the Geographic Place Names Act 1998 (the Act) and the Naming Rules for Places in Victoria – Statutory Requirements for Naming Roads, Features and Localities 2016 (the Naming Rules) issued by the Department of Environment, Land, Water and Planning.

The purpose of the Place Naming Policy is to provide a co-ordinated, consistent, fair and equitable approach in the naming of roads, places and localities across the municipality.

CONCLUSION

Council has received a request to approve road names for R1 on PS 803204 as Chisholm Street and Barbara Court and the remaining section of the existing road reserve located in the south eastern section of the development as Page Street, Maryborough. Chisholm Street has been suggested as it is the continuation of a current street of that name.

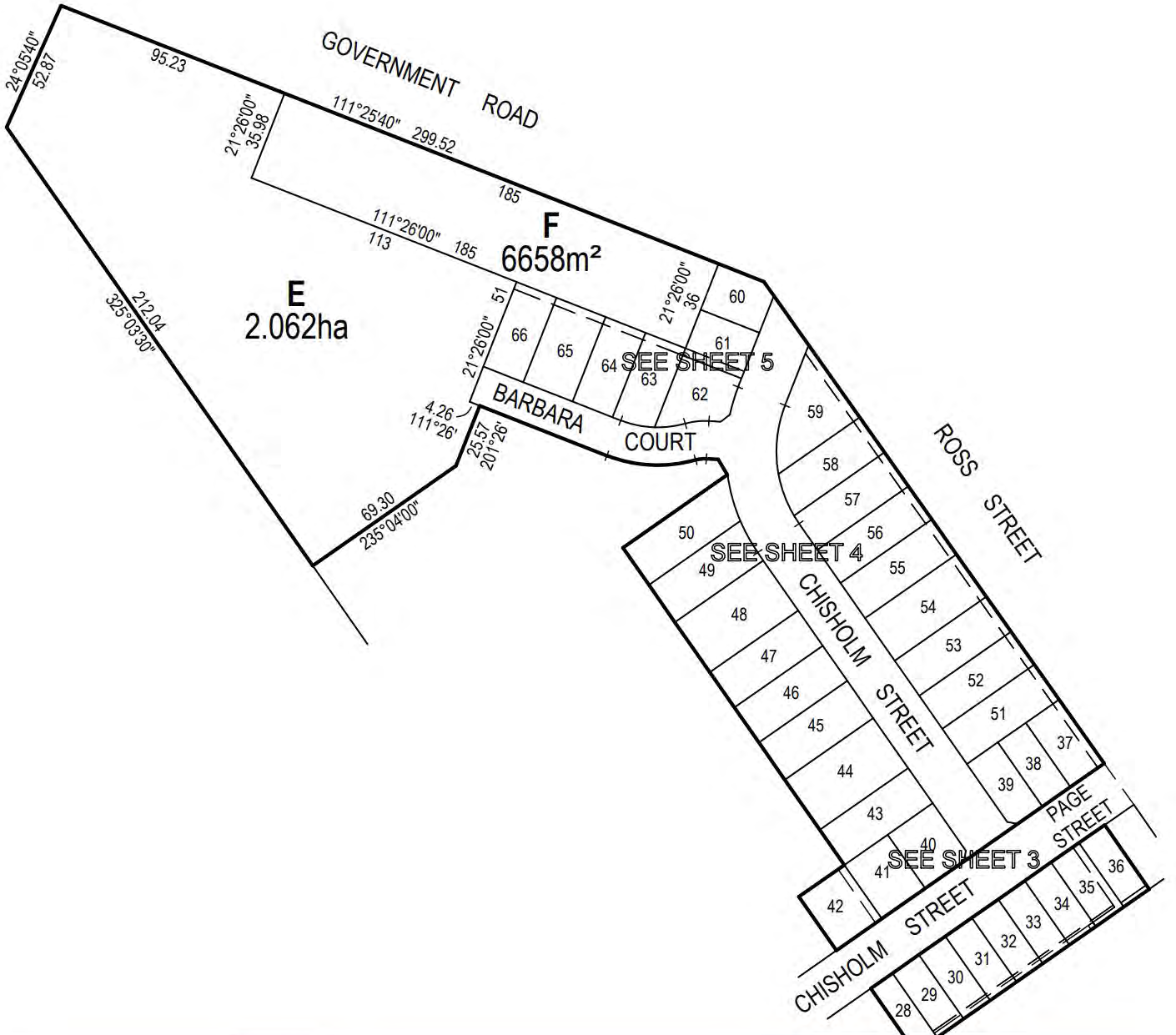
ATTACHMENTS

1. Overall plan of subdivision
2. Page Street plan
3. Barbara Court plan

RECOMMENDATION

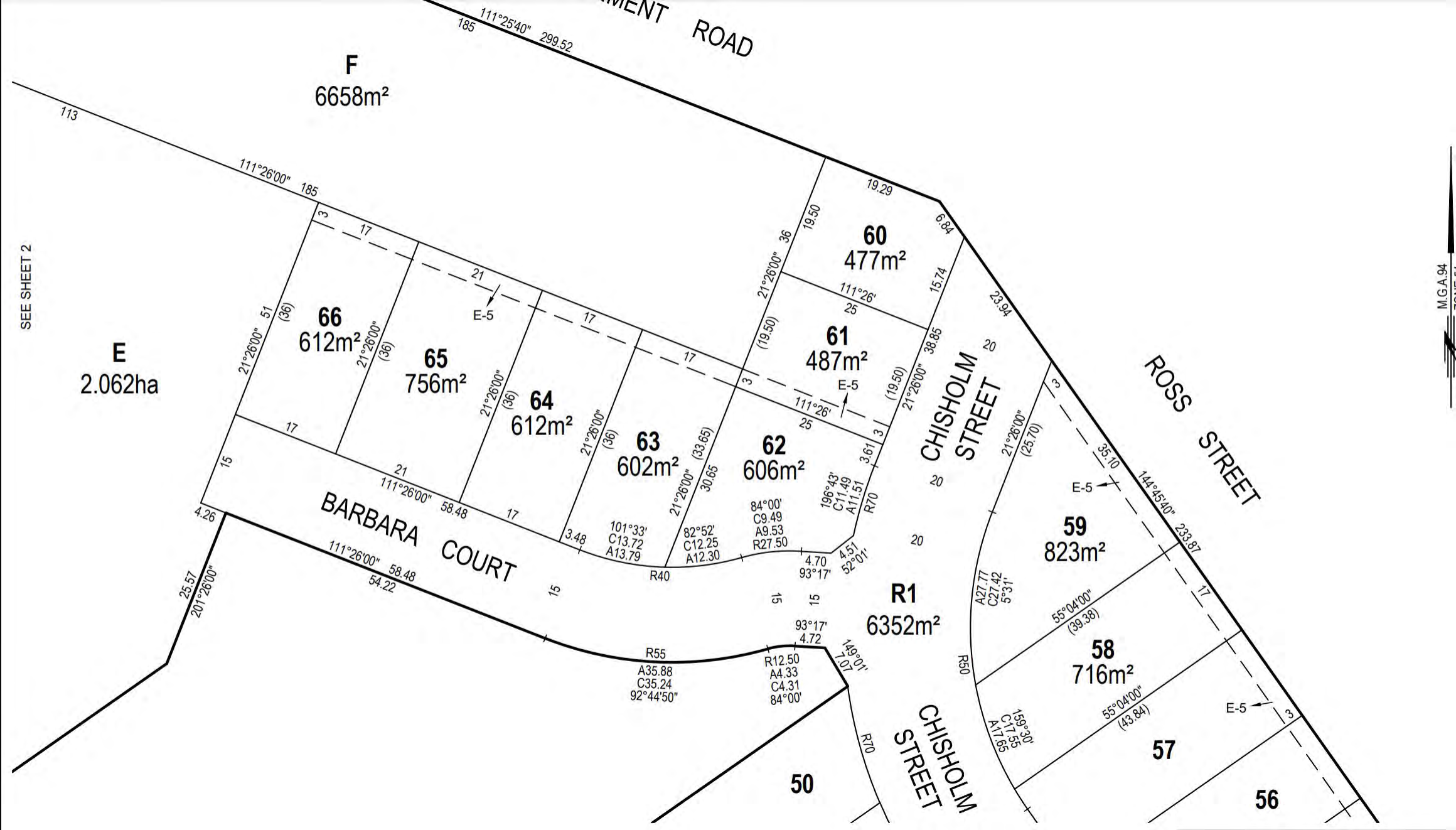
That Council approve road names for R1 on PS 803204:

1. *as Chisholm Street and Barbara Court; and*
2. *the remaining section of the existing road reserve located in the south eastern section of the development as Page Street, Maryborough;*



SEE SHEET 4





8.6 STRATEGIC RESOURCE PLAN 2020/21 to 2023/24

Author: Chief Executive Officer

Responsible Officer: Chief Executive Officer

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to present the Strategic Resource Plan (SRP) 2020/21 to 2023/24 for adoption.

The purpose of the Strategic Resource Plan is to:

- Establish a financial framework over the next 4 years to ensure Council's strategic objectives, as expressed in its Council Plan, are achieved;
- Provide an assessment of the resources (financial and non-financial) required to accomplish the objectives and strategies included in the Council Plan;
- Establish a basis to measure Council's adherence to its policies and strategies; and
- Assist Council to comply with sound financial management principles, in accordance with the Act and to plan for the long-term financial sustainability of the municipality.

This comprehensive Strategic Resource Plan provides the key financial strategies and objectives that will inform the development of the 10 year financial plan required under the new Local Government Act.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.1 Objective: Ensure the financial sustainability of Council through efficient and effective delivery of services.

Initiative: Develop a 10 year financial plan

Section 126 of the Local Government Act 1989 requires Council to prepare an SRP for at least the next 4 financial years including financial statements in the form required by the regulations and adopt the SRP by 30 June each year. For the 2020/21 financial year the deadline has been extended to 31 August.

This SRP supports the four year financial statements contained in the Annual Budget 2020/21 adopted by Council at the Council Meeting held on 11 August 2020.

The new Local Government Act 2020 requires Council to develop a 10 year Financial Plan in accordance with its deliberative engagement practices and by 31 October following a general election.

BACKGROUND INFORMATION

The SRP has been prepared utilising CT Management's SRP template and long term financial plan model. This was partly funded through LGV's FAST program. Benchmarking to other Small Rural Councils is included in the template and provides useful context for assessing Central Goldfields Shire Council's current financial position and financial sustainability.

Service planning was also undertaken as part of this process, and draft service plans were completed for 44 services, with 31 designated as external services and 11 designated as internal services. This was stage one of a comprehensive service planning process with the objective of stage one to:

- Summarise details of all current services
- Define current levels and costs of services
- Prepare a draft LTFP
- Review capital works and services cost impact on the LTFP
- Assess the financial sustainability of current services

Stage 2 of the service planning process will involve:

- Reviewing alignment of current services with community needs
- Internal review of levels of service for each service
- Development of options to improve alignment and any changes to level of services

REPORT

The SRP will provide a solid base to build on for the development of a 10 year financial plan in accordance with the new Act.

The 2020/21 SRP is intended to contribute to the following objectives in the 10-year timeframe:

- Maintain the existing range and level of service provision and improve the understanding of the range and levels of service provided;
- Maintain a viable cash position, ensuring Council remains financially sustainable in the long-term;
- Achieve operating statement surpluses with the exclusion of all non-operational items such as granted assets and capital income within the 10 year timeframe of the long term financial plan;
- Maintain debt at moderate levels to allow capacity to fund future infrastructure;
- Continue to pursue grant funding for strategic capital funds from the State and Federal government; and
- Provide for rate increases that establish a funding level for renewal demand being invested at 100 percent

The key strategies of the SRP are outlined in the table below:

Section	Strategic Direction
<p>Section 3</p> <p>Financial Sustainability</p>	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council continues to benchmark with other Victorian Councils and those within the Small Rural category. 2. That Central Goldfields Shire Council maintains key financial indicators within the low to medium range of financial sustainability risk indicators. 3. That Central Goldfields Shire Council maintains a cash balanced budget for the life of this SRP and achieves an adjusted operating surplus in 2021/22.
<p>Section 4</p> <p>Service Provision and Planning</p>	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council continue the Service Planning process in 2020/21 via a strategic service planning framework incorporating annual budget, departmental operational plans, capital works evaluation and long term financial plan leading to a determination of the appropriate range and levels of service for the community. 2. That Central Goldfields Shire Council, as part of the development of its Service Plans, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio.
<p>Section 5</p> <p>Capital Works Program</p>	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council increases its capital works commitment at levels that meet or exceed the targets established in this SRP and reviews its 10-year capital works program as Asset Management Plans are updated. 2. That Central Goldfields Shire Council initially focuses capital works on maintaining a critical renewal level based on maintaining a minimum service level at levels indicated in Table 7 (Section 6.5 Condition Assessment), with the next priority on renewal, upgrade and expansion. 3. That any bids for expansion, new and upgrade of assets come from the Service Managers as arising from their Service Plans.
<p>Section 6</p> <p>Asset Management</p>	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council, establishes its critical renewal investment levels, completes detailed <i>Asset Management Plans</i> (focused on renewal demand) for all classes of Council assets incorporating service level assessments. 2. That Central Goldfields Shire Council, as part of the development of its <i>Service Plans</i>, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio.

Section	Strategic Direction
	<p>3. That Central Goldfields Shire Council adopts as policy the annual allocation of funds to meet 100 per cent of the community's infrastructure renewal needs before it elects to upgrade or construct new assets</p>
<p>Section 7 Long-term Borrowing Strategies</p>	<p>1. That Central Goldfields Shire Council based on Better Practice Prudential Guidelines, borrows funds for capital expansion projects that provide intergenerational equity; and</p> <p>2. That Central Goldfields Shire Council retains its debt servicing and redemption costs at or below 5 cents in the rate revenue dollar, towards interest and principal, over the life of this SRP.</p>
<p>Section 8 Restricted Assets</p>	<p>1. That Central Goldfields Shire Council builds into its 10 year financial plan the estimated movements in restricted assets and provides for at least \$2.0 million to \$3.0 million in working capital to meet day to day needs.</p> <p>2. That to ensure sufficient funds are available to meet operational needs, Central Goldfields Shire Council retains a cash position of at least \$2.0 million to \$3.0 million after deducting restricted assets, i.e. cash received but not spent or cash to be spent for specific purposes such as developer contributions (infrastructure), waste facility development, security deposits etc.</p>
<p>Section 9 Rating and Other Revenue Strategies</p>	<p>That Central Goldfields Shire Council;</p> <p>1. retains capital improved value (CIV) as its valuation base;</p> <p>2. provides a municipal charge that approaches 10 percent of rate revenue plus the municipal charge to ensure an equitable contribution towards the unavoidable fixed costs of Central Goldfields Shire Council;</p> <p>3. considers future increases waste charges based on EPA, regulatory and safety requirements and the need to sustain the Council's long-term waste operations strategy;</p> <p>4. in 2020/21, adopts an 2 percent increase in total revenue for general rates and municipal charges and a 6.5 percent increase in total revenue for waste collection including funding the cost of disposal of domestic waste, recycling collection and the environment levy; and</p> <p>5. pursues recurrent grant funding and strategic capital funding aligned with Council Plan objectives, including benchmarking of results with other Councils.</p>

CONSULTATION/COMMUNICATION

The financial statements of the SRP are contained in the Annual Budget 2020/21 which was adopted by Council on 11 August 2020 after undertaking community consultation in accordance with the Local Government Act 1989.

It is intended that this detailed SRP will form the basis for the development of the 10 year financial plan required under the new Local Government Act 2020. The new Act requires the plan to be developed in accordance with Council’s deliberative engagement practices outlined in its community engagement policy. This policy will be developed in consultation with the community on or before 1 March 2021.

FINANCIAL & RESOURCE IMPLICATIONS

Key inputs to the SRP 2020/21 from the Annual Budget 20/21 are:

- An increase municipal rates and municipal charge collections by 2 percent. This level allows Council to maintain existing service levels, fund a number of new initiatives and continue to allocate additional funds to renew the municipality’s infrastructure;
- Capital expenditure of \$15.9 million; and
- Net new borrowings of \$ 0.33 million.

Based on the assumptions outlined in the SRP, the key financial performance indicators in 12.6 of the plan show that Council is in a financially sustainable position over the four year period with all indicators within the VAGO financial sustainability guidelines, with the exception of the asset renewal target of 100%. Work currently being undertaken on asset valuations, conditions and useful lives will provide more accurate data for future updates of the SRP.

RISK MANAGEMENT

This report addresses Council’s strategic risk Financial sustainability - Failure to maintain our long term financial sustainability by setting key financial objectives within the VAGO financial sustainability guidelines outlined in the table below.

Financial sustainability risk indicators—risk assessment criteria

Risk	Net result	Adjusted underlying result	Liquidity	Internal financing	Indebtedness	Capital replacement	Renewal gap
High	Less than negative 10% Insufficient revenue is being generated to fund operations and asset renewal.	Less than 0% Insufficient surplus being generated to fund operations	Less than 0.75 Immediate sustainability issues with insufficient current assets to cover liabilities.	Less than 75% Limited cash generated from operations to fund new assets and asset renewal.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10%–0% A risk of long-term run down to cash reserves and inability to fund asset renewals.	0%–5% Surplus being generated to fund operations	0.75–1.0 Need for caution with cashflow, as issues could arise with meeting obligations as they fall due.	75–100% May not be generating sufficient cash from operations to fund new assets.	40–60% Some concern over the ability to repay debt from own-source revenue.	1.0–1.5 May indicate spending on asset renewal is insufficient.	0.5–1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than 0% Generating surpluses consistently.	More than 5% Generating strong surpluses to fund operations	More than 1.0 No immediate issues with repaying short-term liabilities as they fall due.	More than 100% Generating enough cash from operations to fund new assets.	40% or less No concern over the ability to repay debt from own source revenue.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

CONCLUSION

The Strategic Resource Plan (SRP) is the key medium term financial plan produced by Council on a rolling basis that summarises the resourcing forecasts for at least four years. The SRP forms part of the Council Plan and Annual Budget.

Resource planning is important for ensuring that a Council remains sustainable in the long term and good practice is to extend forecasting for a ten year period, to take account of long lived assets such as road and drainage infrastructure.

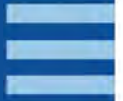
The financial assumptions, strategies and objectives of this SRP will form the basis for the development of the 10 year financial plan required under the new Local Government Act 2020.

ATTACHMENTS

1. Strategic Resource Plan 2020/21 to 2023/24

RECOMMENDATION

That Council adopt the Strategic Resource Plan 2020/21 to 2023/24.



**STRATEGIC RESOURCE PLAN 2020/21 TO 2023/24
CENTRAL GOLDFIELDS SHIRE COUNCIL**

AUGUST 2020



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DOCUMENT CONTROL

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	Date: August 2020
	Synopsis: Strategic Resource Plan

CONSULTANTS DISTRIBUTION SCHEDULE

Version No.	Date	Distribution	Reference
1.0	01/05/2020	Lucy Roffey	J4896
2.0	01/08/2020	Administrator Briefing	J4896

SCHEDULE OF ADOPTION

Version No.	Date	Comment	Reference
1.0	25/08/2020	Council Meeting	J4896

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1. EXECUTIVE SUMMARY

1.1 Introduction

The **Strategic Resource Plan** (SRP) is the key medium term financial plan produced by Council on a rolling basis that summarises the resourcing forecasts for at least four years. The SRP forms part of the Council Plan.

Resource planning is important for ensuring that a Council remains sustainable in the long term and good practice is to extend forecasting for a ten year period, to take account of long lived assets such as road and drainage infrastructure. **Central Goldfields Shire Council** has prepared a 10 year long term financial plan to enable a longer term perspective of the ongoing financial sustainability of the Council and the impact of financial decisions into the longer term.

In preparing the SRP Council must take into account all other plans and strategies in regards to services and initiatives which commit financial and non-financial resources over the four year period.

Section 125(1) of the *Local Government Act 1989* (the Act) requires Councils to prepare a SRP and include this in the Council Plan. The SRP outlines the resources required to achieve Council's strategic objectives expressed in the Council Plan. Section 126 of the Act expects that:

- a. The SRP is a plan of the resources to achieve the Council Plan strategic objectives;
- b. The SRP will:
 - i. Include financial statements describing the financial resources in respect of at least the next four financial years;
 - ii. Include statements describing the non-financial resources including the human resources in respect of the next four financial years;
 - iii. Take into account services and initiatives contained in any plan adopted by Council and if the Council proposes to adopt a plan to provide services or take initiatives, the resources required must be consistent with the SRP; and
 - iv. Review the SRP during the preparation of the Council Plan; and
- c. In preparing the SRP, Council should comply with the principles of sound financial management as prescribed in the Act, being to:
 - i. Prudently manage financial risks relating to debt, assets and liabilities
 - ii. Provide reasonable stability in the level of rate burden
 - iii. Consider the financial effects of council decisions on future generations
 - iv. Provide full, accurate and timely disclosure of financial information.

Key inputs to the SRP 2020/21 from the Annual Budget 20/21 are:

- Council will increase municipal rates and municipal charge collections by **2 percent** in the **2020/21** financial year. This level allows Council to maintain existing service levels, fund a number of new initiatives and continue to allocate additional funds to renew the municipality's infrastructure;
- Capital Expenditure is **\$ 15.9 million** in 2020/21; and
- Net new borrowings of **\$ 0.33 million** in 2020/21.

1.2 Purpose of Strategic Resource Plan

The purpose of the Strategic Resource Plan is to:

- Establish a financial framework over the next 4 years to ensure Council's strategic objectives, as expressed in its Council Plan, are achieved;
- Provide an assessment of the resources (financial and non-financial) required to accomplish the objectives and strategies included in the Council Plan;
- Establish a basis to measure Council's adherence to its policies and strategies; and
- Assist Council to comply with sound financial management principles, in accordance with the Act and to plan for the long-term financial sustainability of the municipality.

The diagram below details the key strategic areas covered by the SRP and the integration required between Council's financial strategies.



Figure 1: Strategic Resource Plan – Key Strategic Areas

1.3 SRP Objectives

The 2020/21 SRP is intended to contribute to the following objectives in the 10-year timeframe:

- Review the existing range and level of service provision and improve the understanding of the range and levels of service provided;
- Maintain a viable cash position, ensuring Council remains financially sustainable in the long-term;
- Achieve operating statement surpluses with the exclusion of all non-operational items such as granted assets and capital income within the 10 year timeframe of the long term financial plan;
- Maintain debt at moderate levels to allow capacity to fund future infrastructure;
- Continue to pursue grant funding for strategic capital funds from the State and Federal government; and
- Provide for rate increases that establish a funding level for renewal demand being invested at **100 percent**.

1.4 Strategic Financial Direction

A number of strategic challenges remain ahead including renewing existing assets, continuing to provide an appropriate range and level of services, and maintaining a sound financial position.

The other related issues are the risks and liabilities that Council and the community face if Council does not invest in asset renewal at an adequate rate.

Council, as part of establishing its SRP, revises its borrowing strategy, asset management, capital investment, discretionary and statutory reserves, capital works program, the range and level of services provided and the revenue-raising strategy.

The SRP establishes the strategic financial direction for Council to meet the funding and investment challenges that lie ahead in the next 10-years.

The SRP is prepared in conjunction with the Council Plan to ensure the affordability of activities included in the Council Plan.

A Glossary of Terms is attached in **Appendix A**.

Appendix B details Council's Financial Statements which are an outcome of this SRP.

1.5 Key Strategic Directions

The following table highlights the key strategies of this SRP. Each section includes detailed analysis to support the strategies. The key strategies provide direction for the preparation of the 2020/21 Budget.

Section	Strategic Direction
Section 3 Financial Sustainability	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council continues to benchmark with other Victorian Councils and those within the Small Rural category. 2. That Central Goldfields Shire Council maintains key financial indicators within the low to medium range of financial sustainability risk indicators. 3. That Central Goldfields Shire Council maintains a cash balanced budget for the life of this SRP and achieves an adjusted operating surplus in 2021/22.
Section 4 Service Provision and Planning	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council continue the Service Planning process in 2020/21 via a strategic service planning framework incorporating annual budget, departmental operational plans, capital works evaluation and long term financial plan leading to a determination of the appropriate range and levels of service for the community. 2. That Central Goldfields Shire Council, as part of the development of its Service Plans, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio.
Section 5 Capital Works Program	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council increases its capital works commitment at levels that meet or exceed the targets established in this SRP and reviews its 10-year capital works program as Asset Management Plans are updated. 2. That Central Goldfields Shire Council initially focuses capital works on maintaining a critical renewal level based on maintaining a minimum service level at levels indicated in Table 7 (Section 6.5 Condition Assessment), with the next priority on renewal, upgrade and expansion. 3. That any bids for expansion, new and upgrade of assets come from the Service Managers as arising from their Service Plans.
Section 6 Asset Management	<ol style="list-style-type: none"> 1. That Central Goldfields Shire Council, establishes its critical renewal investment levels, completes detailed <i>Asset Management Plans</i> (focused on renewal demand) for all classes of Council assets incorporating service level assessments. 2. That Central Goldfields Shire Council, as part of the development of its <i>Service Plans</i>, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio.

Section	Strategic Direction
	3. That Central Goldfields Shire Council adopts as policy the annual allocation of funds to meet 100 per cent of the community's infrastructure renewal needs before it elects to upgrade or construct new assets
Section 7 Long-term Borrowing Strategies	1. That Central Goldfields Shire Council based on Better Practice Prudential Guidelines, borrows funds for capital expansion projects that provide intergenerational equity; and 2. That Central Goldfields Shire Council retains its debt servicing and redemption costs at or below 5 cents in the rate revenue dollar, towards interest and principal, over the life of this SRP.
Section 8 Restricted Assets	1. That Central Goldfields Shire Council builds into its 10 year financial plan the estimated movements in restricted assets and provides for at least \$2.0 million to \$3.0 million in working capital to meet day to day needs. 2. That to ensure sufficient funds are available to meet operational needs, Central Goldfields Shire Council retains a cash position of at least \$2.0 million to \$3.0 million after deducting restricted assets, i.e. cash received but not spent or cash to be spent for specific purposes such as developer contributions (infrastructure), waste facility development, security deposits etc.
Section 9 Rating and Other Revenue Strategies	That Central Goldfields Shire Council ; 1. retains capital improved value (CIV) as its valuation base; 2. provides a municipal charge that approaches 10 percent of rate revenue plus the municipal charge to ensure an equitable contribution towards the unavoidable fixed costs of Central Goldfields Shire Council ; 3. considers future increases waste charges based on EPA, regulatory and safety requirements and the need to sustain the Council's long-term waste operations strategy; 4. in 2020/21, adopts an 2 percent increase in total revenue for general rates and municipal charges and a 6.5 percent increase in total revenue for waste collection including funding the cost of disposal of domestic waste, recycling collection and the environment levy; and 5. pursues recurrent grant funding and strategic capital funding aligned with Council Plan objectives, including benchmarking of results with other Councils.

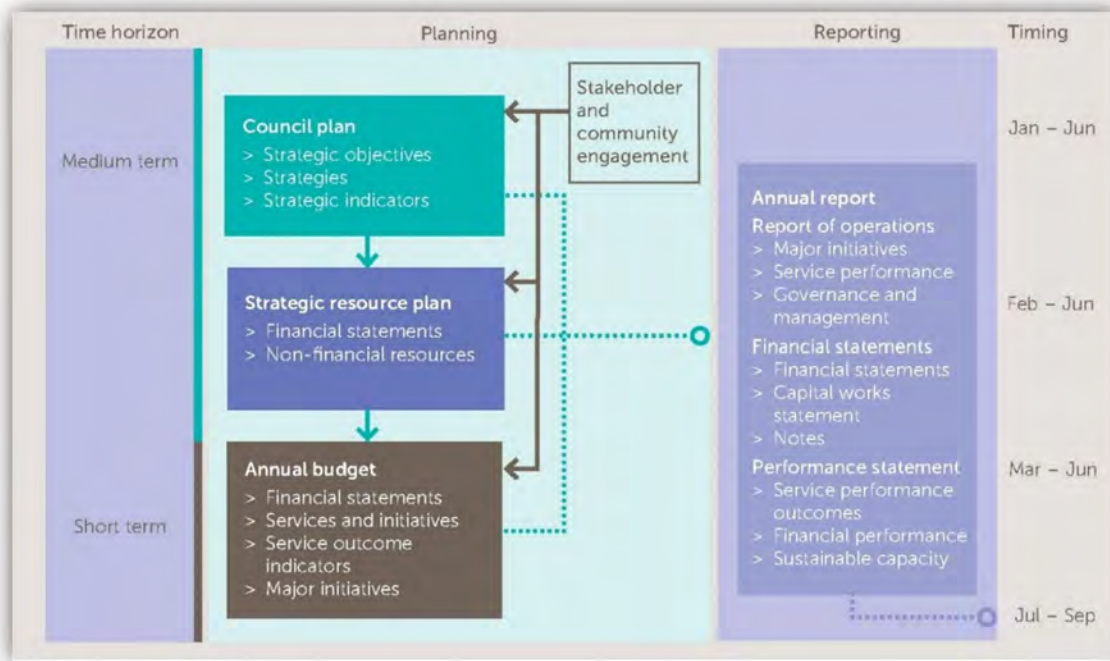
Table 1: Key Strategies – 2020/21

2. LINK BETWEEN STRATEGIC RESOURCE PLAN AND COUNCIL PLAN

2.1 Planning and Reporting Framework

The *Local Government Performance Reporting Framework* is a key part of the local government planning and accountability reform. The **Planning and Reporting Framework** details the relationship between the Council Plan, the Strategic Resource Plan and Annual Budget.

Effective reporting by Councils, on the spending of public money to deliver services and infrastructure, is essential for ensuring transparency and accountability to the community and other



levels of government. The following diagram shows the relationship between the key planning and reporting documents that make up the planning and accountability framework for local government.

Figure 2: Planning and Reporting Framework

It also shows that there are opportunities for community and stakeholder input and feedback at each stage of the planning and reporting cycle.

This is important to ensure accountability to residents and ratepayers.

3. FINANCIAL SUSTAINABILITY

3.1 Background

Financial sustainability as defined by The Australian Local Government Association (ALGA) is worth noting:

“A Council’s long-term financial performance and position is sustainable where planned long-term service and infrastructure levels and standards are met without unplanned increases in rates or disruptive cuts to services.”

It is against this definition that the sustainability of **Central Goldfields Shire Council** can be assessed.

The precise financial strategy which supports financial sustainability and which balances community expectations with the capacity to pay is a challenge for all Councils.

As part of this process strategies, services and investment in infrastructure must be developed that meets the community's needs whilst simultaneously remaining affordable.

The question of what is 'financial sustainability' and the appropriate strategy to support this position will be answered differently by every Council.

However, there are some common questions that should be asked by Councils in the strategic development process. These include:

- the range and level of Council services that are to be offered;
- the affordability of new assets;
- the utilisation of existing assets;
- the quantum of the renewal investment compared to the renewal demand;
- the suitability of borrowings;
- whether rate and charge increases are sustainable within the rate capping requirements; and
- if the community is willing to pay for services and infrastructure.

One mechanism Councils use to support their financial strategic development is to benchmark their financial performance to like sized Councils or their neighbours.

This report contains a summary of relevant benchmarking data for Council to enable this comparative analysis to occur.

3.2 Financial Comparisons - Benchmarking

Council Annual Reports generally contain standard and consistent financial data which is audited by the Victorian Auditor General.

These Reports have been reviewed to produce the data used for benchmarking purposes in this SRP.

The number of Councils in each category is shown in the table below.

Category Description	Councils within Category
Inner Metropolitan	22
Interface Metropolitan	9
Regional Cities	10
Large Shires	19
Small Shires	19
TOTAL	79

Table 2: Number of Councils in each Category – 2019/20

These key performance indicators are detailed within the relevant chapters of the SRP and assist Council to compare its position to other **Small Rural** Councils.

3.3 Analysis of Council's Financial Sustainability

3.3.1 Financial Sustainability

Councils are perpetual corporations that manage intergenerational community services and assets.

Councils provide the legal framework by which communities own infrastructure and assets collectively.

Underlying Operating Position (Surplus/Deficit)

The underlying operating result as defined by the *Institute of Chartered Accountants* (2009) is an important measure of the financial sustainability of a Council.

The underlying operating result is the operational result (balanced, surplus or deficit) less gifted assets, developer contributions, asset revaluations, and write offs and impacts of asset sales. Capital income is also excluded on the grounds it represents an "unmatched" income (expenditure is not included) and it is a non-recurring income source.

Continuous underlying operating deficits lead to a loss in equity, reduction in asset base, drop in service standards over time and a deferral of costs to future generations.

One of **Central Goldfields Shire Council's** long-term financial goals is to achieve an operational surplus without the inclusion of any capital income (against which there is no matching expenditure in the operating statement) and abnormal items such as granted assets.

Central Goldfields Shire Council has an underlying operating surplus of **\$0.36 million** and compares favourably within the **Small Rural** category average of **(\$2.36) million** for underlying operating surplus/(deficit) at June 30 2019.

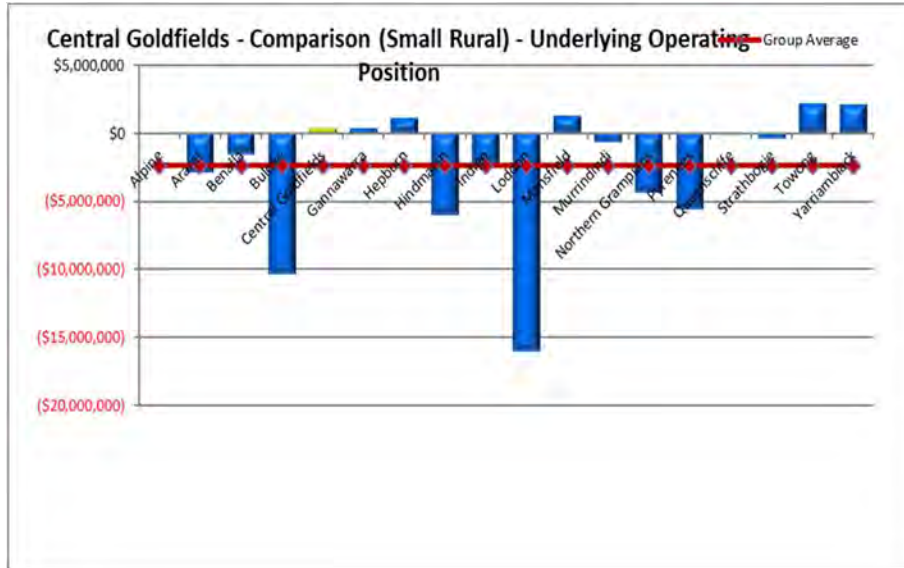


Chart 1: Underlying Operating Position – 2018/19

Liquidity

The MAV assessment asserts a working capital ratio of **100 percent** is generally considered desirable. The analysis considers that Councils with working capital above **150 percent** may have the capacity to reduce long-term debt and preparedness to meet day to day obligations.

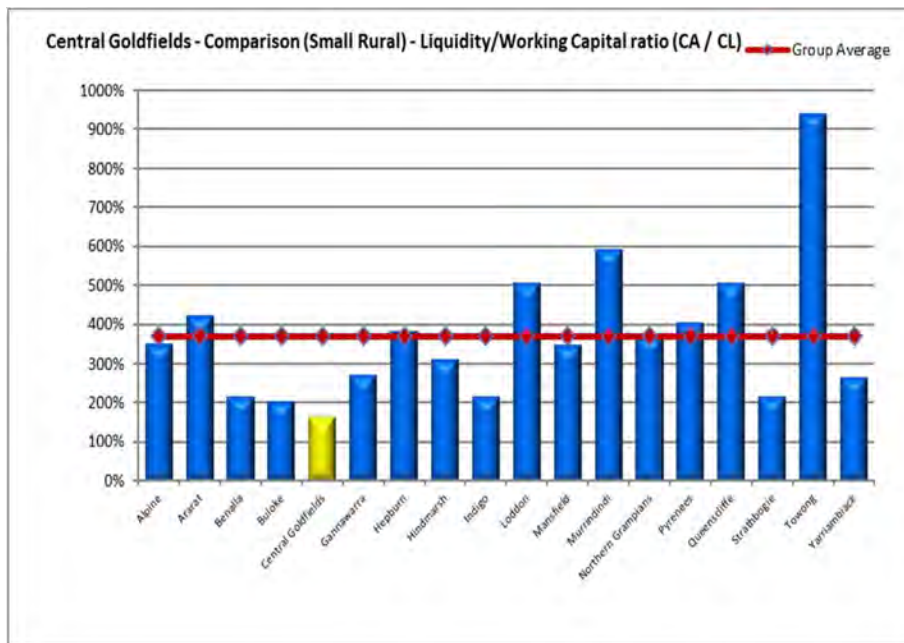


Chart 2: Working Capital Ratio – 2018/19

Council's working capital ratio of **161.83 percent** indicates Council's liquidity is stable in the medium term, with projections to improve from 2020/21.

Rate effort

The ability to increase rate revenue is a significant factor in determining whether Council is potentially at risk.

Rate effort is now constrained by the State Government's introduction of rate capping legislation in the form of its "Fair Go" Rates system. THE FGRS or rate capping introduces an annual rate cap set by the Minister for Local Government which controls general rate increases for all Councils during that financial year.

On 13 December 2019, the Minister for Local Government, advised an annual rate increase of **2 per cent** for the 2020/21 financial year. Councils can seek approval for an increase above this figure through a variation with the *Essential Service Commission* (ESC).

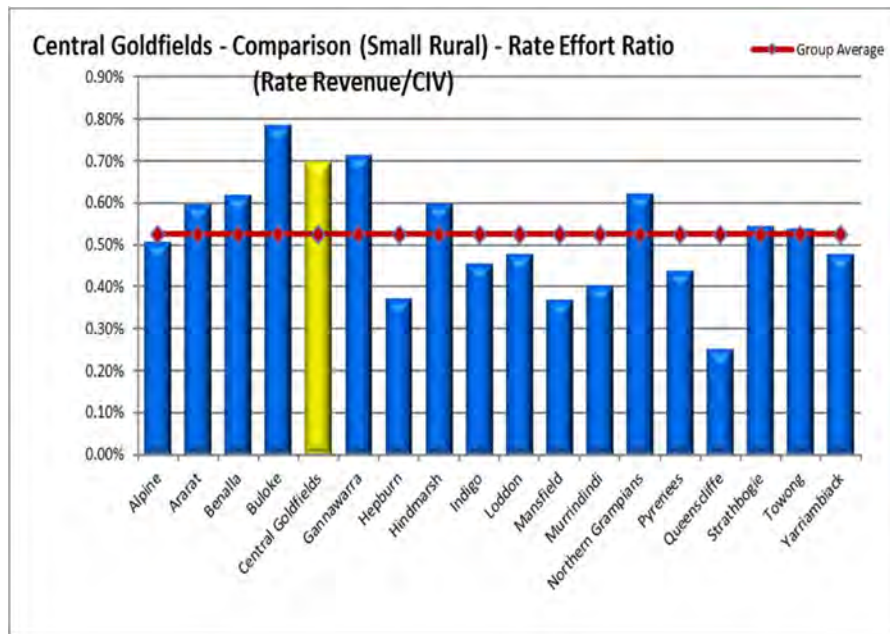


Chart 3: Rate Effort Ratio – 2018/19

Council's rating effort has been satisfactory and when benchmarked was above the average effort of the **Small Rural** group.

Cost and efficiency

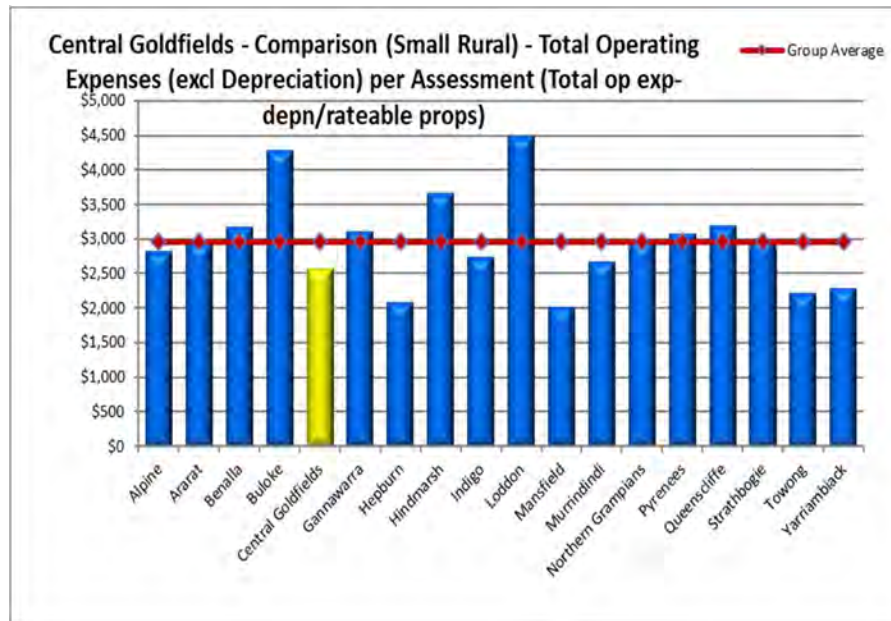


Chart 4: Adjusted total expenses per Assessment – 2018/19

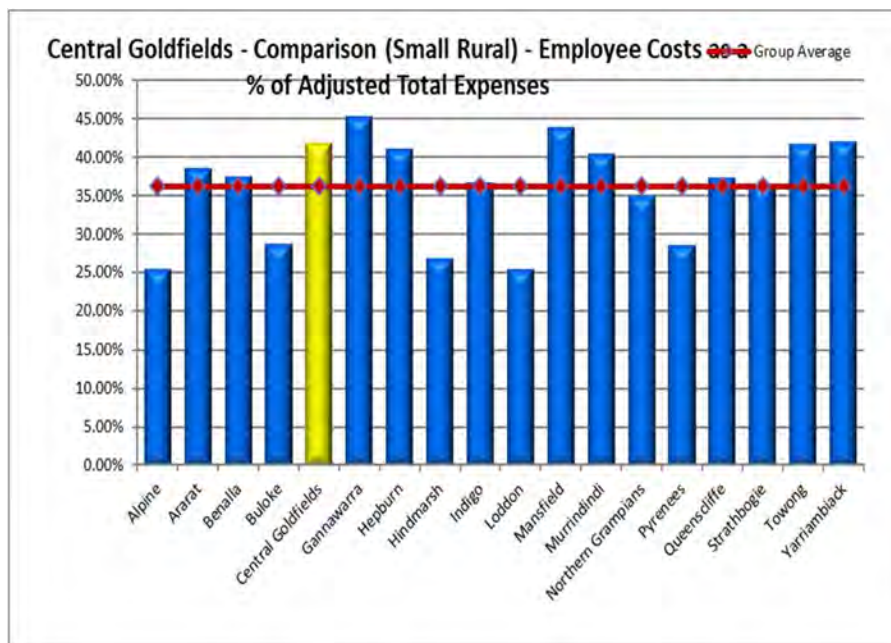


Chart 5: Adjusted total expenses per Assessment – 2018/19

Adjusted Total Expenses per assessment are below the Small Rural average of **\$3,031** at **\$2,560** while Council's employee cost as a percentage of total expenditure is **41.79 percent**, compared to **Small Rural** average of **36.22 percent**. Central Goldfield's employee costs as a percentage of total expenditure is higher than other small rural Councils due to the operations of the Goldfields Family Centre which employees 20 FTE. Not all Councils operate child care centres, a service that is labour intensive and therefore contributes to higher % of employee costs as a % of total expenditure.

Rates affordability

Australian Taxation Office (ATO) income data for wage and salary earners (PAYE) can be used to give some indication of rates affordability.

The Australian Bureau of Statistics (ABS) produces a set of socio-economic indices for areas known as SEIFA. The four indices in the set, which are based on census data, reflect the level of social and economic wellbeing in local government areas. SEIFA includes the following indices:

Relative Index of Socio-economic Advantage and Disadvantage (IRSAD): The proportion of families with high/low incomes, people with/without a tertiary education and employees in skilled/unskilled occupations. Low values indicate areas of disadvantage;

Relative Index of Socio-economic Disadvantage (IRSD): Derived from attributes such as income, educational attainment and skill level;

Index of Economic Resources (IER): Derived from attributes relating income and wealth; and

Index of Education and Occupation (IEO): reflect the educational and occupational levels of communities.

The first three indicators have been used to reflect on the socio-economic status of local areas and therefore ability to bear significant increases in rates.

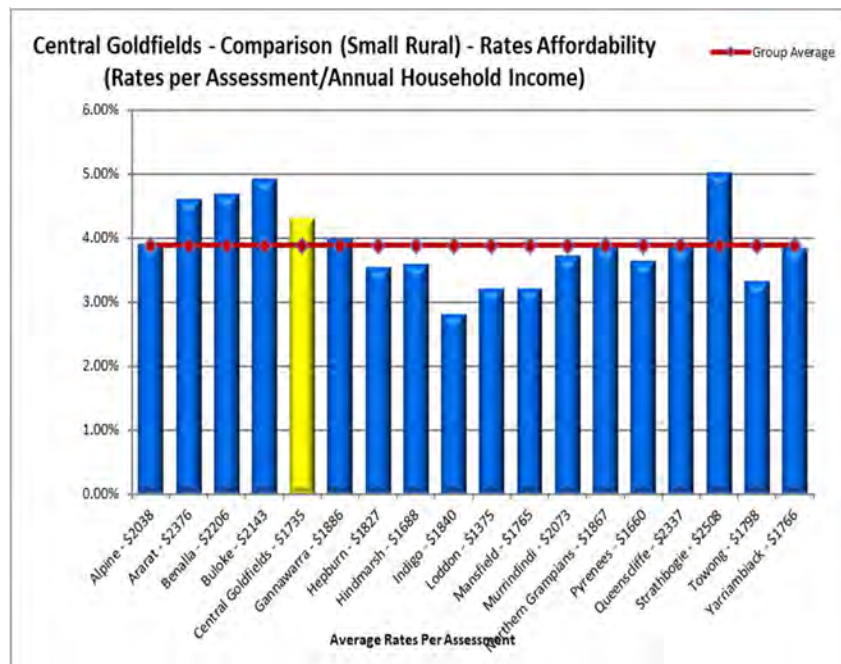


Chart 6: Rates Affordability Small Rural – 2018/19

3.3.2 Victoria Auditor General

The Victoria Auditor General’s Office (VAGO) prepares an annual report on the Results of Audits for Local Government which outlines a detailed analysis on the financial sustainability of the sector.

VAGO use the criteria in the table below to assess the financial sustainability risk of each council.

Financial sustainability risk indicators—risk assessment criteria

Risk	Net result	Adjusted underlying result	Liquidity	Internal financing	Indebtedness	Capital replacement	Renewal gap
High	Less than negative 10% Insufficient revenue is being generated to fund operations and asset renewal.	Less than 0% Insufficient surplus being generated to fund operations	Less than 0.75 Immediate sustainability issues with insufficient current assets to cover liabilities.	Less than 75% Limited cash generated from operations to fund new assets and asset renewal.	More than 60% Potentially long-term concern over ability to repay debt levels from own-source revenue.	Less than 1.0 Spending on capital works has not kept pace with consumption of assets.	Less than 0.5 Spending on existing assets has not kept pace with consumption of these assets.
Medium	Negative 10%–0% A risk of long-term run down to cash reserves and inability to fund asset renewals.	0%–5% Surplus being generated to fund operations	0.75–1.0 Need for caution with cashflow, as issues could arise with meeting obligations as they fall due.	75–100% May not be generating sufficient cash from operations to fund new assets.	40–60% Some concern over the ability to repay debt from own-source revenue.	1.0–1.5 May indicate spending on asset renewal is insufficient.	0.5–1.0 May indicate insufficient spending on renewal of existing assets.
Low	More than 0% Generating surpluses consistently.	More than 5% Generating strong surpluses to fund operations	More than 1.0 No immediate issues with repaying short-term liabilities as they fall due.	More than 100% Generating enough cash from operations to fund new assets.	40% or less No concern over the ability to repay debt from own source revenue.	More than 1.5 Low risk of insufficient spending on asset renewal.	More than 1.0 Low risk of insufficient spending on asset base.

The financial sustainability indicators are only indicative, highlighting ongoing and emerging financial sustainability risks at a sector and cohort level—metropolitan, interface, regional, large shire and small shire councils.

A definitive view of financial sustainability requires a more holistic analysis beyond historical financial reporting, taking into account forward-looking financial forecasts and plans, operations and an entity’s environment.

The 2018/19 result for **Central Goldfields Shire Council** compared to the average across **Small Rural Councils** for the VAGO indicators of Council financial sustainability are:

Indicator	Calculation	Description	Central Goldfields Shire Council 2018/19	Small Rural Councils 2018/19
Net result	Net result/ total revenue	A positive result indicates a surplus, and the larger the percentage, the stronger the result. A negative result indicates a deficit. Operating deficits cannot be sustained in the long-term.	10.75%	13.9%
Adjusted Underlying Operating Result	Adjusted underlying surplus (or deficit) / Adjusted underlying revenue	Indicator of the broad objective that an adjusted underlying surplus should be generated in the ordinary course of business. A surplus or increasing surplus suggests an improvement in the operating position.	1.08%	1.29%
Liquidity	Current Assets/ Current Liabilities	This measures the ability to pay existing liabilities in the next 12 months. A ratio one or more means there is more cash and liquid assets than short-term liabilities	1.62	3.77
Indebtedness	Non-current liabilities/ own sourced revenue	Comparison of non-current liabilities (mainly comprised of borrowings) to own-sourced revenue. The higher the percentage, the less able to cover non-current liabilities from the revenues they generate themselves. Own-sourced revenue is used (rather than total revenue) because it does not include capital grants, which are usually tied to specific projects.	1.78%	14.34%
Internal financing	Net Operating cash flow/Net capital expenditure	Measures the ability of an entity to finance capital works from generated cash flow. The higher the percentage, the greater the ability for the entity to finance capital works from their own funds.	188.62%	134.7%
Capital Replacement	Cash outflows from property, infrastructure, plant and equipment / Depreciation	Comparison of the rate of spending on infrastructure with its depreciation. Ratios higher than 1:1 indicate that spending is faster than the depreciating rate. This is a long-term indicator, as capital expenditure can be deferred in the short-term if there are insufficient funds available from operations, and borrowing is not an option.	0.60	1.14
Renewal gap	Renewal and upgrade expenditure/ Depreciation	Comparison of the rate of spending on existing assets through renewing, restoring, and replacing existing assets with depreciation. Ratios higher than 1:1 indicate that spending on existing assets is faster than the depreciating rate. Similar to the capital replacement, this is a long-term indicator, as capital expenditure can be deferred in the short term if there are insufficient funds available from operations, and borrowing is not an option.	0.56	1.18

Table 3: 2018/19 VAGO Indicators of Council Financial Sustainability

The majority of Central Goldfields Shire's financial sustainability indicators are in the low to medium risk range. It is recommended that Council maintains key financial indicators within the low to medium range of VAGO's financial sustainability risk indicators over the life of this SRP and Long Term Financial Plan.

3.4 Benchmarking

In most instances Council compares favourably with its neighbours and other **Small Rural** Councils. When benchmarked to other **Small Rural Shires** and neighbours **Central Goldfields Shire Council** is characterised by:

- Underlying operating surplus;
- Lower levels overall operational costs in comparison to Councils in the category;
- High rating effort;
- Average debt ratios; and
- Growing capital works program with sufficient priorities given to asset renewal.

Strategic Direction

1. That **Central Goldfields Shire Council** continues to benchmark with other Victorian Councils and those within the **Small Rural** category.
2. That **Central Goldfields Shire Council** maintains key financial indicators within the low to medium range of VAGO's financial sustainability risk indicators.
3. That **Central Goldfields Shire Council** maintains a cash balanced budget for the life of this SRP and achieves an adjusted operating surplus in 2021/22.

4. SERVICE PROVISION AND PLANNING

4.1 Introduction

The range and level of services a Council should, or is capable of, or wants to provide is a complex question to consider.

It is critical that an overall understanding of the **Service Planning Framework** be considered within the context of the key service drivers including:

- Community expectations: Ever changing and balanced against willingness to pay;
- Legislative requirements: e.g. Health and environmental standards and regulations;
- Organisational: Strategic Mission and Objectives; and
- Resources: Availability of resources and funding, particularly within a rate capped environment.

This section includes:

- Local Government Service Planning
- Introducing a Service Planning approach
- Service Planning approach and the six key steps
- Conclusion

4.2 Local Government Service Planning

4.2.1 Service Delivery challenges

Central Goldfields Shire Council is grappling with these questions as it seeks to achieve a balance between capital investment, renewal and service delivery right. What is the correct range of services, what level should they be provided at and are they sustainable within a rate capped environment for the majority of ratepayers?

- What range of services does Council provide and do these align to the Council Plan and service strategies?
- What level of service does Council want to provide within the capacity of the community to pay?
- What assets are required to underpin the required level of service and are these fit for purpose?
- Is the current mix of capital investment ensuring assets underpinning services are safe and serviceable – is Council's renewal investment adequate?

- Are the services (range and level) sustainable over a ten-year timeframe against the Council's long term financial plan?

In 2019/20, Council began a six phase **Service Planning** project to facilitate answers to these questions. Council's long-term financial sustainability is critically linked to answering these fundamental questions.

4.2.2 What is Service Planning

Service Plans define programs and projects which need to be undertaken to deliver the service and include specific information on service levels, the service provider, service cost, service targets, performance Indicators and the reporting framework.

Service Plans identify assets (upgrades or new) required to support those services and reviews the outcomes of Asset Management Plans to ensure existing assets are appropriate for the delivery of services required.

Actions are specific, based on a 10 year horizon. Having detailed **Service Plans** with costed levels of service allows comparative choice decisions to be made in a transparent manner when budget adjustments are required.

The service outputs should be achievable and defined within service plans which are fully funded and resourced within the Council's 10 year Long Term Financial Plan. Through this sustainable service delivery model Council has the capacity to deliver on its promises. Council must remain financially sustainable to continue to provide services to its community into the future.

Having detailed **Service Plans** with costed levels of service will allow Council to make comparative choice decisions in a transparent manner if and when service and budget adjustments are required.

Service Plans provide a clear point of reference to manage and monitor progress towards achievement of strategic outcomes as well as forming the basis of reporting to the community and State Government.

The Council acknowledges that there will always be many competing interests for scarce Council resources. Adopting a *service planning* approach throughout the organisation will address many of the service delivery priorities and in turn community perceptions of Council performance.

The process will ensure that Council remains committed to providing service levels to the community that are of acceptable standard and delivered in the most efficient and appropriate manner.

The **Strategic Service Framework** fits within the broader context of Council operations as illustrated below:



Figure 3: Strategic Service Framework

4.3 Introducing a Service Planning Approach

4.3.1 Understanding Levels of Service

Understanding the *Levels of Service* approach within a Council context is important because it facilitates:

- Support for the sustainability of current services;
- Increasing satisfaction levels: minimising the gap between what is provided and what the community needs;
- Transparent decision making for good governance; and
- A robust relationship between Levels of service and funding.

The objective for the level of service process is to enable Council to engage in community consultation efforts that focus on *Community Levels of Service*.

4.4 Service Plan Process: 6 Key Steps

The **Service Planning** process needs to be comprehensive and cover the entire organisation.

All services need to be included in the process (including internal services) as the Council needs to be in a position to be able to make informed comparative choice decisions.

Council proposes that the service review process be undertaken in six stages.

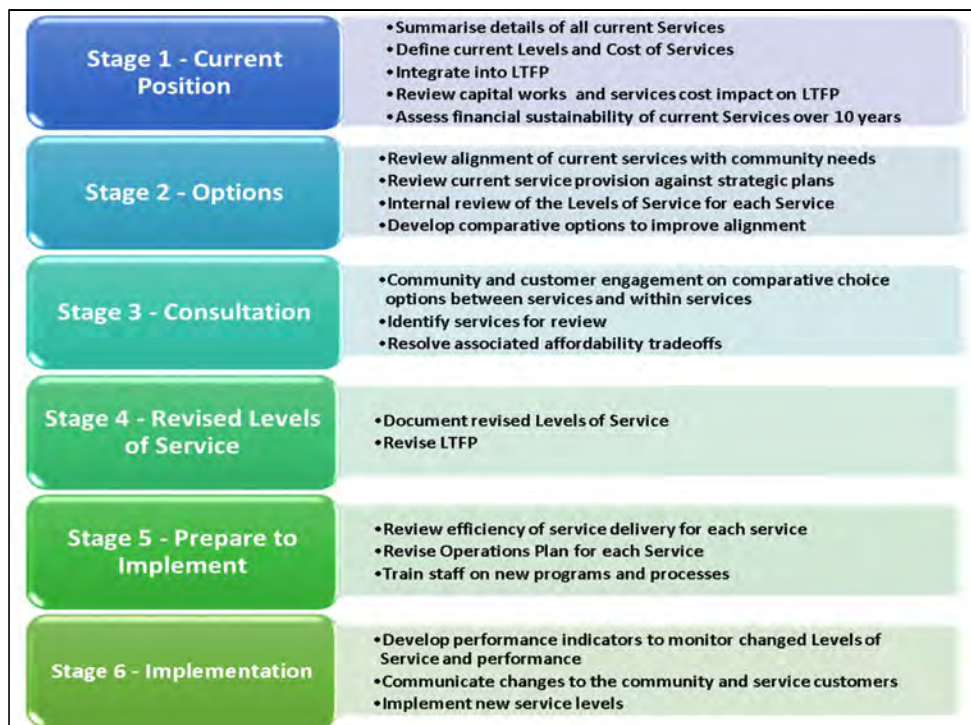


Figure 4: Service Plan Process - 6 Key Steps

Council has completed Stage 1. Stages 2 – 6 are underway for all services over the life of this SRP.

4.4.1 Stage 1 – Current Practices Sustainability Assessment

This first stage takes a holistic approach and prepares a 10-year *Service Profile* and a *Service Cost Evaluation* for all services to assess the long term sustainability of the Council's range of services.

At the end of **Stage 1** Council will have a detailed understanding of the:

- Range of Services it provides to the community;
- Levels of Service for each Service;
- Projected cost of each service over the forward 10-year period;
- Life cycle cost impacts of capital works associated with the service delivery;
- Long term financial sustainability of Council's current service model; and
- Framework under which Council can make informed choices around resource allocation to specific service areas.

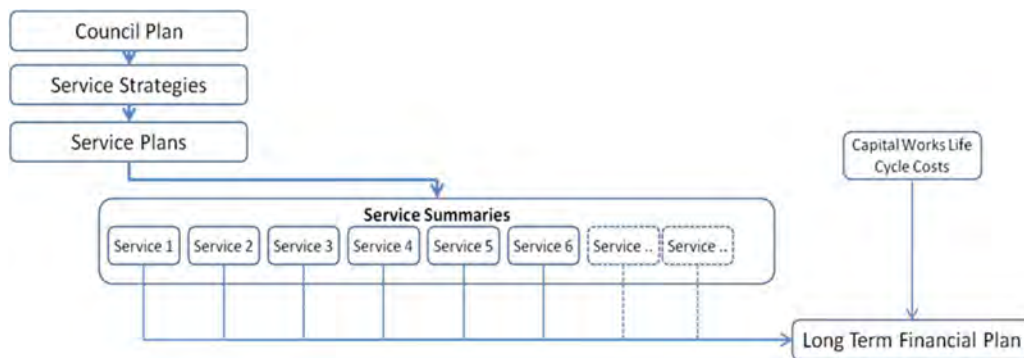


Figure 5: Current Practices Sustainability Assessment

These Plans also provide a direct linkage to *Service Plans* and to implementing program and projects defined in the *Service Plans* with specific actions and budgets generally for years 1 and into year 2.

4.4.2 Council Budget

Council's operation includes provision of building, planning, economic development services, community services, infrastructure planning, operations and corporate support services including finance, information technology, asset management and organisation development.

Council's operating costs and revenues for **2020/21** are **\$29.38 million** and **\$ 28.85 million (excluding capital grants)** respectively with forecasts for the next 10 years contained in **Appendix B**.

The Capital Works Program is explained in more detail in Section 5.

4.4.3 Human Resource Needs

Council's Human Resources are integral to the delivery of Council's services. Council's overall adjusted operating expenses per assessment (adjusted to remove depreciation) in the graph below show Councils total operating costs benchmarked to like sized Councils.

Council's operating costs per assessment are lower than average and Council's employee costs are higher than average. Central Goldfield's employee costs as a percentage of total expenditure is higher than other small rural Councils due to the operations of the Goldfields Family Centre which employees 20 FTE. Employee costs are one element of these costs. Councils use employees or contractors to deliver services. Council's employee costs as a percentage of operating expenses have been benchmarked to similar sized Councils in Victoria.

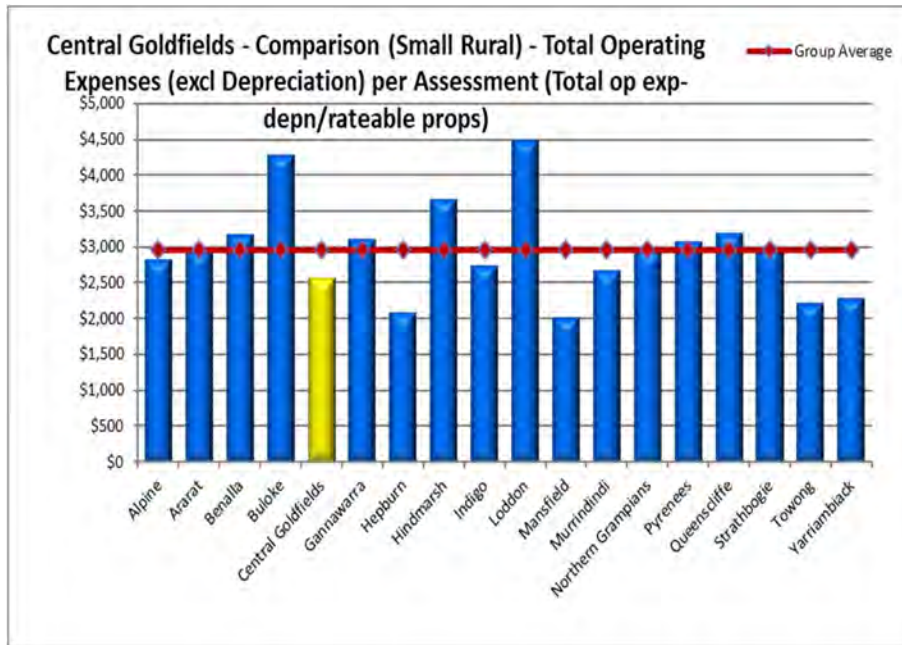


Chart 7: Adjusted Operating Expenses per Assessment 2018/19

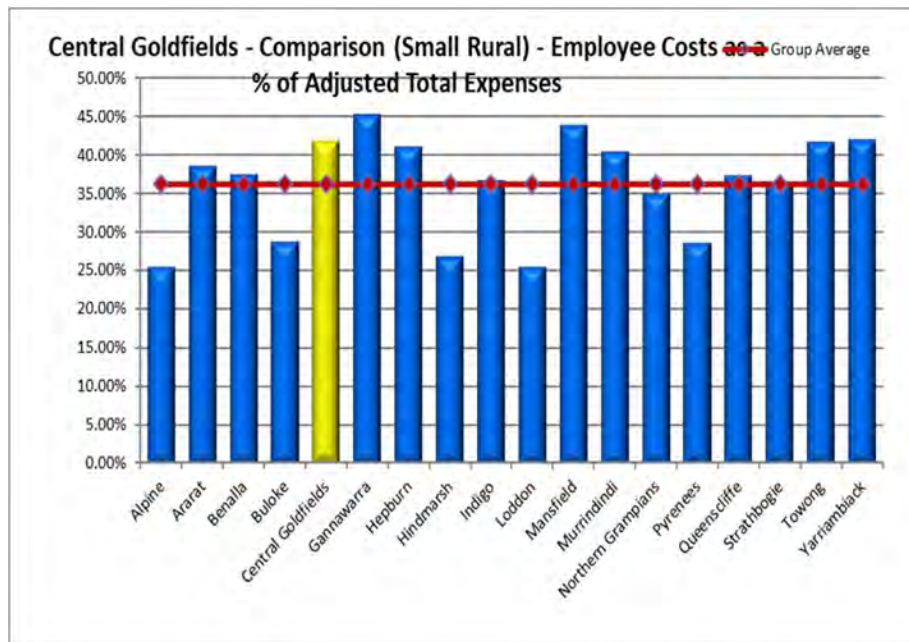


Chart 8: Employee Costs % Adjusted Operating Expenses 2018/19

The table below details the *Statement of Human Resources* for the oncoming four years:

	2020/21	2021/22	2022/23	2023/24
	\$'000	\$'000	\$'000	\$'000
Staff Expenditure				
Employee Costs - operations	13,985	13,028	13,288	13,555
Employee Costs – capital	841	850	860	870
Total staff expenditure	14,826	13,878	14,148	14,425
	FTE	FTE	FTE	FTE
Total staff numbers	162.6	150.3	150.3	150.3

Table 4: Statement of Human Resources - For the four years ended 30 June 2024

Employee numbers are higher in 2020/21 by the Working for Victoria grant funded project which involves a FTE of 24.5 for six a six month fixed term, at a cost of \$1,002,000.

4.5 Conclusion

Managing financial sustainability and the range and level of services provided will remain an ongoing challenge, particularly in a now rate capped environment.

This work continues in the context of improving financial sustainability, linking infrastructure planning to service planning and resource constraints.

Council will demonstrate clear and transparent decision making in allocating scarce resources whilst delivering the best service outcomes from amongst the many alternatives demanded by the community, a critical outcome of the proposed service planning framework.

Strategic Direction

1. That **Central Goldfields Shire Council** continue the Service Planning process in 2020/21 via a strategic service planning framework incorporating annual budget, departmental operational plans, capital works evaluation and long term financial plan leading to a determination of the appropriate range and levels of service for the community.
2. That **Central Goldfields Shire Council**, as part of the development of its Service Plans, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio.

5. CAPITAL WORKS PROGRAM

5.1 Introduction

The previous section discusses the long-term issues with respect to *Service Planning*.

It should be noted **78.4 per cent** of the capital expenditure is on renewal and upgrade type projects in the draft capital works program for 2020/21. The total capital program of **\$15.9 million** is composed of **\$3.4 million** in new assets and **\$12.5 million** in renewal, expansion and upgrade.

The proposed program for 2020/21 comprises **\$10.8 million** in renewal and **\$0.67 million** in expansion and **\$0.99 million** in upgrade.

This section includes:

- Level and nature of capital works;
- 2020/21 Capital Investment levels
- Capital funding sources; and
- Capital Works Evaluation process

The benchmark for 2018/19 capital expenditure levels by **Small Rural Councils** is illustrated below:

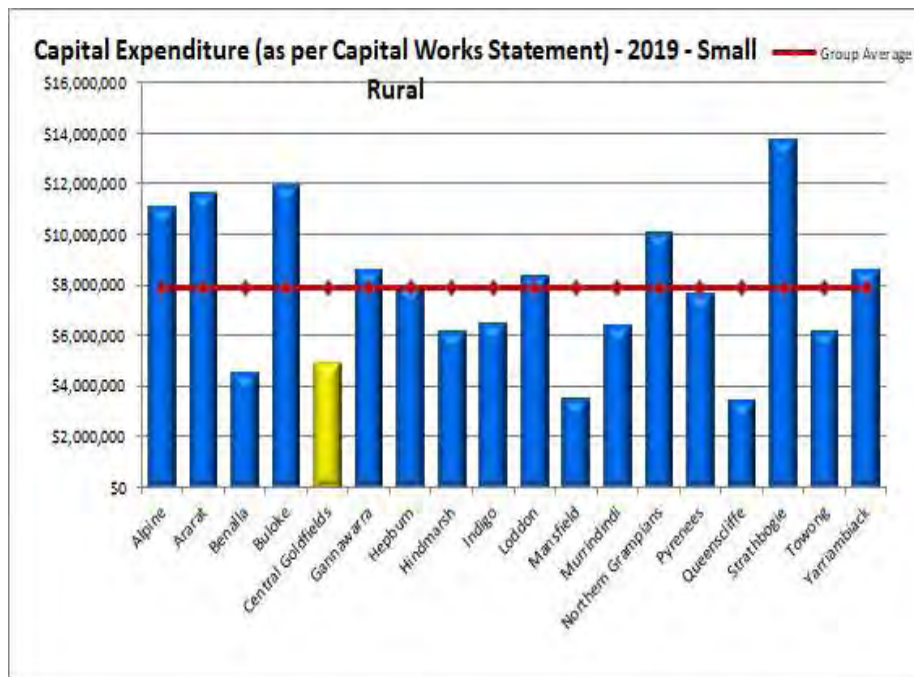


Chart 9: Capital Expenditure per Capital Works Statement – 2018/19

Capital expenditure per assessment is lower than average in 2018/19 at **\$584** per assessment as compared to **\$1,100** for the average **Small Rural Shires**. This increased to \$937 per assessment in 2019/20 and will be \$1,863 in 2020/21 due to increase in successful grant applications for State and Federal Government funding programs.

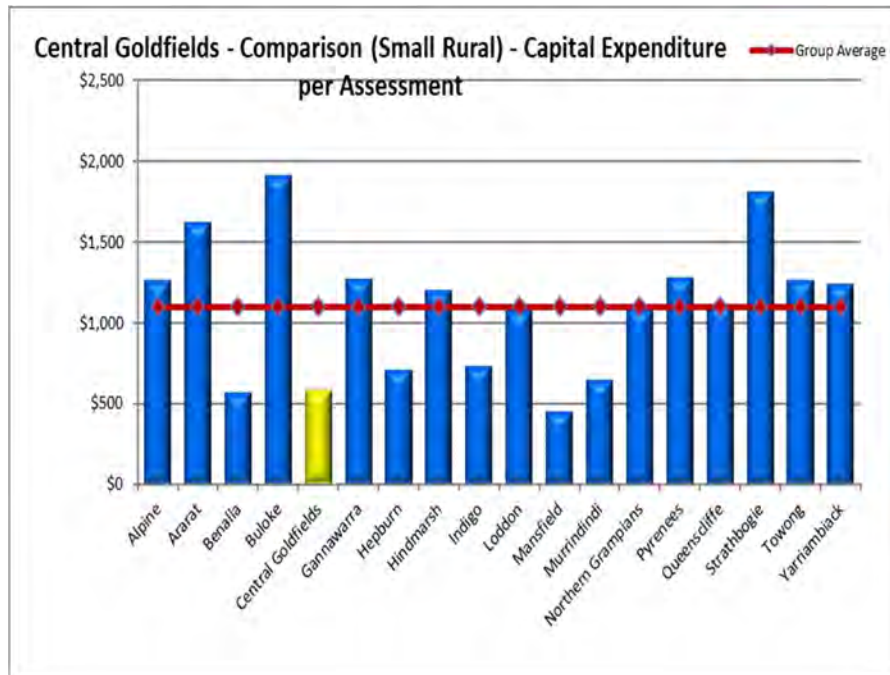


Chart 10: Capital Expenditure per Assessment – 2018/19

5.2 Level and Nature of Capital Works

Four key outcomes from the long-term financial plan will be:

- To maintain the annual critical renewal investment – section 6;
- To maintain agreed service levels as determined in Council’s *Service Plans*- section 4;
- Maintain average condition where desired; and
- Invest in new assets subject to the principles in section 4.

5.2.1 Capital works 2020/21 – 2030/31 - Parameters

The following are the parameters against which the 2020/21 capital works program has been developed:

- Alignment to Strategic Resource Plan financial growth assumptions with respect to expenditure and revenue;
- Meeting current levels of service; and
- Priority provision for critical renewal investment

In terms of the longer term program to 2030/31 the following parameters/assumptions apply:

- Large one-off projects flagged in subsequent years require accurate costing to be undertaken and their timing and priority finalised;
- Continue priority on renewal, followed by upgrade with expansion and new, the most discretionary;
- Provide for expenditure growth required to level of sustainable renewal to meet the community’s service level requirements (based on current Asset Management and Service Plans);
- Income assumptions to remain conservative given they are less predictable; and
- Roads to Recovery income assumed to continue at current level spread across relevant projects within the Roads Program.

5.3 2020/21 Capital Investment Levels

The 2020/21 capital works program by expenditure type is detailed hereunder:

Capital Expenditure Type	2020/21 \$M	2020/21 %
Renewal	10.81	67.9
Upgrade	0.99	6.2
New	3.43	21.6
Expansion	0.67	4.3
TOTAL	15.90	100

Table 5: Capital Works Summary – 2020/21

5.4 Capital Funding Sources

The development of a 10-year capital works program will enable a precise cash flow budget to be developed.

This program will be refined during the 2020/21 financial year.

External capital funding services include capital grants, developer contributions and special charges schemes.

Internal capital funding sources include land sales, asset sales, special charge schemes and general rates. The SRP forecasts capital funding sources conservatively.

5.5 Capital Works Evaluation Process

5.5.1 Business Case

The Council's *Capital Works Evaluation* subjected all proposed capital works to an objective business case analysis so that the costs of the priority projects could be scored and the cost implications assessed.

If a project was required due to statutory obligations or had been approved by a **Central Goldfields Shire Council** resolution it is automatically assigned the highest priority. If a project did not meet **Central Goldfields Shire Council** objectives it is automatically assigned the lowest priority.

Projects that meet **Central Goldfields Shire Council** objectives but are not required to meet statutory obligations or have not been approved by a council resolution are assigned a prioritisation score based on the results of four equally weighted criteria:

- Financial,
- Council Plan objectives,
- Risk/Criticality
- Community Benefit.

5.5.2 Whole of Life Costing

It is important that all proposals for new and upgrade have the full **whole of life costs** calculated and disclosed as part of the evaluation process and that the operating and maintenance are calculated and placed in the long term financial year for the life of the asset.

5.6 Conclusion

Council's capital works program underpins the needs and priorities as determined by Council's capital evaluation process.

It is the Council's challenge to develop *Service Plans* and *Asset Management Plans* that ensure the community's levels of service are met through the delivery of efficient and effective services.

Strategic Direction

1. That **Central Goldfields Shire Council** increases its capital works commitment at levels that meet or exceed the targets established in this SRP and reviews its 10-year capital works program as Asset Management Plans are updated.
2. That **Central Goldfields Shire Council** initially focuses capital works on maintaining a critical renewal level based on maintaining a minimum service level at levels indicated in Table 7 (**Section 6.5 Condition Assessment**), with the next priority on renewal, upgrade and expansion.
3. That any bids for expansion, new and upgrade of assets come from the Service Managers as arising from their **Service Plans**.

6. ASSET MANAGEMENT

6.1 Introduction

Linking asset management to Council's strategic financial direction is fundamental to achieving the goal of long-term financial sustainability.

This section includes:

- Council's asset portfolio at 30 June 2019;
- Key questions to determine service level/investment;
- Asset investment;
- Condition assessments;
- Management Systems; and
- Strategic asset management.

6.2 Council's Asset Portfolio - 30 June 2019

6.2.1 Current and Non-Current Fixed Assets

Accounting for an asset requires the recognition of all costs associated with asset ownership including creation/acquisition, operations, maintenance, rehabilitation, renewal, depreciation and disposal.

This "life cycle" approach needs to be recorded at an individual asset level so all the costs of owning and operating assets are known and understood.

For accounting purposes assets are grouped into current and non-current assets. Current assets are cash or those assets that are considered to be readily convertible to cash.

This asset grouping includes cash at bank, investment funds, stock on hand, debtors and land held for resale. The balance of current assets held by **Central Goldfields Shire Council** at 30 June 2019 is **\$15.805 million**.

Non-current assets consist of Council's debtor accounts not expected to be collected in the coming **12** months and Council's fixed assets.

Fixed assets consist of land, buildings, plant, furniture, roads, drains, playgrounds and other similar infrastructure assets.

The total value of fixed assets at 30 June 2019 is **\$314.6 million**. The balance of this section will focus on the fixed assets and the management strategies that Council is pursuing.

6.2.2 Depreciation Expense

Depreciation expenses, useful lives and the rate at which the economic benefits or the service potential of the asset are consumed is reassessed following condition assessments and when asset valuations are undertaken.

Council's depreciation expenses as a percentage of its total assets are benchmarked and depicted in the following graph:

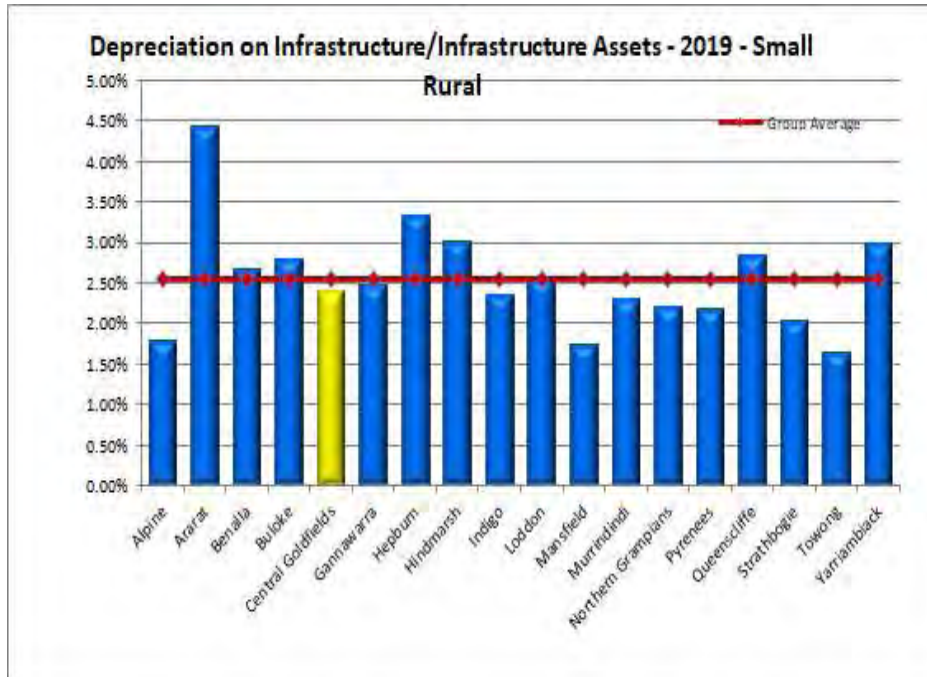


Chart 11: Depreciation on Infrastructure/Infrastructure Assets – 2018/19

6.3 Key Questions to Determine Service Level/Investment

The key questions with respect to infrastructure investment are detailed below:

1. How much does it cost ratepayers to retain the current infrastructure portfolio, that is, what is the long-term average cost of renewal plus maintenance?
2. What assets support services and therefore should be renewed and retained as opposed to assets that are surplus and should be rationalised?
3. How much will need to be spent in the short term (next 10 years) relative to the renewal expenditure invested in the recent past?
4. How much more management effort (financial and operational) will be required of Council as its assets age?
5. What assets are at the “at risk” phase (intervention level) of their life cycle and will ultimately result in their being unserviceable and unsafe?
6. What outcomes would the community and Council like to achieve with respect to asset upgrades? For example, would Council like to see an extension to the sealed road network, or playground network?
7. Are the Council assets providing the level of service expected by the community?
8. What assets should the community “manage for decline” – public halls, buildings, bridges, roads?

6.4 Asset Investment

Asset investment can be made in the following ways:

Type of Expenditure	Definition	Purpose/Example
Maintenance	Expenditure on an asset that maintains the asset in use but does not increase its service potential or life.	Maintaining asset serviceability by repair e.g. repairing a single pipe in a drainage network, or a pot hole in a road.
New asset expenditure	Means expenditure that creates a new asset that provides a service that does not currently exist. New asset expenditure does not have any element of renewal, expansion or upgrade of existing assets. New capital expenditure may or may not result in additional revenue for council and will result in an additional burden for future operation, maintenance and capital renewal.	Retains an existing service level, e.g. Re-sheeting a road reseals, resurfacing an oval.
Asset renewal expenditure	Means expenditure on an existing asset or on replacing an existing asset that returns the service capability of the asset to its original capability. It has no impact on revenue but may reduce future operating and maintenance expenditure if completed at the optimum time.	Increases the quality of service provided to ratepayers or provides new services, e.g. Widening the pavement of a sealed area of an existing road.
Asset expansion expenditure	Means expenditure that extends the capacity of an existing asset to provide benefits to new users at the same standard as is provided to existing beneficiaries. It is discretionary expenditure which increases future operating and maintenance costs, because it increases council's asset base, but may be associated with additional revenue from the new user group.	Extends services to newly developing areas of the Council where there are new ratepayers, e.g. Extending a road or drainage network, new pre-school.
Asset upgrade expenditure	Means expenditure that enhances an existing asset to provide a higher level of service or that will increase the life of the asset beyond its original life. Asset upgrade expenditure is discretionary and often does not result in additional revenue unless direct user charges apply. It will increase operating and maintenance expenditure in the future because of the increase in the council's asset base.	Provides new assets for services that do not currently exist

Table 6: Expenditure Definitions – Asset Management 2019/20

It is important Council records its expenditure correctly as the impacts of capital investment differ between these categories – for example whole of life costs for new assets as opposed to renewal.

6.5 Condition Assessment

Monitoring asset condition and performance relates to the ability of the asset to meet targeted levels of service. Asset condition reflects the physical state of the asset and the functional level of service it is capable of providing.

Monitoring asset condition and performance throughout the asset life cycle is important in order to identify underperforming assets or those which are about to fail. Council has developed its *Asset Management System* to readily monitor asset condition and performance and to:

- Identify those assets which are under performing;
- Predict when asset failure to deliver the required level of service is likely to occur;
- Ascertain the reasons for performance deficiencies; and
- Determine what corrective action is required and when (maintenance, rehabilitation, renewal).

6.6 Management Systems

Council has determined that no asset's condition will be allowed to go below its predetermined intervention levels as the cost of renewal significantly increases and the asset's functionality, safety and ability to provide its intended service level is compromised.

Council has is currently collecting **condition data** for all of its major asset categories and will be in a position to commence detailed *Service Plans* and *Asset Management Plans* in 2020/21.

The benefits of knowing the current condition and performance (level of service) an asset provides are:

- Ability to plan for and manage the delivery of the required level of service;
- Avoidance of premature asset failure, leaving open the option of cost-effective renewal;
- Managing risk associated with asset failures;
- Accurate prediction of future expenditure requirements; and
- Refinement of maintenance and rehabilitation strategies.
-

The **Asset Management System** should not only record asset condition and asset defects/inspection details; it should also provide financial management and year-end accounting and valuation data. Council's Asset Management System is currently being assessed as it is not able to provide the level of reporting and forecasting required to meet Council's needs.

Priority is on funding the annual renewal annuity based on predetermined service levels generally described as intervention levels- the maximum level an asset can deteriorate to prior to renewal investment.

The intervention level is theoretically where the assets service life has expired, and renewal investment is required to restore service potential – For example a road needs re-sheeting to be useable.

Council, as asset managers, need to be able to assess the relative merits of rehabilitation / renewal / replacement options and identify the optimum long-term solution through a decision related to levels of service. Council needs to strategically determine an affordable level of service to manage the emerging condition profile.

The benefit of that knowledge now is the management process can commence across the entire asset portfolio.

6.7 Strategic Asset Management

Council reviews its *Asset Management Policy* every two years and was last reviewed and updated in July 2019.

The objective of this policy is to ensure that adequate provision is made for the long-term replacement of major assets by:

- Ensuring that services and infrastructure are provided in a financially sustainable manner, with the appropriate levels of service to customers and the environment;
- Safeguarding infrastructure assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets;
- Creating an environment where all employees take an integral part in overall management of infrastructure assets by creating and sustaining an asset management awareness throughout the Council by undertaking training and development;
- Meeting any legislative and regulatory requirements for asset management;
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated; and
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

Other major elements are the *Asset Management Strategy* which details specific actions to be undertaken by Council to improve asset management capability and achieve specific strategic objectives.

Asset Management Plans are subsequent components where long-term plans (10-years and beyond) outline renewal requirements for each asset category.

The table below explains the objectives and typical contents of these documents:

Asset Management Strategy	Asset Management Plans
Specific actions to be undertaken by Council in order to improve or enhance asset management capability and achieve specific strategic objectives.	Long-term plans (usually 20 years or more for infrastructure assets) that outline the asset activities for each service area.
<i>Develops a structured set of actions aimed at enabling improved asset management by Council.</i>	<i>Outlines actions and resources to provide a defined level of service in the most cost effective way.</i>
<ul style="list-style-type: none"> • A description of the current status of asset management practices (processes, asset data and information systems). • Organisation's future vision of asset management. • A description of the required status of asset management practices to achieve the future vision. • Identification of the gap between the current status and the future vision (a "gap analysis"). • Identification of strategies and actions required to close the gaps, including resource requirements and timeframes. 	<ul style="list-style-type: none"> • A summary of Council's strategic goals and key asset management policies. • Definition of levels of service and performance standards. • Demand forecasts and management techniques. • Description of the asset portfolio. • A broad description of the lifecycle management activities for operating, maintaining, renewing, developing and disposing of assets. • A cash flow forecast. • Key asset management improvement actions including resources/timeframes.

Table 7: Asset Management Plan Objectives & Document Content

Council is currently reviewing the condition of its assets and will be in a position in 2020/21 to analyse its condition profile and determine and understand the cost of a predetermined service level.

6.7.1 Community Consultation

Council's *Strategic Resource Plan* is presently focused on funding a "service level" that prioritises critical renewal and maintains average condition to meet community expectation.

The challenge ahead is to understand the community's expectations and provide service level and funding options to accommodate these.

The next steps for Council will be to engage Council and the community in discussions about **levels of service** to provide the opportunity for differing service levels to be costed and reviewed.

Sound Asset Management is:

- Knowing what assets we own (Asset Register);
- Understanding the condition and expected lives of our assets;
- Knowing what 'levels of service' customers want- service planning;
- Having processes in place to establish priorities and allocate funds;
- Knowing the long-term funding requirements associated with our assets; and
- Having documented *Asset Management Plans* detailing levels of service will be a challenge during 2020/21.
- What services, including their performance levels, are required to meet the community outcomes?
- Finally, what infrastructure or assets are required to support the service level?

Too often there is a focus on the asset rather than on the outcome/service level it requires. A review of this nature may result in assets no longer being required to support community outcomes.

6.7.2 Asset Management Steering Committee

The *Asset Management Steering Committee (AMSC)* is a cross-functional professional team with representatives from all Council departments.

The purpose of the AMSC is to oversee the decision-making process with respect to the direction of asset management and to ensure the Council continues to develop total asset management across the organisation.

The **Asset Management Steering Committee's** Terms of Reference include:

- Monitoring the implementation of the overall improvement program, as detailed in the Asset Management Strategy
- Providing adequate advice and assistance to ensure the necessary resources (business, technical, financial & other) are available for implementation of prioritised improvement opportunities;
Providing coordination and support to achieve the asset management and financial planning objectives sought by Council, including the resolution of differences between Business Units when necessary;
- Overseeing community consultation required with regards to Asset Management Strategies.

There is still further work to be done on developing and updating *Service Plans* and *Asset Management Plans*.

6.7.3 Renewal Demand

Council is currently undertaking a review of the condition of its road assets which will provide up to date information on renewal demand. This section of the SRP will be updated when this report is available.

Council's *Strategic Resource Plan* is transitioning to focus on funding a "service level" that prioritises critical renewal and maintains average condition to meet community expectation.

To facilitate this process, Council will engage in consultation with key stakeholders including discussions on the key questions with respect to infrastructure investment and service levels, as detailed in Section 5.

6.8 Conclusion

Council's priorities for the 2020/21 financial year as regards Asset Management are:

- **Asset Management Plans:** Develop tactics to manage renewal demand/gap post the completion of Stage 1 of the service planning process.
- **Review Levels of service:** In conjunction with stage 1 of the service planning process.
- **Review of Asset hierarchies:** Determine if current categories and service levels are appropriate.
- **Field test condition data:** Review useful life left versus condition rating based on a field analysis to ensure quality and interpretation of condition is accurate.
- **Revaluation of Assets:** Develop a schedule for the revaluation of assets and ensure condition assessments are done concurrently to facilitate review of useful lives etc.
- **Increased renewal investment:** Continue investment in renewal to ensure the future safety and serviceability of assets.
- **Continue participation in National Asset Management Assessment Framework (NAMAF):** Recommence in the NAMAF program and recalibrate assessment in line with current objectives and practices.
- **Improved data:** Improve component data for recreation assets and buildings.

Strategic Direction

9. That **Central Goldfields Shire Council**, establishes its critical renewal investment levels, completes detailed *Asset Management Plans* (focused on renewal demand) for all classes of Council assets incorporating service level assessments.
10. That **Central Goldfields Shire Council**, as part of the development of its *Service Plans*, consults with the community to determine how service levels will be reached including a combination of improved revenue raising, review of existing service levels, asset disposal and composition of the asset portfolio.
11. That **Central Goldfields Shire Council** adopts as policy the annual allocation of funds to meet **100 per cent** of the community's infrastructure renewal needs before it elects to upgrade or construct new assets.

7. BORROWING STRATEGIES

This section includes:

- Measuring the level of debt appropriate;
- Borrowing Assessment Policy;
- What do financial indicators mean;
- What is a prudent level of debt; and
- Future Loan Program.

7.1 Measuring Which Level of Debt is Appropriate

Each Council is different and the level of debt that is appropriate for Council may not be adequate for another Council.

The following factors are seen as important issues for consideration by Council:

- level of debt servicing as a proportion of rate revenue;
- ability to raise revenue in addition to rates;
- level of realisable assets to support the indebtedness;
- achieving the right mix of capital works and debt commitments;
- growth rate of municipality; and
- community growth needs.

The table below highlights the relative debt levels of Councils within the **Small Rural** grouping at 30 June 2019. Council's relative debt level is also shown. By comparing a number of different debt ratios within the Council grouping, **Central Goldfields Shire Council** can begin to consider what level of debt is appropriate.

In terms of total debt levels, Council is above average compared to the **Small Rural** grouping, refer to Chart 9.

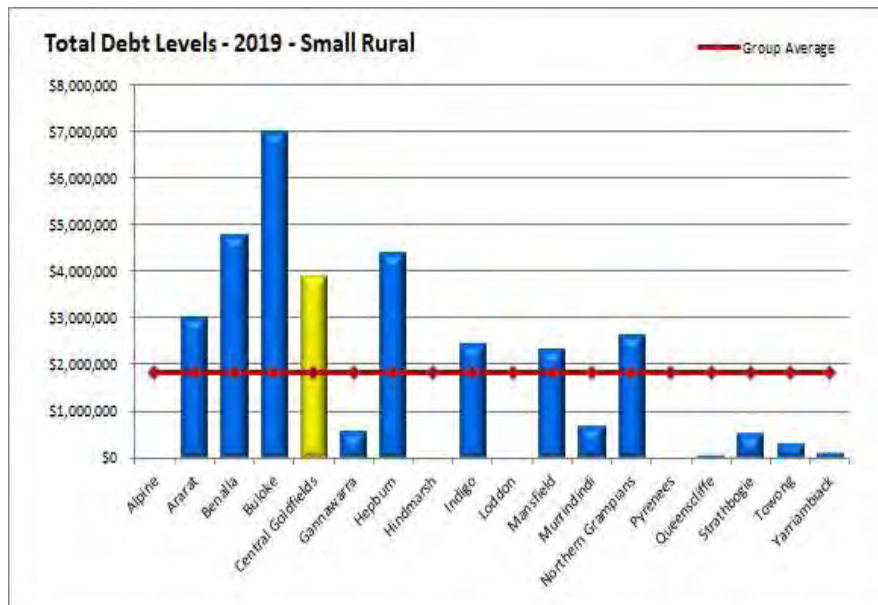


Chart 12: Comparison of Total Debt Levels within Small Rural Group 2018/19

Table 9 below confirms that **Central Goldfields Shire Council** is currently better than average and better than the median¹ across all of the debt indicators within the **Small Rural** grouping.

Council	Debt Servicing / Adj. Total Revenue	Debt Commitment / Rates	Total Liabilities / Realisable Assets	Debt Commitment / Own Source Revenue	Total Debt / Own Source Revenue	Total Debt / Rate Revenue
Alpine	0.00%	0.00%	15.99%	0.00%	0.00%	0.0%
Ararat	0.30%	0.75%	19.15%	0.66%	10.85%	12.3%
Benalla	0.65%	6.95%	37.99%	5.42%	24.25%	31.1%
Buloke	1.03%	2.29%	27.35%	2.09%	49.16%	53.8%
Central Goldfields	0.47%	5.17%	51.48%	3.98%	24.44%	31.8%
Gannawarra	0.16%	1.15%	21.62%	0.79%	3.68%	5.4%
Hepburn	0.75%	5.09%	16.23%	4.27%	21.09%	25.2%
Hindmarsh	0.00%	0.00%	21.41%	0.00%	0.00%	0.0%
Indigo	0.50%	4.37%	18.90%	3.17%	13.83%	19.1%
Loddon	0.00%	0.00%	13.83%	0.00%	0.00%	0.0%
Mansfield	0.67%	4.01%	18.19%	3.40%	16.60%	19.6%
Murrindindi	0.22%	2.25%	17.48%	1.81%	4.01%	5.0%
Northern Grampians	0.37%	2.65%	27.78%	2.15%	14.18%	17.5%
Pyrenees	0.00%	0.00%	22.30%	0.00%	0.00%	0.0%
Queenscliffe	0.03%	0.65%	4.91%	0.48%	0.67%	0.9%
Strathbogie	0.17%	3.05%	26.77%	2.74%	3.35%	3.7%
Towong	0.09%	0.74%	11.38%	0.60%	3.47%	4.3%
Yarriambiack	0.02%	1.30%	69.95%	1.14%	0.89%	1.0%
Average	0.30%	2.25%	24.59%	1.82%	10.58%	12.81%
Median	0.19%	1.78%	20.28%	1.48%	3.85%	5.19%

Table 8: Council Comparison Debt Levels within Small Rural Group – 2018/19

The table below shows that debt levels will increase by **\$0.33 million** from 30 June 2019 to 30 June 2020.

	Forecast Actual	Budget
	2019/20	2020/21
	\$	\$
Amount borrowed as at 30 June of the prior year	3,885,313	3,321,271
Amount proposed to be borrowed	1,000,000	3,652,001
Amount projected to be redeemed	- 1,564,042	- 3,321,271
Amount of borrowings as at 30 June	3,321,271	3,652,001

Relative debt ratios for the **Central Goldfields Shire Council** will remain well within *State Government Prudential Guidelines* throughout the life of the SRP.

¹The **median** is described as the numerical value separating the higher half of a sample

7.2 Borrowing Assessment Policy

Central Goldfields Shire Council assessed its capacity to borrow against the (Better Practice) former Victorian State Government's Prudential Guidelines.

The administration of the Local Government sector's borrowing involves:

- The collation of the sector's borrowing requirements through an annual survey;
- The assessment of individual **Central Goldfields Shire Council's** borrowings; and
- Recommendation to the Department of Treasury and Finance (DTF) of the aggregate net new borrowing requirement of the sector.

All borrowings by individual Councils are assessed under a borrowings assessment policy adopted by the Local Government Division. The policy identifies key areas of financial management with certain thresholds that are required to be met.

Detailed below is Council's current and projected performance on a number of the financial indicators which are necessary for borrowing approval by State Government.

Area	Financial Indicator	Threshold (Prudential Guidelines)	Forecast 2019/20	Budget 2020/21
Liquidity	Current Assets to Current Liabilities	>150%	157%	199%
Debt Exposure	Total liabilities over total realisable assets	<50%	22%	23%
Debt Servicing	Debt Servicing Costs as a % of Total Revenue	<5%	5%	5%
Debt Commitment	Debt Servicing and Redemption Costs as a % of Rate Revenue	<10%	5%	21%

Table 9: State Government Prudential Guidelines– 2019/20 to 2020/21

Central Goldfields Shire Council is well within the State Government Prudential Guidelines as at 30 June 2020 and 2021. The higher debt commitment ratio in 2020/21 is due to the refinancing of debt in that year as opposed to new borrowings. Net new borrowings in 2020/21 are \$0.33 Million.

7.3 What do the Financial Indicators Mean?

The graphs below detail the previously mentioned financial indicators and present the Council's position graphically.

The threshold detailed against each indicator is the minimum level Council must meet in order to achieve approval to borrow from the State Government.

To encourage longer term planning by councils, the framework also includes an assessment of reasons for the new borrowings.

This rationale is explained in the council's policy, which is to fund long term intergenerational assets from loan funds to ensure intergenerational equity. **Central Goldfields Shire Council's** forecast is within the State Government prudential guidelines at 30 June 2019 for most indicators.

7.3.1 Liquidity

How measured Current assets over current liabilities

Threshold 110 percent or higher

Description This indicator reflects the short-term liquidity position. That is, the council's ability to repay current commitments from cash or near cash assets. Councils with a ratio of **110 percent** and below or with a deteriorating trend may be financially at risk of not being able to meet creditors.

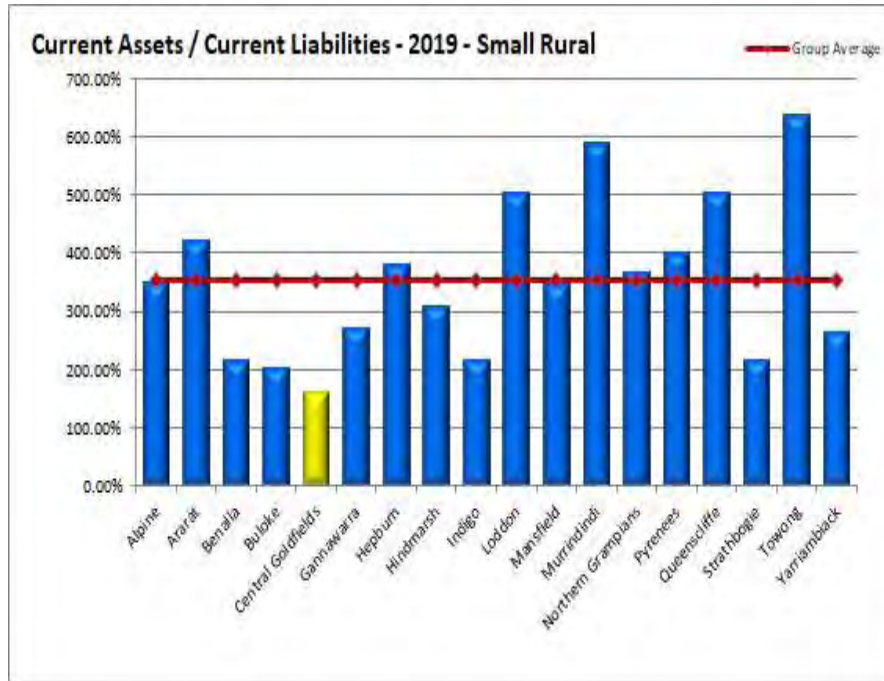


Chart 13: Current Assets / Current Liabilities – 2018/19

Central Goldfields Shire Council's working capital ratio as at 30 June 30 2019 was **161.82 percent** (that is, current assets over current liabilities), which is in excess of the **110 percent** benchmark, but the lowest of all **Small Rural Councils**. It is budgeted to increase to 199% in 2020/21.

7.3.2 Debt Management

How measured Total debt as a percentage of rate revenue

Threshold 80 percent or below

Description The *Local Government Act 1989* requires that all loans are secured against the revenue stream from rates. A council with total debt in excess of the revenue from rates would be unable to meet all debt commitments from rate revenue should they be required to be paid at one time. A threshold of **80 percent** has been set.

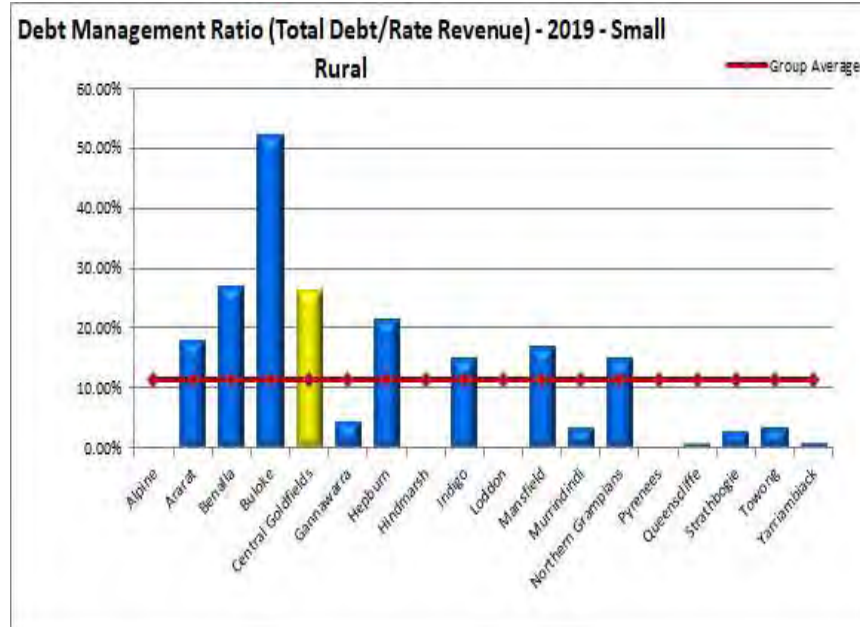


Chart 14: Total Debt as a Percentage of Rate Revenue – 2018/19

Central Goldfields Shire Council's debt as a percentage of rate revenue as at 30 June 2019 was **26.45 percent**, which is well below the **80 percent** benchmark and above the **Small Rural Shires** average of **11.49 percent**. It is forecast to reduce to 9% over the life of the SRP.

7.3.3 Debt Servicing

How measured
Threshold
Description

Debt servicing costs as a percentage of adjusted total revenue
 5 percent or below
 This indicator reflects the proportion of total revenue that is used to service debt (interest on outstanding debt and any loan administration charges) and which cannot be used directly for service delivery. A threshold of **5 percent** has been set.

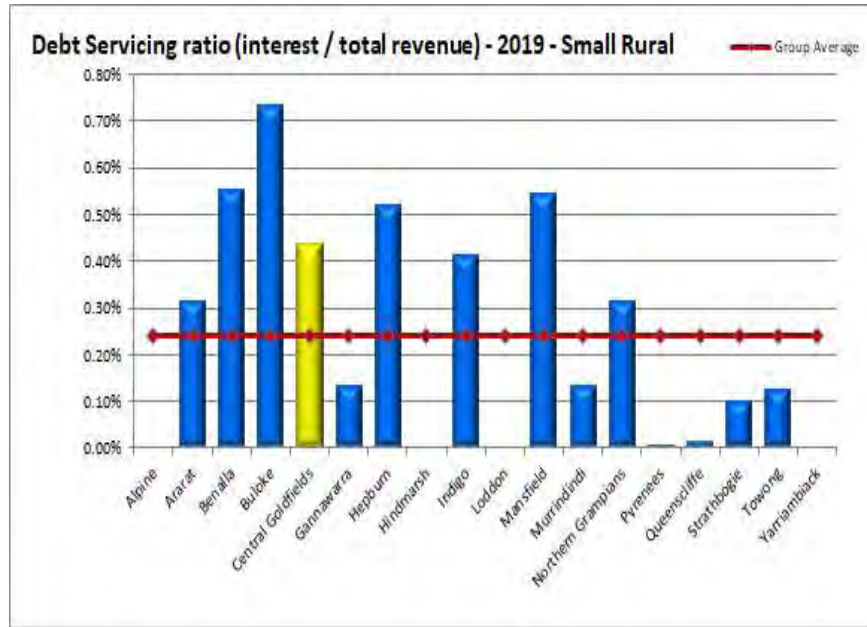


Chart 15: Debt Servicing Ratio (Interest / Total Revenue) – 2018/19

The **Central Goldfields Shire Council**'s projected ratio is **0.44 percent** at 30 June 2019, which is above the **Small Rural Councils** average of **0.24 percent** and below the **5 percent** benchmark.

This illustrates the benefit of taking loans over a longer period of time such that each generation of ratepayers incurs a modest share of the long term cost of providing long life community assets.

7.4 What is a Prudent Level of Debt?

The following graph introduces an additional financial ratio namely debt commitment costs as a percentage of rates. Debt commitment costs include principal and interest repayments in a year.

The ratio details how much of the Council's rate dollar is being spent to repay debt and interest as an overall percentage of the Council's rate revenue.

What should the debt servicing and redemption costs be for **Central Goldfields Shire Council**, if any? This ratio is the most important ratio as it provides the best indicator of the affordability of debt for a community and Council.

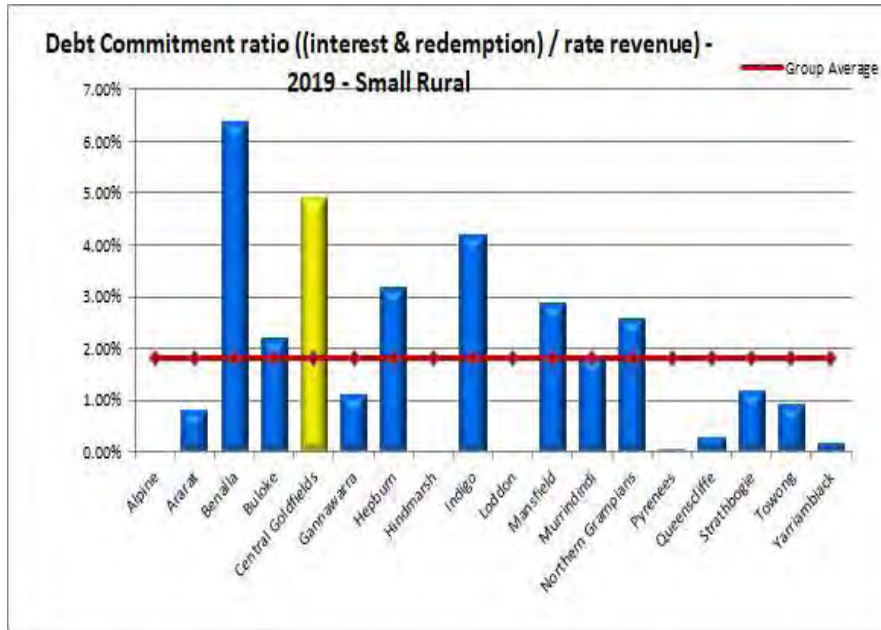


Chart 16: Debt Servicing & Redemption / Rate Revenue – 2018/19

Council needs to determine what a prudent level of debt is given that it is a growing **Small Rural Shire** that services a community greater than its population and rate base.

The examination should determine:

- If the Council was to borrow, what types of projects should these funds be put towards; and
- If the Council was to borrow, on what terms should these borrowings be structured

In 2018/19 **4.91 cents** in the rate dollar received serviced debt – both principal and interest payments. This is an affordable level and reflects the benefit of taking out loans over a longer period.

In 2019/20 it is estimated that this figure will remain at 4.91 cents in the rate dollar received. In 2020/21 it will increase to 21% as some debt matures and is refinanced. It will then reduce to 4% for the life of the SRP.

Debt is generally used to fund capital expansion projects or new projects (i.e. It should not be used for renewal or maintenance) when the asset life is greater than one generation that is, often described as intergenerational equity. Borrowings proposed in 2020/21 are to fund the construction of the Carisbrook Levee, which meets the criteria for an intergenerational asset that should be funded by debt.

The intergenerational equity theory is based on the premise that successive generations and new residents should contribute to infrastructure or facilities that they will enjoy and benefit from.

Generally, these include major facilities (pre-schools, halls, arts centres) where the benefit of the investment will extend beyond the current ratepayers. By borrowing, the Council ensures today's ratepayers are not fully funding these facilities.

There are limits on borrowings due to the costs of interest payments. If the council was to borrow too heavily it would result in an inability to invest in capital works due to funds being consumed in debt repayment.

7.5 Future Loan Program

The chart below highlights the forecast borrowings.

The Chart includes the split between current (payable within 12 months) and the total interest-bearing facilities:

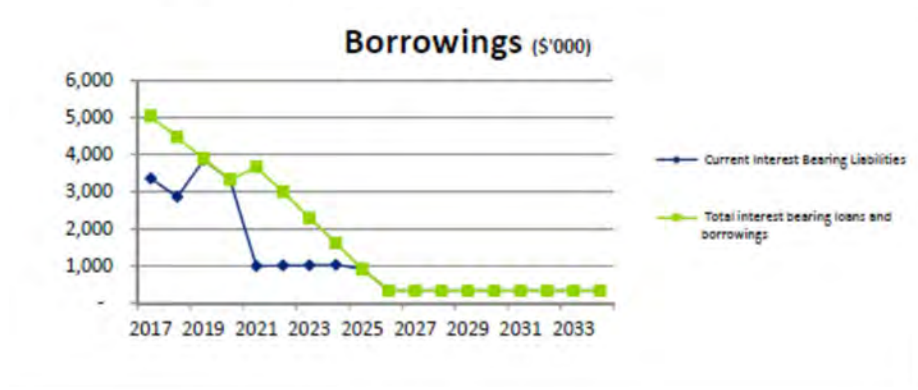


Chart 17: Total and Current Interest-Bearing Liabilities 2020/21 (From LTFP)

Strategic Direction

1. That **Central Goldfields Shire Council** based on Better Practice Prudential Guidelines, borrows funds for capital expansion projects that provide intergenerational equity; and
2. That **Central Goldfields Shire Council** retains its debt servicing and redemption costs at or below **5 cents** in the rate revenue dollar, towards interest and principal, over the life of this SRP.

8. RESTRICTED ASSETS

8.1 Introduction

Victorian Councils have traditionally operated with reserve funds that are allocated for specific purposes. These funds do not have bank accounts of their own but are a theoretical split-up of Council's equity. Discretionary reserves are used only as an indicator of funds for specific purposes and represent what those functions have earned.

Central Goldfields Shire Council does not hold separate investment accounts for reserves.

8.2 Nature and Purpose of Restricted Assets

Central Goldfields Shire Council allocates expenditure for known outlays and revenues, directly to the financial year where the expenditure will be incurred, rather than to specific reserve funds.

The 2020/21 *Strategic Resource Plan* is framed around having sufficient cash reserves to cover restricted assets which are primarily developer open space contributions, long service entitlements and grant funding.

Central Goldfields Shire Council also generally provides for at least **\$2.0 million** to **\$3.0 million** in working capital to meet day to day needs.

8.2.1 Developer Contributions

Development contribution are receipts and payments or in-kind works, facilities or services provided by developers towards the supply of infrastructure (generally by the **Central Goldfields Shire Council**) required to meet the future needs of a particular community, of which the development forms part. On average Council receives less than \$5,000 per annum in cash development contributions.

Levies can be raised through *Development Contribution Plans* ("DCPs") for a range of State and local government provided infrastructure including roads, public transport, storm water and urban run-off management systems, open space and community facilities.

Under the current legislative framework, any funds that have been received from developers for those infrastructure works, under a DCP or freely negotiated agreements must be held in reserve or "restricted" for that actual infrastructure and cannot be reallocated for other non-related capital projects.

Additionally, even if the **Central Goldfields Shire Council** does not achieve its predicted expenditure, the works represent Council commitment to infrastructure, and any unspent funds are routinely reserved for the infrastructure in readiness for when it is actually required to be delivered.

8.2.2 Unexpended Grants

These are Grants recognised as revenue during the year that were obtained on condition that they be expended in a specified manner that had not occurred at balance date.

8.2.3 Notional Reserves, Amounts held in Trust

It is a requirement of Council to separately identify trust funds or refundable deposits as “restricted assets”. While the council is able to access these funds in its day to day treasury management, the financial statements must recognise that a component of its cash balances relates to deposits that may be refundable in the future.

Restricted Assets	Estimate 30 June 2020 \$000's
Unexpended Grants	2,548
Amounts held in Trust	
1. Refundable deposits	62.3
2. Retention amounts	225.5
3. Fire Services Property Levy	16.0
Total	2,851

Table 10: Restricted Assets – 2019/20

Strategic Direction

1. That **Central Goldfields Shire Council** builds into its 10 year financial plan the estimated movements in restricted assets and provides for at least **\$2.0 million to \$3.0 million** in working capital to meet day to day needs.
2. That to ensure sufficient funds are available to meet operational needs, **Central Goldfields Shire Council** retains a cash position of at least **\$2.0 million to \$3.0 million** after deducting restricted assets, i.e. cash received but not spent or cash to be spent for specific purposes such as developer contributions (infrastructure), waste facility development, security deposits etc.

9. RATING AND OTHER REVENUE STRATEGIES

9.1 Introduction

This section includes:

- Valuations;
- Components of **Central Goldfields Shire Council's** rating base;
- Background to present rating system;
- Rates Affordability;
- Rating Strategy;
- Rate Capping;
- Rating Strategy 2020/21;
- Waste services;
- Grant revenue;
- Victoria Grants Commission; and
- Fees and charges revenue.

9.2 Valuations

Valuations are conducted under the provisions of the *Valuation of Land Act (1960)* with each separate occupancy on rateable land computed at its net annual value (NAV), capital improved value (CIV), and site value (SV).

Valuations are carried out using *Valuation Best Practice Principles* as set down by the State Government Valuer General. In **Central Goldfields Shire Council**, the valuation unit's general valuations are required every year to ensure a common date is used for all valuations. Data on every property is recorded and used by the appointed valuer, along with sales, rentals and other information to determine the valuations.

A general valuation (revaluation) establishes the value of a property relative to all other properties, that is, its market relativity. Valuations form the basis of **Central Goldfields Shire Council's** rating system; therefore, their accuracy is of paramount importance. The 2020 revaluation was undertaken based on property values at 1 January 2020.

The revaluation does not in itself raise the total rate income for **Central Goldfields Shire Council**, as the rates are distributed based on the property value of all properties across the municipality. As a result of the revaluation, some property owners may pay more in rates and others less, depending on their new property valuation, relative to others.

9.2.1 Definitions of valuations

Central Goldfields Shire Council uses the capital improved method of valuation (CIV), which is the market value of a property including land, buildings and improvements. CIV has the following long-term advantages relative to other valuation bases:

- flexibility to apply an unlimited range of strategic differentials;
- does not prejudice the industrial, commercial and retail sectors in terms of the rate burden; and
- is easier for people to understand.

The other valuation bases the Valuer is required to return are:

- Site value (SV) which is the market value of land excluding improvements; and
- Net annual value (NAV) which represents the reasonable annual rental of a property, minus specified outgoings. In most cases this is five percent of the CIV.

9.2.2 Supplementary valuations

Supplementary valuations are made during the financial year when a significant change to the valuation occurs. The most common causes for supplementary valuations are:

- construction of a new dwelling or building;
- subdivision of a property; or
- consolidation of properties

Central Goldfields Shire Council presently undertakes this task on a quarterly basis.

As a result of a supplementary valuation, a rate notice is issued to reflect any change in rates.

9.3 Components of Council's Rating Base

Central Goldfields Shire Council levies differential rates, annual service charges and a municipal charge, to raise its annual rates and charges revenue.

The legislative basis of how they apply to **Central Goldfields Shire Council** are available upon request:

- Differential Rates – Legislation;
- Municipal Charges;
- Special Rates and Charges;
- Service Rates and Charges; and
- Rebates and Concessions

9.4 Assessment of Current Rating Levels

Comparing the relativity of rating levels between Councils can be a difficult exercise due to debate over the most appropriate methods to use and the inability to take into account the intricacies of rating structures in different councils.

Each local government sets rates based on an assessment of the desires, wants and needs of its community and as each community is different, direct comparisons can be difficult. For example, cash holdings of municipalities vary, and councils have significantly different infrastructure needs and geographic sizes.

Each municipality also has significantly different levels of capital works, funding structures for capital works and varying debt levels.

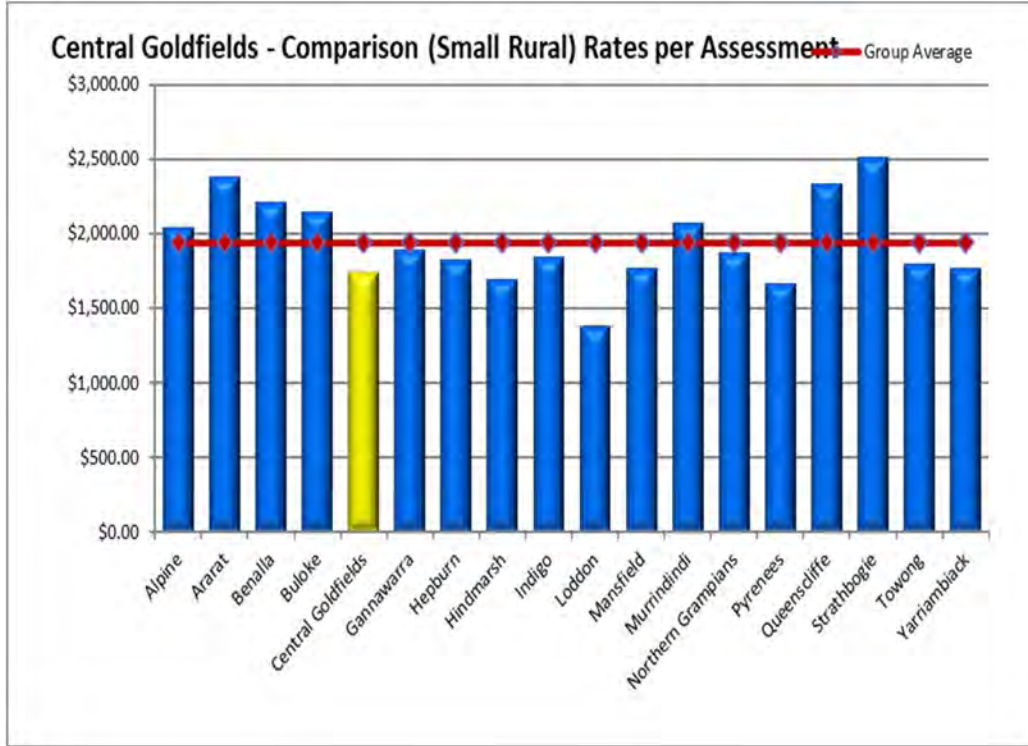


Chart 18: Rates per Assessment– 2018/19

On rates per assessment basis in the 2018/19 financial year, **Central Goldfields Shire Council** was below average for the **Small Rural** group.

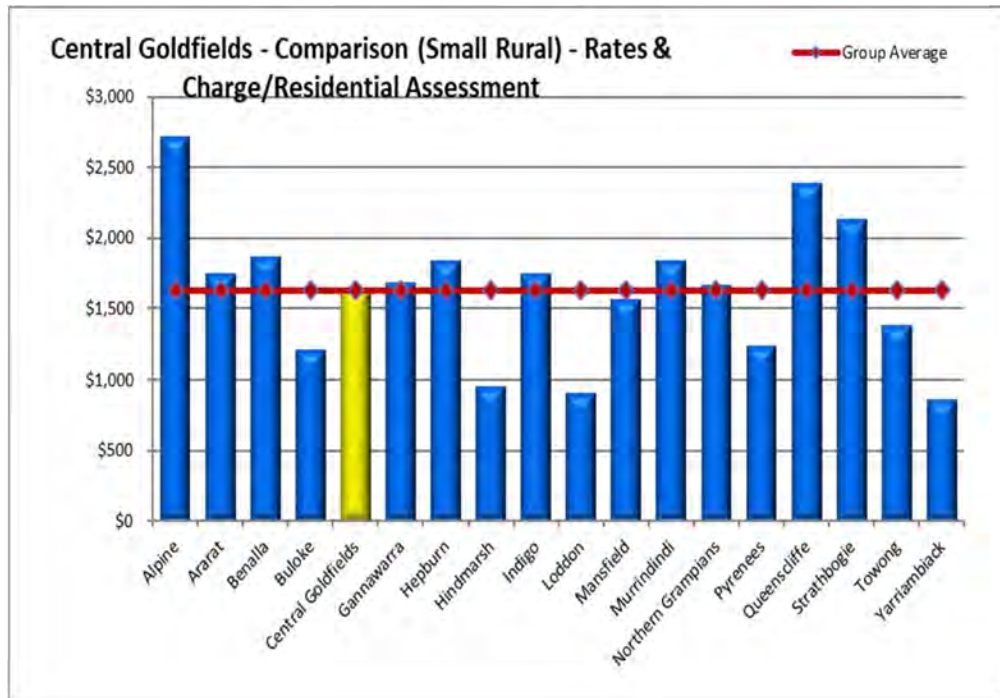


Chart 19: Rates & Charges per Residential Assessment – 2018/19

On a rates per residential assessment **Central Goldfields Shire** rating effort is on the average of the benchmark group.

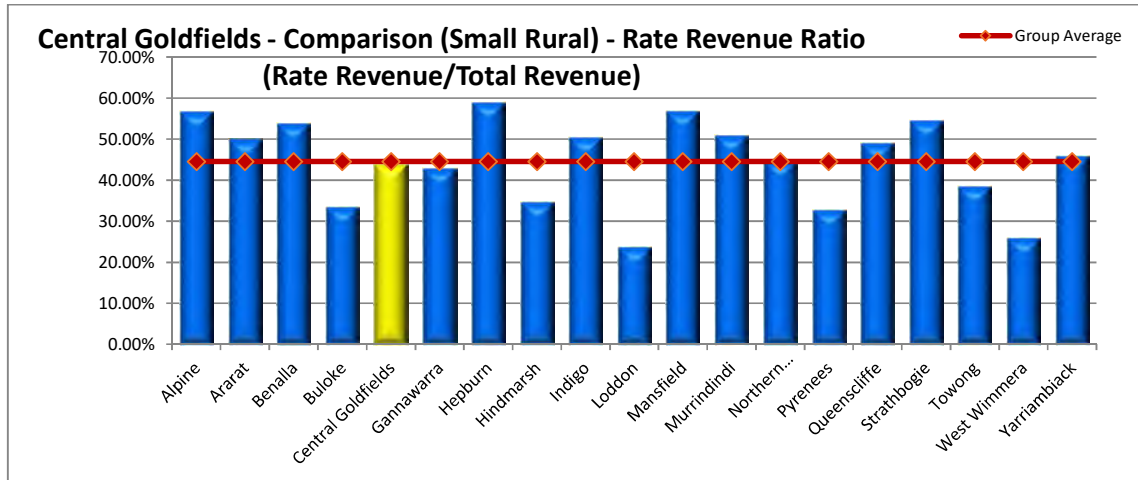


Chart 20: Rates as a % of Total Revenue – 2018/19

What is most critical in setting a rating structure is for **Central Goldfields Shire** Council to be accountable and responsible for the policy decisions with respect to the range of services provided, the expenditure and delivery of the services and the way services are funded and paid for by the community.

The following tables summarises the rates in dollar levied in the 2020/21 year including a comparison with 2019/20:

Type or class of land	2019/20 cents/\$CIV	2020/21 cents/\$CIV#	Change
General rate for rateable residential Maryborough	0.4950	0.4741	-4.22%
General rate for rateable residential other	0.4158	0.4172	0.34%
General rate for rateable vacant land Maryborough	0.8910	0.8534	-4.22%
General rate for rateable vacant land other	0.7722	0.7112	-7.90%
General rate for rateable commercial Maryborough	0.7920	0.7586	-4.22%
General rate for rateable commercial - other	0.6336	0.6448	1.77%
General rate for rateable industrial	0.5445	0.5215	-4.22%
General rate for rateable farm	0.3960	0.3793	-4.22%

Table 11: Capital Works Summary – 2020/21

The table below outlines the total rates and charges for 2019/20 and 2020/21:

	2019/20 \$'000	2020/21 \$'000	Change \$'000	Change %
Total amount to be raised by general rates	10,157	10,743	586	5.77%
Total amount to be raised by the municipal charge	1,811	1,608	203	-11.21%
Total amount to be raised by waste charges	3,171	3,416	245	7.73%
Total Rates and charges	15,139	15,767	628	4.15%

Table 12: Rates and Charges 2019/20 as compared to 2020/21

9.5 Rates Affordability

The ability to increase rate revenue is a significant factor in determining whether a Council is potentially at risk.

Central Goldfields Shire Council's rating effort has been satisfactory and when benchmarked was above the average effort of the **Small Rural Shire** group.

Australian Taxation Office (ATO) income data for wage and salary earners (PAYE) can be used to give some indication of rates affordability.

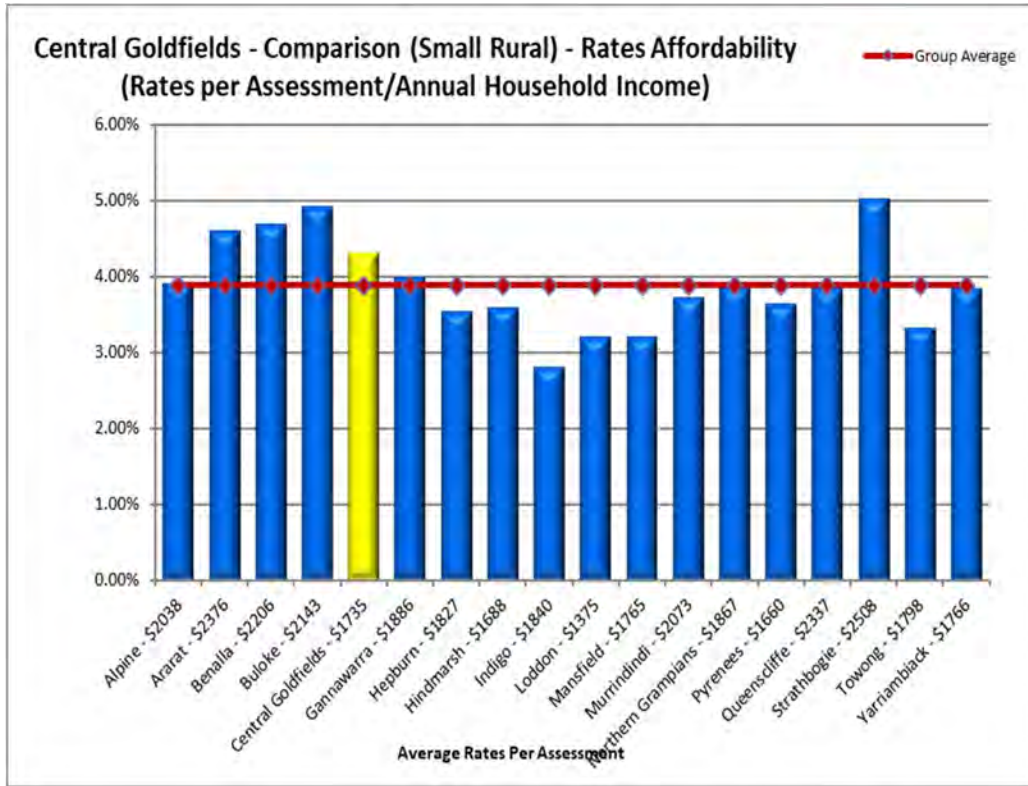


Chart 21: Rates Affordability Small Rural – 2018/19

The Rates Affordability Chart above details the percentage of income that pays rates and charges to Council.

9.6 Rating Strategy

Central Goldfields Shire Council's rating establishes a framework by which rates and charges will be shared by the community. In developing a long-term financial plan, rates and charges are an important source of revenue.

The rating system determines how **Central Goldfields Shire Council** will raise money from properties within the municipality. It does not influence the total amount of money to be raised, only the share of revenue contributed by each property.

Council's rating strategy currently has five different land categories but eight differential rating categories as follows:

- Residential - Maryborough
- Residential - Other
- Vacant Land - Maryborough
- Vacant Land - Other
- Commercial - Maryborough
- Commercial - Other
- Industrial
- Farm

Residential properties contribute two thirds of Council's rate revenue, with farm properties contributing 16%, commercial properties 10% and industrial and vacant land contributing the remaining 7% of rate revenue.

The municipal charge is a flat amount charged on every rateable property irrespective of the valuation of that property. By its very nature, the municipal charge is a regressive tax, (that is, the rate of taxation is higher on a low valued property than it is on a high valued property), and works in direct conflict to the vertical equity principle. In 2018 the municipal charge was 17% of total rates and charges.

Central Goldfields Shire Council adopted a Rating Strategy in April 2019. The Rating Strategy 2019-2021 identified four options as follows:

Option 1 - Do nothing

Option 2 - Reduce the municipal charge to 10% of total property rating income

Option 3 - Reduce the municipal charge to 10% and remove the three "Other" splits

Option 4 - Reduce the municipal charge to 10% and move to a uniform rate

The relative merits and impacts of each option were assessed in detail within the strategy. The strategy also provided recommendations to manage rate shock from large valuation variations.

Of the four options considered in the strategy, Option 3 - Reduce the municipal charge to 10% and remove the three "Other" splits was adopted by Council. This was the preferred option as it reduces the municipal charge to a level that will ensure compliance with proposed legislation, and also provides improved equity between ratepayers by removing the three "Other" differential rating categories.

The strategy also provides for a mechanism to manage future rate shock from large valuation variations. Phasing in elements of the proposed changes over three and five years will also minimise the annual impact of the changes on individual ratepayers

The Council believes the introduction of this Rating Strategy provides a more equitable distribution of the rate and charge burden across the various property types and categories.

9.7 Rates and Charges Budget – 2020/21

In developing the Strategic Resource Plan, rates and charges were identified as an important source of revenue. Planning for future rate increases has therefore been an important component of the Strategic Resource Planning process.

The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For 2020/21 the FGRS cap has been set at 2.0%. The cap applies to both general rates and municipal charges and is calculated on the basis of council's average rates and charges.

The level of required rates and charges has been considered in this context, with reference to Council's other sources of income and the planned expenditure on services and works to be undertaken for the community.

To achieve these objectives while maintaining service levels and a strong capital expenditure program, the average general rate and the municipal charge will increase by 2.0% in line with the rate cap. This will raise total rates and charges for 2020/21 of \$15,838,000 (excluding interest on rates and charges).

9.8 Rate Capping

Rate effort is now constrained by the State Government's introduction of rate capping legislation in the form of its "Fair Go" Rates system (FGRS).

The FGRS or rate capping introduces an annual rate cap set by the Minister for Local Government which controls general rate increases for all Councils during that financial year.

On 13 December 2019 the Minister for Local Government, advised an annual rate increase of **2 per cent** for the 2020/21 financial year.

Councils can seek approval for an increase above this figure through a variation with the Essential Service Commission (ESC). Council has not applied for a rate cap variation in any year since its introduction.

9.9 Waste Service Charges – Waste Collection Service

Central Goldfields Shire Council is empowered under Section 162(1) (b) of the *Local Government Act (1989)* to levy a service charge for the collection and disposal of refuse. The purpose of this charge is to meet the costs of waste disposal and recycling activities throughout the **Central Goldfields Shire** area, including development and rehabilitation of Landfill sites and the operating costs of Landfills and Transfer Stations.

Central Goldfields Shire Council's Waste Services includes:

- Weekly kerbside waste collection service;
- Fortnightly kerbside recycling and green organics collection service;
- Public recycling and waste disposal and transfer station facilities;
- Rehabilitation of old landfill sites;
- Street litter and public place recycling bins; and
- Forward planning and for capital budget requirements.

Council also charges waste management charges under the Act. The waste management charges are calculated on a full cost recovery basis. Costs associated with the collection and disposal of waste continue to increase due to changes in legislation, changes to global waste markets, and increases in the State Government landfill levy. These increases in costs have necessitated a 6.5% increase in the waste management charges in the 2020/21 budget.

Central Goldfields Shire Council's garbage proposed charges are as described below. A total income of \$3.4 million will be received for garbage and recycling services in 2020/21 to support recurrent operating expenditure).

Type of Charge	Per Rateable Property 2019/20	Per Rateable Property 2020/21	Change	
	\$	\$	\$	%
Standard Garbage Charge	153.90	163.90	10.00	6.50%
Non-Standard Garbage Charge	263.30	280.40	17.10	6.49%
Waste Management Fee	133.70	142.40	8.70	6.51%
Recycling Charge	137.70	146.70	9.00	6.54%
Green Waste Service (Optional)	68.70	73.20	4.50	6.55%

Table 13: Projected Waste Charges – 2020/21

In February 2020 the Victorian Government announced significant reforms to household recycling to ensure Victoria is well placed to transition to a circular economy.

These reforms require councils to provide a four 'bin' model or access to an equivalent service for:

- The separate collection of glass, with a purple lid by 2027;
- Comingled recycling for paper, plastic and metals, with a yellow lid;
- Collection services for food organics and garden organics, with a light green lid by 2030; and,
- Residual garbage collection, with a red lid.

These changes will impact waste services and the levy that is charged for these services in the future, but are currently too uncertain to be reliably estimated. A transition plan is currently being developed by Council that will inform the timing of the implementation of this reform in Central Goldfields Shire.

9.10 Grant Revenue

As at 30 June 2019 Central Goldfields Shire Council was slightly above average in terms of receiving government grant revenue, compared to its like Council grouping as outlined in the graph below.

As a benchmark Central Goldfields Shire Council receives **25.86 percent** of its revenue (as a percentage of total revenue) from recurrent operating grants compared to the average of **Small Rural Shires at 20.47 percent**.

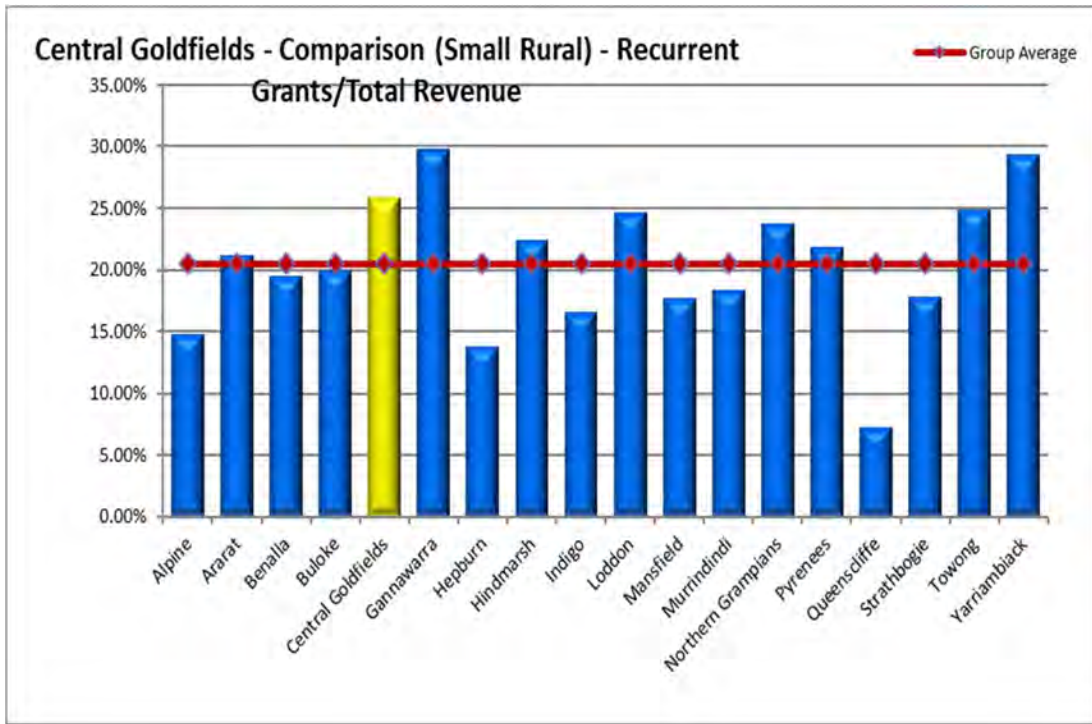


Chart 22: Recurrent Grants/Total Revenue – 2018/19

Central Goldfields Shire Council will continue its strong focus on securing grant revenue, particularly for capital works. Grants (capital and operating) at 30 June 2019 totalled **\$12.308 million**. Is projected to be **\$11.75 million** in 19/20 and budgeted at **\$19.37 million** in 20/21. With a longer term capital works program in place Council should be able to target and focus on grants that align with its overall strategic direction.

9.11 Victoria Grants Commission

Central Goldfields Shire Council receives approximately **14 percent** of its revenue from the Victoria Grants Commission. This revenue is projected at **\$4.08 million** in 2019/20 and budgeted at **\$4.26 million** in 2020/21.

9.12 Fees and Charges Revenue

Central Goldfields Shire Council's fees and charges revenue as a percentage of its total revenue is above average for **Small Rural Shires** as outlined in the graph below. This is mainly due to the fees collected from the operation of the Goldfields Family Centre, with few other small rural shires operating child care centres.

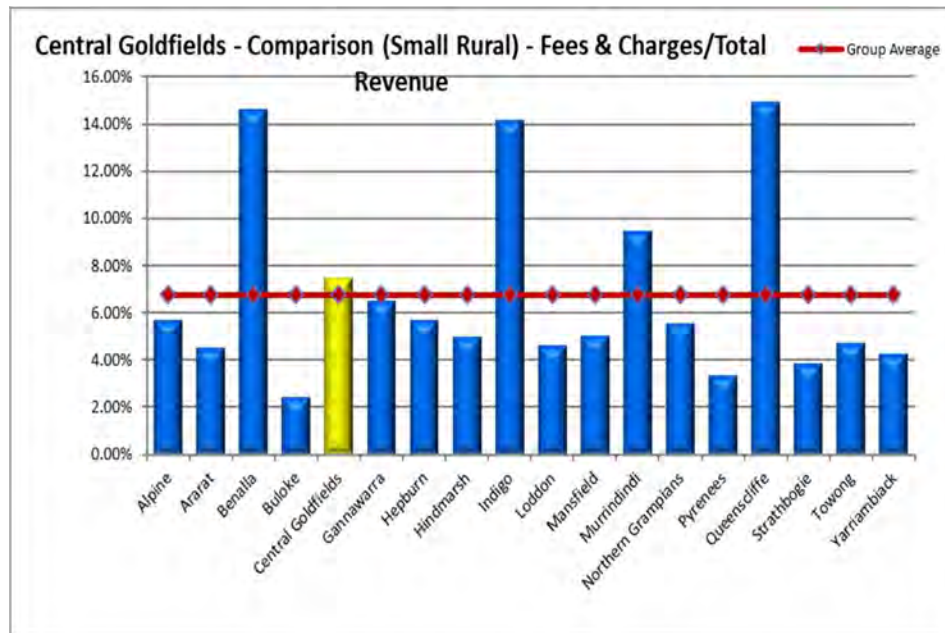


Chart 23: Fees & Charges/Total Revenue – 2018/19

Strategic Direction

That **Central Goldfields Shire Council**;

3. retains capital improved value (CIV) as its valuation base;
4. provides a municipal charge that approaches **10 percent** of rate revenue plus the municipal charge to ensure an equitable contribution towards the unavoidable fixed costs of **Central Goldfields Shire Council**;
5. considers future increases waste charges based on EPA, regulatory and safety requirements and the need to sustain the Council's long-term waste operations strategy;
6. in 2020/21, adopts an **2 percent** increase in total revenue for general rates and municipal charges and a **6.5 percent** increase in total revenue for waste collection including funding the cost of disposal of domestic waste, recycling collection and the environment levy; and
7. pursues recurrent grant funding and strategic capital funding aligned with Council Plan objectives, including benchmarking of results with other Councils.

10. STRATEGIC FINANCIAL PLAN

10.1 Introduction

There are a number of dynamic variables that may influence the outcomes expressed in this SRP. They include:

- Rating levels and supplementary rate income;
- Government grant revenue (both recurrent and capital);
- Granted asset amounts;
- Asset revaluations (major impact on fixed asset value and depreciation);
- Asset sales;
- Mix of funding between capital works/special projects (new initiatives); and
- Level of growth factor applied to expenditure items / rate of expenditure/activity level.

This section includes:

- Modelling methodology;
- Financial assumptions;
- Adopted financial strategy; and
- Conclusion

10.2 Modelling Methodology

The SRP establishes a framework for Council to benchmark its performance and an industry developed long term financial software model has been utilised to verify the data. The base point used for financial modelling has been the Council budget for 30 June 2020.

The Standard Statements (financial statements) are the result of the modelling and are reproduced from the long-term financial software model, refer *Appendix B*.

10.3 Financial Assumptions

The following information explains the major financial assumptions applicable to the financial option considered by Council prior to community input.

10.3.1 Labour and on-costs

Increases in labour and on-costs are composed of two elements. The elements are enterprise agreement increments and movements within bandings as part of the annual performance review process. Council's current EBA includes an increase of 1.8% in 2020. The EBA is due to expire in 2020.

10.3.2 Depreciation

Depreciation estimates are based on the projected capital spending contained within each assumption. Depreciation estimates are influenced by future asset revaluations and depreciation expenses are assessed following condition assessments. The overall depreciation charge is also impacted by the amount of assets granted to the municipality following subdivision.

10.3.3 Materials and contracts

The broad assumption in materials and contracts is for an increase matching CPI. Outside of the broad parameters are one off expenses such as election expenses, valuation contract amounts and insurances.

These materials are essentially one-off expenditures that do not constitute the creation of an asset and have been maintained at 2019/20 levels through the life of the SRP.

A subsidiary record of one-off items and how they are factored into the model is recommended instead of a series of individual adjustments within the model.

10.3.4 Special projects/consultancies

These works are essentially one-off expenditures that do not constitute the creation of an asset and have been maintained at 2019/20 levels through the life of the SRP.

10.3.5 Debt servicing and redemption

Debt redemption is calculated according to the restructured loan schedules. Council borrowings are dealt with in detail in Section 9.

10.3.6 Written-down values of assets sold

All written-down values relate to plant and land sold as part of the 10-year program. These are based on information from Council's Asset Registers.

10.3.7 Rate revenue

The 2020/21 Budget is based on an increase of **2 percent** for rates and municipal charges at **12.8 percent** of the total revenue. Council's Rating Strategy is dealt with in detail in Section 9.7.

The mechanism to estimate supplementary revenue is at present an arbitrary one, based on historical dollar returns with forward probable development revenue estimated.

10.3.8 Service charges

The 2020/21 Budget waste charge was based on a **6.5 percent** increase.

Funds raised are ultimately deployed to waste management (operating and capital) activities. This is discussed in Section 9.8 in more detail.

10.3.9 Grant revenue

An allowance of **\$9.87 million** has been made as operating grant revenue for services and projects in 2020/21. In broad terms, a **2.0 percent** per annum increase has been allowed for operating grants reflecting the nature of this revenue type, which has seldom increased by CPI across the board. Reimbursements from the *State Revenue Office* for land valuations have also been included in the appropriate years.

10.3.10 Fees and charges

Fees and charges that Council has discretion over have been increased by **2.0 percent** per annum. Fees and charges of **\$2.42 million** have been provided for in 2020/21.

10.3.11 Statutory Fees and Fines

Council has no control over a large amount of statutory fees prescribed by the State Government. Fines include town planning, local laws and the animal pound. Fees and fines are included in the above.

10.3.12 Interest on investments

Interest on investments has been estimated based on cash flow.

10.3.13 Proceeds from sale of assets

Proceeds from sale of assets are those relating to plant changeover and land sales.

10.3.14 Capital grants

Capital grant revenue is **\$9.5 million** in 2020/21, with revenue from future years estimated to fund future capital works.

Capital grants have been forecast conservatively. Funds raised above or below the forecast amount will directly impact on the level of capital expenditure achievable. While conservative amounts have been included, it should be noted that Council does not pursue part-funded capital works that do not fit with its strategic direction.

10.3.15 Granted assets

Granted assets are those handed over to Council following the completion of a subdivision. These include roads, footpaths, kerb, channel, drainage etc.

The level of granted assets is forecast to continue at low-levels based on predicted levels of property development.

However, estimates beyond 2020/21 are not based on any reliable data at this point. While granted assets add to Council's overall asset base, they also add to the future obligations to maintain and replace these assets at the end of their useful lives.

10.3.16 Capital expenditure

Capital expenditure amounts for new assets, local roads, buildings and information technology (renewal), and the like and have been directly budgeted for during the next 10-years.

These funds may be available for capital renewal (priority), capital upgrade or expansion.

10.4 Conclusion

The SRP continues to provide a financial framework for Council, enabling an assessment of Council resources and assisting Council to plan and fund capital infrastructure and meet future community aspirations.

The *Financial Statements* are detailed in *Appendix B*.

The background is a solid dark blue color. Overlaid on this is a complex, abstract network of white lines and dots. The dots are small circles of varying sizes, and the lines are thin, connecting the dots in a non-linear, web-like pattern. Some lines are thicker than others, and some dots are more prominent. The overall effect is that of a digital or molecular structure, possibly representing a network or a complex system. The word "ANNEXURES" is printed in white, uppercase letters in the upper right quadrant of the page.

ANNEXURES

11. APPENDIX A: GLOSSARY OF TERMS

TERM	DEFINITION
Act	The <i>Local Government Act 1989</i> .
Activities	The operations of the council including services undertaken to meet the needs of the community as reflected in the council plan and are generally ongoing in nature.
Adjusted operating surplus/deficit	Operating surplus/deficit less revenue from capital (non-recurrent) grants, developer contributions (i.e. assets contributed), asset revaluations, sale of assets plus expenditure from asset revaluations, WDV of assets sold and unfunded superannuation expense.
Adjusted total operating expenses	Total operating expenses as per the "Statement of financial performance" – net of asset revaluations, unfunded superannuation expense and WDV of asset sold.
Adjusted total revenue	Total revenue from "Statement of financial performance" – net of asset sales, asset contributions in kind. Capital grant funding and revaluation adjustments.
Annual report	A report of the council's operations of the previous financial year and contains a report of operations, audited financial statements and an audited performance statement.
Australian Accounting Standards	The accounting standards published by the Australian Accounting Standards Board.
Average Rate Cap	Means an amount expressed as a percentage amount, based on the change to CPI over the financial year to which the cap relates, plus or minus any adjustment.
Borrowings	Loan funding.
Budget	A plan setting out the services and initiatives to be funded for the financial year and how they will contribute to achieving the strategic objectives specified in the council plan.
Capital works expenditure	Expenditure on non-current assets and includes new assets, asset renewal, asset expansion and asset upgrades.
Council cash	Funding from council's own sources of income. Example include rates, charges, investments and reserves, interest and asset sales.
Council plan	A plan setting out the medium-term strategic objectives, strategies, strategic indicators and resources reflecting vision and aspirations of the community for the next four years.
Current assets	Total current assets from "Statement of financial position".
Current liabilities	Total current liabilities from "Statement of financial position"
Debt redemption	Debt principal's repayments.

TERM	DEFINITION
Debt servicing costs (interest)	Total borrowing costs or interest expense as per the “Statement of financial performance” or as disclosed in the notes of the council statements.
Details list of planned capital works expenditure	A list of projects in relation to non-current assets by class and expenditure type.
Developer cash contributions	Cash contributions from developers. This does not include in-kind works or developer contributed assets.
Federal grants	Grant funding from the Commonwealth government.
Fees and charges revenue	Total fees and charges revenue as per the “Statement of financial performance” or as disclosed in the notes of the council statements (includes fines).
Financial performance indicators	A set of indicators measuring the effectiveness of financial management in a council covering operating position, liquidity, obligations, stability and efficiency.
Financial resources	Income, expenditure, assets, liabilities, equity, cash and capital works required to deliver the services and initiatives in the budget.
Financial statements	The financial statements and notes prepared in accordance with the Local Government Model Financial Report, Australian Accounting Standards and other applicable standards as they apply to the general purpose financial reports and a statement of capital works and included in the annual report.
Financial year	The period of 12 months ending on 30 June each year.
General Order	Means an order made by the Minister under section 185D of the Act.
Grant income and reimbursements	Total grants revenue as per the “Statement of financial performance” or as disclosed in the notes of the council statements (includes VicRoads sometimes shown as “reimbursements” by some councils).
Granted assets	Total value of assets received from developers (in kind) as per the “Statement of financial performance” or as disclosed in the notes of the council statements.
Higher cap	An amount expressed as the average rate cap specified in a general order plus an additional percentage amount in respect of that financial ear.
Human Resources	The staff employed by a council.
Indicator	What will be measured to assess performance.
Initiatives	Actions that are one-off in nature and/or lead to improvements in service.
Interest earnings	Total interest received as per the “Statement of financial performance” or as disclosed in the notes of the councils statements.
Local Government Model Financial Report	The model report published by the department of Environment, Land, Water and Planning
Major initiatives	Significant initiatives that will directly contribute to the achievement of the council plan during the current year and have a major focus in the budget.

TERM	DEFINITION
Measure	How an indicator will be measured and typically includes a numerator and denominator.
Minister	The Minister for Local Government.
Model Budget	The <i>Victorian City Council Model Budget</i> prepared annually by LGV.
No. of rateable properties	Number of rateable properties in municipality.
Non-current liabilities	Total non-current liabilities from “Statement of financial position”.
Non-financial resources	The resources other than financial resources required to deliver the services and initiatives in the budget.
Non-recurrent grant	A grant obtained on the condition that it be expended in a specified manner and is not expected to be received again during the period covered by a council’s strategic resource plan.
Philanthropic or private contributions	Funding from philanthropic or private sources. An example would be a co-contribution by the private sector towards construction of a community asset.
Performance statement	A statement including the results of the prescribed service outcome indicators, financial performance indicators and sustainable capacity indicators for the financial year and included in the annual report.
Planning and accountability framework	The key statutory planning and reporting documents that are required to be prepared by councils to ensure accountability to local communities in the performance of functions and exercise of powers under the Act.
Proceeds from sale of non-current assets	Total proceeds from asset sales as per the “Statement of financial performance” or as disclosed in the notes of the council statements, (gross received not written-down value).
Rate revenue	Total rate revenue as per the “Statement of financial performance” or as disclosed in the notes of the council statements.
Rates outstanding at end of year	Rate debtor amount as disclosed in “Receivables” note.
Recurrent grant	A grant other than a non-recurrent grant.
Regulations	The Local Government (Planning and Reporting) Regulations 2014.
Report of Operations	A report containing a description of the operations of the council during the financial year and included in the annual report.
Services	Assistance, support, advice and other actions undertaken by a council for the benefit of the local community.
Special order	An order made by the ESC under section 185E of the Act.
State grants	Grant funding from the State government.
Strategic objectives	The outcomes a council is seeking to achieve over the next four years and included in the council plan.

TERM	DEFINITION
Strategic resource plan	A plan of the financial and non-financial resources for at least the next four years required to achieve the strategic objectives in the council plan. It also referred to as a long term financial plan.
Strategies	High level actions directed at achieving the strategic objectives in the council plan.
Statement of capital works	A statement which shows all capital expenditure of a council in relation to non-current assets and asset expenditure type prepared in accordance to the model statement of capital works in the Local Government Financial Report.
Statement of human resources	A statement which shows all council staff expenditure and numbers of full time equivalent council staff.
Statements of non-financial resources	A statement which describes the non-financial resources including human resources.
Summary of planned capital works expenditure	A summary of capital works expenditure in relation to non-current assets classified according to the model statement of capital works in the <i>Local Government Model Financial Report</i> , by asset expenditure type and funding source.
Summary of planned human resources expenditure	A summary of permanent council staff expenditure and numbers of full time equivalent council staff categorised according to the organisational structure of the council.
Total assets	Total assets from "Statement of financial position".
Total capital asset outlays	Payments for capital purchases per the "Cash flow statement".
Total cash inflows from operations, finance and Investment Act	Total inflows per the "Cash flow statement".
Total cash outflows from operations, finance and Investment Act	Total outflows per the "Cash flow statement".
Total depreciation	Total depreciation expense as per the "Statement of financial performance" or as disclosed in the notes of the council statements.
Total depreciation on infrastructure assets	Total depreciation on infrastructure assets as disclosed in the "Depreciation expense" note.
Total debt	Total interest bearing liabilities (current and non-current) from "Statement of financial position".
Total indebtedness	Total liabilities (current and non-current) from "Statement of financial position".
Total infrastructure assets	Total infrastructure assets from "Statement of financial position" or as disclosed in the note (Written-down value). Infrastructure includes roads, bridges, drains, road structures, other structures, playground equipment, and other like categories. Heritage assets have been deemed to be building assets. Work in progress, where not separately split, and have been included as infrastructure.
Total net realisable assets	Total assets less total infrastructure assets.

TERM	DEFINITION
Total operating expenses	Total operating expenses as per the “Statement of financial performance”.
Total revenue	Total revenue from “Statement of financial performance”
User contributions	Funding from users. An example would be a co-contribution by a sporting club to the construction of a new facility.
Written-down value of assets sold	Written-down value of assets sold as per the “Statement of financial performance” or as disclosed in the notes of the council statements.

Table 14: Glossary of Terms / Definitions

12. APPENDIX B: FINANCIAL STATEMENTS

This Appendix contains the financial statements that follow:

- Comprehensive Income Statement;
- Balance Sheet;
- Statement of Changes in Equity;
- Statement of Cash Flows;
- Statement of Capital Works;
- Statement of Human Resources
- Summary of planned capital works expenditure
- Summary of planned human resources expenditure
- Financial Performance Indicators

These statements are required under Division 1, Part 6 of the *Local Government (Planning and Reporting) Regulations 2014*.

The Regulations commenced on 18 April 2014.

Regulations 13(2), 16(1) and 17(2) came into operation on July 1 2015.

12.1 Comprehensive Income Statement

Central Goldfields Shire Council

Budgeted Comprehensive Income Statement

For the four years ending 30 June 2024

	Forecast Actual 2019/20 \$'000	Strategic Resource Plan Projections			
		Budget 2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000
Income					
Rates and charges	15,281	15,900	16,336	16,785	17,246
Statutory fees and fines	465	520	536	546	557
User fees	1,671	1,871	1,927	1,966	2,005
Grants - Operating	8,854	9,864	8,433	8,557	8,683
Grants - Capital	2,896	9,700	2,136	2,417	2,441
Contributions - monetary	32	104	103	105	107
Contributions - non-monetary	-	-	-	-	-
Net gain/(loss) on disposal of property, infrastructure, plant and equipment				6	200
Other income	401	194	198	202	206
Total Income	29,606	38,355	29,669	30,578	31,246
Expenses					
Employee costs	(12,748)	(13,985)	(13,028)	(13,289)	(13,555)
Materials and services	(8,700)	(8,696)	(8,664)	(8,837)	(9,014)
Bad and doubtful debts	(10)	(10)	(10)	(8)	(8)
Depreciation and amortisation	(6,815)	(6,248)	(6,371)	(6,497)	(6,625)
Borrowing costs	(159)	(54)	(49)	(39)	(29)
Other expenses	(482)	(253)	(377)	(383)	(389)
Total Expenses	(28,914)	(29,246)	(28,499)	(29,051)	(29,619)
Surplus/(deficit) for the year	692	9,108	1,170	1,527	1,628
Other comprehensive income					
Items that will not be reclassified to surplus or deficit in future periods:					
Net asset revaluation increment /(decrement)	5	1,052	-	-	-
Share of other comprehensive income of associates and joint ventures				-	-
Items that may be reclassified to surplus or deficit in future periods	-	-	-	-	-
Total comprehensive result	697	10,160	1,170	1,527	1,628

Figure 6: Comprehensive Income Statement

12.2 Budgeted Balance Sheet

Budgeted Balance Sheet

For the four years ending 30 June 2024

	Forecast Actual	Budget	Strategic Resource Plan Projections		
	2019/20 \$'000	2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000
Assets					
Current assets					
Cash and cash equivalents	1,866	2,046	4,012	5,215	6,269
Trade and other receivables	3,306	3,195	2,500	2,579	2,629
Other financial assets	9,000	9,000	9,000	9,000	9,000
Inventories	124	119	119	119	119
Non-current assets classified as held for sale	245	245	245	245	245
Other assets	212	212	212	212	212
Total current assets	14,753	14,818	16,088	17,370	18,474
Non-current assets					
Property, infrastructure, plant & equipment	315,826	326,624	325,990	325,838	325,955
Intangible asset	810	719	628	537	446
Landfill rehabilitation intangible asset	-	-	-	-	-
Total non-current assets	316,636	327,343	326,618	326,375	326,401
Total assets	331,389	342,161	342,706	343,746	344,875
Liabilities					
Current liabilities					
Trade and other payables	3,055	3,160	3,078	3,139	3,193
Trust funds and deposits	284	304	304	304	304
Provisions	2,722	2,847	2,904	2,962	3,021
Interest-bearing loans and borrowings	3,321	1,003	1,013	1,023	1,033
Total current liabilities	9,382	7,314	7,299	7,429	7,552
Non-current liabilities					
Provisions	1,029	957	1,024	1,096	1,172
Interest-bearing loans and borrowings	-	2,652	1,974	1,286	588
Total non-current liabilities	1,029	3,609	2,998	2,382	1,760
Total liabilities	10,411	10,923	10,297	9,810	9,312
Net assets	320,978	331,238	332,408	333,935	335,563
Equity					
Accumulated surplus	126,807	135,915	137,086	138,612	140,240
Reserves	194,176	195,228	195,228	195,228	195,228
Total equity	320,983	331,143	332,313	333,840	335,468

Figure 7: Budgeted Balance Sheet

12.3 Budgeted Statement of Changes in Equity

Central Goldfields Shire Council

	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
2020/21				
Balance at beginning of the financial year	320,983	126,807	194,176	-
Surplus/(deficit) for the year	9,108	9,108	-	-
Net asset revaluation increment/(decrement)	1,052	-	1,052	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	331,143	135,915	195,228	-
2021/22				
Balance at beginning of the financial year	331,143	135,915	195,228	-
Surplus/(deficit) for the year	1,170	1,170	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	332,313	137,086	195,228	-
2022/23				
Balance at beginning of the financial year	332,313	137,086	195,228	-
Surplus/(deficit) for the year	1,527	1,527	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	333,840	138,612	195,228	-
2023/24				
Balance at beginning of the financial year	333,840	138,612	195,228	-
Surplus/(deficit) for the year	1,628	1,628	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	335,468	140,240	195,228	-
2024/25				
Balance at beginning of the financial year	335,468	140,240	195,228	-
Surplus/(deficit) for the year	1,735	1,735	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfer (to)/from reserves	-	-	-	-
Balance at end of financial year	337,202	141,975	195,228	-

Figure 8: Budgeted Statement of Changes in Equity

12.4 Budgeted Statement of Cash Flows

Central Goldfields Shire Council Budgeted Statement of Cash Flows

For the four years ending 30 June 2024

	Forecast Actual	Budget			
	2019/20	2020/21	2021/22	2022/23	2023/24
	\$'000	\$'000	\$'000	\$'000	\$'000
	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities					
Rates and charges	15,205	15,942	16,715	16,737	17,215
Statutory fees and fines	467	522	548	545	556
User fees	3,751	1,876	1,972	1,960	2,002
Grants - operating	6,262	9,891	8,629	8,533	8,667
Grants - capital	4,827	9,726	2,186	2,410	2,436
Contributions - monetary	32	104	103	105	107
Interest received	120	121	124	126	129
Trust funds and deposits taken	-	20	-	-	-
Other receipts	367	73	78	75	77
Net GST refund / payment	-	-	-	-	-
Employee costs	(12,745)	(13,921)	(13,077)	(13,252)	(13,523)
Materials and services	(10,659)	(8,651)	(8,696)	(8,813)	(8,992)
Trust funds and deposits repaid	-	-	-	-	-
Other payments	(20)	(199)	(254)	(252)	(252)
Net cash provided by/(used in) operating activities	7,607	15,504	8,328	8,175	8,421
Cash flows from investing activities					
Payments for property, infrastructure, plant and equipment	(9,883)	(15,904)	(5,646)	(6,254)	(6,651)
Proceeds from sale of property, infrastructure, plant and equipment	310	200	-	-	-
Proceeds from investments	2,692	-	-	-	-
Loan and advances made	-	-	-	-	-
Repayments of loans and advances	-	-	-	-	-
Net cash provided by/(used in) investing activities	(6,881)	(15,703)	(5,646)	(6,254)	(6,651)
Cash flows from financing activities					
Finance costs	(159)	(54)	(49)	(39)	(29)
Proceeds from borrowings	1,500	1,010	-	-	-
Repayment of borrowings	(2,064)	(576)	(668)	(678)	(688)
Net cash provided by/(used in) financing activities	(723)	380	(717)	(717)	(717)
Net increase/(decrease) in cash & cash equivalents	3	180	1,965	1,203	1,054
Cash and cash equivalents at the beginning of the financial year	1,868	1,871	2,051	4,017	5,220
Cash and cash equivalents at the end of the financial year	1,871	2,051	4,017	5,220	6,274

Figure 9: Budgeted Cash Flow Statement

12.5 Budgeted Statement of Capital Works

For the four years ending 30 June 2024	Forecast	Budget	Strategic Resource Plan Projections		
	Actual	2020/21	2021/22	2022/23	2023/24
	2019/20 \$'000	\$'000	\$'000	\$'000	\$'000
Property					
Land	100	212	103	105	107
Land improvements	13	3,442	-	-	-
Total land	113	3,654	103	105	107
Buildings	1,673	4,323	941	1,485	1,139
Leasehold improvements	-	-	-	-	-
Total buildings	1,673	4,323	941	1,485	1,139
Total property	1,786	7,977	1,044	1,590	1,247
Plant and equipment					
Heritage plant and equipment	-	-	-	-	-
Plant, machinery and equipment	503	770	795	729	827
Fixtures, fittings and furniture	-	-	-	-	-
Computers and telecommunications	215	369	309	315	322
Library books	-	-	-	-	-
Total plant and equipment	718	1,138	1,104	1,044	1,149
Infrastructure					
Roads	2,716	3,426	2,225	2,270	2,315
Bridges	850	71	417	426	434
Footpaths and cycleways	176	181	181	185	189
Drainage	842	2,831	258	315	322
Recreational, leisure and community facilities	-	279	201	205	772
Waste management	-	-	31	32	32
Parks, open space and streetscapes	464	-	110	112	115
Off street car parks	180	-	-	-	-
Other infrastructure	202	-	74	76	77
Total infrastructure	5,430	6,788	3,498	3,620	4,255
Total capital works expenditure	7,934	15,904	5,646	6,254	6,651
Represented by:					
New asset expenditure	308	1,251	984	1,447	1,024
Asset renewal expenditure	6,079	12,742	4,339	4,468	5,281
Asset expansion expenditure	-	-	-	-	-
Asset upgrade expenditure	1,547	1,910	322	339	346
Total capital works	7,934	15,904	5,646	6,254	6,651
Funding sources represented by:					
Grants	4,123	1,036	902	1,183	1,207
Council Cash	3,811	14,018	4,743	5,071	5,444
Borrowings	-	849	-	-	-
Total capital works expenditure	7,934	15,904	5,646	6,254	6,651

Figure 10: Statement of Capital Works 2020/21

12.6 Financial Performance Indicators

Indicator	Measure	Notes	Actual	Forecast	Budget	Strategic Resource Plan Projections		
			2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Adjusted underlying result	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	0%	-8%	-2%	4%	5%	5%
Liquidity								
Working Capital	Current assets / current liabilities	2	162%	157%	199%	212%	224%	233%
Unrestricted cash	Unrestricted cash / current liabilities	3	-10%	86%	109%	127%	141%	153%
Obligations								
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	4	26%	22%	23%	18%	14%	9%
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		5%	5%	21%	4%	4%	4%
Indebtedness	Non-current liabilities / own source revenue		2%	6%	19%	15%	11%	8%
Asset renewal	Asset renewal expenses / Asset depreciation	5	47%	90%	175%	69%	70%	81%
Stability								
Rates concentration	Rate revenue / adjusted underlying revenue	6	49%	57%	55%	55%	55%	55%
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.70%	0.73%	0.69%	0.67%	0.66%	0.64%
Efficiency								
Expenditure level	Total expenses/ no. of property assessments		\$3,556	\$3,415	\$3,442	\$3,314	\$3,353	\$3,393
Revenue level	Residential rate revenue / no. of residential property assessments		\$1,000	\$1,049	\$1,087	\$1,117	\$1,139	\$1,162
Workforce turnover	No. of permanent staff resignations & terminations / average no. of permanent staff for the financial year		10	8	7	7	7	7

Table 15: Financial Performance Indicators

13. APPENDIX C: RATING PRINCIPLES

(a) Sustainable financial management

The aggregate revenue raised by Council plus that received from grants needs to be sufficient to cover the aggregate long-run cost of delivering the services provided measured on an accrual-accounting basis. Sustainable financial management requires the application of multi-year framework to financial management, asset management, planning, spending and revenue decisions.

(b) Evaluating and setting priorities

Council is aware of and will have regard to the views of its communities with respect to the priority areas for Council services. Council will heighten the communities awareness of the short and long-term financial implications of potential service priorities and key decisions, including trade-offs between service priorities.

(c) Core Functions

Council will continue to provide a full range of municipal goods and services in accordance with its statutory and community service obligations.

Where Council engages in the provision of services, that resemble those of private sector markets, the application of competitive neutrality principles requires Council to aim to recover the full costs of a significant business activity, including the direct costs of providing goods and services, rate and tax equivalent payments and a commercial rate of return on investment.

(d) Identifying the cost of service delivery

Council will understand the cost of delivering its services as an acknowledgement that this information is useful in determining the range of services, and the level of service provision, and the corresponding structure for rates and charges.

(e) Prudent borrowings for infrastructure

Borrowings when undertaken prudently are an appropriate means for local government to finance long lived infrastructure assets as the cost of servicing of debt through rates or user charges enables the cost of the asset to be matched with the benefits from consumption of the services over the life of the asset, thereby promoting intergenerational equity.

(f) Rate setting and pricing of services

A single rate cap of 2% has been introduced for the 2020/21 financial year by the Victorian Government.

Rate capping delivers on a key election promise for a fairer rating system to help ease cost of living pressures on Victorians. It is part of delivering value for communities and provide fair, responsible and effective policies and processes for Victorian ratepayers.

Only the general rate and municipal charges part of a rates bill will be capped at 2%. All other parts, such as waste charges and other fees and levies, remain uncapped.

Where infrastructure costs are directly attributable to individual property owners, Council will recover those costs through the application of special charge schemes, developer charges or contributions. Council will also take consideration of the community's ability to pay as well as the benefits derived from the provision of services.

(g) Openness and transparency

Council is accountable and responsible for the policy decisions with respect to the range of services provided, the expenditure and delivery of the services and the way services are funded and paid for by the community. Open and transparent processes for decision making of Council include the making of information openly available to people in the local community and seeking active participation by the community with respect to choices regarding the range and level of services provided and how they are funded.

(h) Providing services on behalf of other tiers of government

Effective interaction between Council and other tiers of government is important to ensure delivery of some essential services to the community. Where Council enters into the delivery of services on behalf of other tiers of government, the supply of these services should be delivered on commercial terms based on the incremental cost to Council. In situations where Council determines to provide subsidies for the delivery of these services Council will make the costs transparent and inform the community about the purpose and amount of the subsidy and how it is to be funded.



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8.7 ACTION PLAN PROGRESS REPORT – AS AT 30 JUNE 2020

Author: Manager Governance Property and Risk

Responsible Officer: Chief Executive Officer

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2019-20 Action Plan.

LEGISLATION AND POLICY CONTEXT

Under Section 125 of the Victorian Local Government Act 1989 Council must prepare a Council Plan, which identifies the strategic objectives of the Council and strategies for achieving the objectives for at least the next four years. The Council Plan must also be reviewed annually. An Annual Plan is not required to be prepared under the Local Government Act, however it is best practice and provides Council and the community with a regular progress report against the objectives in the Council Plan.

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

The 2017-2021 Refreshed Council Plan was adopted by Council at the Ordinary Meeting of Council in August 2018. The 2019-20 Action Plan was developed to support the achievement of the strategic objectives identified in the Refreshed Council Plan and to provide a reporting framework to measure progress against the Council Plan. The 2019-20 Action Plan was adopted by Council at the Ordinary Meeting of Council 25 June 2019.

This is the fourth progress report against the Action Plan and is for the period to 30 June 2020.

REPORT

There has been progress against the initiatives and projects outlined in the 2019-20 Annual Action Plan. There are 90 actions identified in the plan, of these 61 are completed, 22 are in progress, 6 are not progressing and 1 not due to start. During the development of the 2020-2021 Annual Action Plan the actions which were not completed in 2020-2021 were reviewed and rolled over into the new plan as appropriate.

CONSULTATION/COMMUNICATION

Council has developed the Action Plan through consultation with the community during the development of the 2017-2021 Refreshed Council Plan, through Listening Posts held quarterly across the Shire, and the development of the 2019-20 Budget.

FINANCIAL & RESOURCE IMPLICATIONS

The 2019-20 Budget and the four year Strategic Resource Plan were prepared in line with the initiatives identified in the Annual Plan subject to grants from State and Federal Government being received in some cases.

RISK MANAGEMENT

This report addresses Council's strategic risk Governance - Failure to transparently govern and embrace good governance practices by increasing transparency on Council's progress on delivering the actions in its Council Plan.

CONCLUSION

The 2019-20 Action Plan outlines the projects and programs being undertaken during the year to meet the objectives of the Council Plan. This report shows progress for the period to 30 June 2020.

ATTACHMENTS

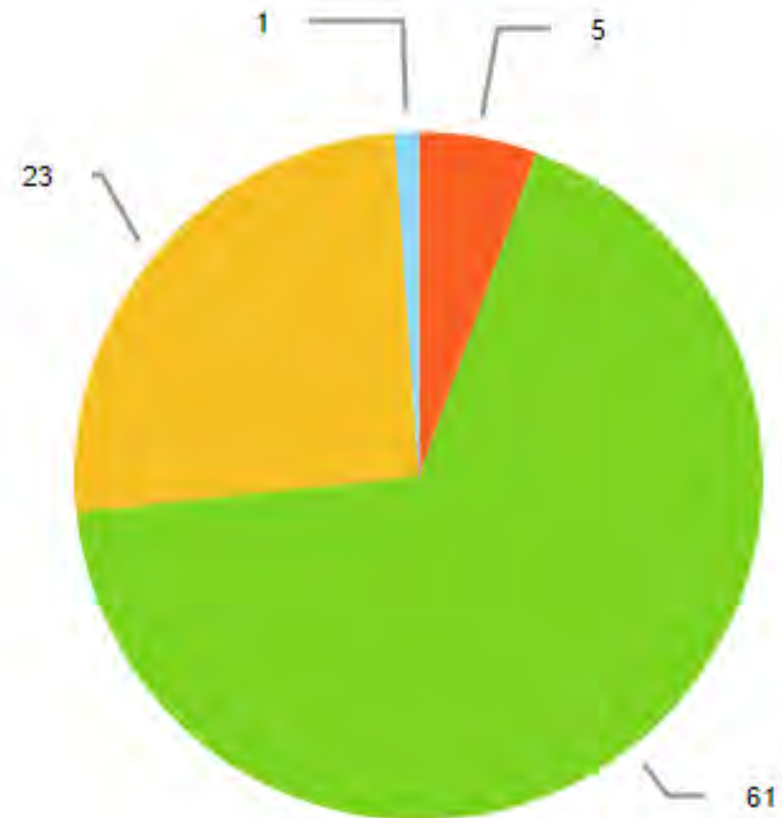
1. 2019-20 Action Plan Progress Report.

RECOMMENDATION

That Council notes the 2019-20 Action Plan Progress Report.

**Central Goldfields Shire Council
Annual Action Plan
Quarterly Progress Report
2019/2020, Q4**

Action Status Snapshot

















- Not Progressing
- Completed
- In Progress
- Not Due To Start




Our Community

A supported, cohesive community, living a full and healthy life.




Build an aspiring community, achieving and living a full life where: Family Violence is unacceptable in our community Children are loved and safe Everyone has the language and literacy skills needed Young people are celebrated as they strive to reach their full potential Everyone can learn, earn, achieve and dream

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.1.1	Continue delivery of the Go Goldfields program, and work towards program sustainability.	1.1.1.1	Implementation of enhanced MCH Services	Manager Community Services	Completed	100%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.1	Implement future of Library Services Report and seek funding to support.	General Manager Community Wellbeing	Completed	80%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.2	Teddy Bears Picnic (activity)	General Manager Community Wellbeing	Not Progressing	0%	Action not progressed in 2019/20. A range of other early years literacy activities were prioritised over the course of the year, including the development of a range of online community story telling resources. Will be considered as part of the Shire-wide early years improvement plan to be developed in 2020/21		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.3	Library, Laptime Toddler time	General Manager Community Wellbeing	Completed	100%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.4	Supported Playgroup Small talk	Manager Community Services	Completed	100%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.5	Explore opportunity to fund a biannual Short Flix Festival	General Manager Community Wellbeing	Not Progressing	0%	Did not progress in 2019 due to completion of external funding program. Will be considered as part of the Shire-wide youth strategy to be developed in 2020-21.		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.6	Develop Business Case for Youth Hub	Manager Community Partnerships	In Progress	80%	A partnership with the Youth Alliance, the Youth Hub was launched in November 2019 and officially opened on 4 February 2020. Located at the Maryborough Town Hall, the Youth Hub provides a place for young people to access a range of services and it provides a study space with access to computers. The Youth Hub was temporarily closed at the end of March 2020 due to the COVID-19 pandemic restrictions. Despite it		

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							being open for only 7 weeks an evaluation has been conducted to assess its operations and uptake by young people. The evaluation will be used to develop a business case and provide an advocacy platform for Council and its Youth Alliance partners to seek funding to expand the Youth Hub concept.		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.7	Implementation of Family Violence Action Plan	General Manager Community Wellbeing	In Progress	50%	The Go Goldfields partnership shifted focus in Quarter 4 to direct all of its work towards improving outcomes in early childhood. The broader aims of the family violence action plan are addressed through other local service structures including through the development of the Orange Door service		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.8	16 days of Activism Marigolds Project	General Manager Community Wellbeing	Completed	100%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.9	Free from Family Violence Priority: Change the Story - Gender equity statement and action plan	General Manager Community Wellbeing	Completed	100%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.10	Collaborate with Regional Partnership group on Loddon Campaspe Early Years Childhood Strategy	General Manager Community Wellbeing	Completed	100%			
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.11	Youth Engage Program	Manager Community Partnerships	Completed	100%	The Engage! program has provided COVID-19 lockdown journals to program participants and a book is being developed containing reflections from these journals. The Engage! youth officer has been invited to attend the Maryborough Education Centre to support young people to re-engage with school post lockdown.		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.12	FreeZA Program	Manager Community Partnerships	Completed	100%	The FReeZA program has been on hold since COVID-19 restrictions were put in place.		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.13	L2P	Manager Community Partnerships	Completed	100%	The L2P program is in operation again since the lifting of COVID-19 restrictions. The waiting list has increased.		




Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.14	TAC Road Trip	Manager Community Partnerships	Completed	100%	The Road Trip program is slowly recommencing since the lifting of COVID-19 restrictions. The program is fully subscribed with a waiting list now in place.		
1.1.2	Advancement of projects in areas of Early Years Literacy Engagement of Young People Addressing Family Violence Work Readiness	1.1.2.15	Develop a Youth Strategy for the Shire	Manager Community Partnerships	Not Due To Start	0%	The Youth Strategy will commence development later in the 2020 year. Establishment of the Youth Hub was prioritised throughout 2019/20		
1.1.3	Develop a 10 year Community Plan	1.1.3.1	Develop community plans for the townships of Bealiba, Bet Bet, Carisbrook, Dunolly, Majorca, Maryborough, Talbot and Timor	Manager Community Partnerships	Completed	100%	The eight (8) community plans were endorsed by Council at its May meeting. Since then works have commenced on the actions Council has responsibility for, including streetscape works and repairs to community halls.		

Support and encourage volunteerism in the community






Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.2.1	Provide a safe, fun, encouraging and welcoming environment for volunteers and promote the benefits of a volunteer organisation	1.2.1.1	Implement recommendations from the Energy Breakthrough Business Plan to support volunteers	Manager Tourism Events and Culture	Completed	100%			
1.2.1	Provide a safe, fun, encouraging and welcoming environment for volunteers and promote the benefits of a volunteer organisation	1.2.1.2	Continue to engage and train volunteers to support council operations in services such as the Visitor Information Centre and L2P	Manager Community Partnerships	Completed	100%	A Volunteerism Working Group with community members and key services has been established as part of the COVID-19 response and recovery effort.		
1.2.2	Develop a Community Support Policy (including Grants Program) to assist the work of community groups	1.2.2.1	Implement the Community Support Policy and updated Community Grants Program	Manager Community Partnerships	Completed	100%	The next round of community grants funding will be available later in 2020 year.		

Ensure that all of our community, regardless of diversity, can live a full and healthy life

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan	1.3.1.1	Review and refresh the Central Goldfields Public Health and Wellbeing Plan	Manager Community Services	Completed	100%			
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan	1.3.1.2	Implement the Central Goldfields Shire wide Literacy Strategy	General Manager	Completed	100%			

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
				Community Wellbeing					
1.3.1	Implement Central Goldfields Public Health and Wellbeing Plan	1.3.1.3	Implement Youth Our Critical Asset project	Manager Community Partnerships	Completed	100%	No further action to date.		
1.3.2	Actively participate in The Healthy Hearts Project	1.3.2.1	Implement projects identified in the Healthy Hearts Project for our Shire, including infrastructure upgrades and activity planning.	Manager Community Partnerships	In Progress	90%	<p>Healthy Heart of Victoria is a State Government initiative aimed at improving health outcomes for people in the Loddon Campaspe region, the heart of Victoria by reducing obesity, chronic disease and high-risk health behaviours. Healthy Heart of Victoria projects are designed to focus on increasing physical activity and supporting healthy food choices. The initiative aims to get more people, more active, more often. The Healthy Heart Victoria initiative has resulted in a number of community and infrastructure projects across the municipality. These include:</p> <ul style="list-style-type: none"> - Goldfields Reservoir: upgrades to the trail, installation of nature play and programming Parkrun weekly events - Maryborough Community House: installation of BBQ, shade structure and playground to activate healthy eating and food choices - Gordon Gardens Dunolly: upgrading the basketball court with the pump track and outdoor exercise equipment due to be installed later in the year, and - Active Living Census: a survey providing local level evidence and information and will enable reliable comparisons with other data, as well as across townships and demographic groups such as age and gender. 		
1.3.3	Continue participation with Loddon Campaspe Regional Partnership	1.3.3.1	A Growing Economy implement recommendations in the Regional Economic Statement	Manager Strategy and Economic Development	Completed	100%			

Provide leadership in municipal emergency and fire prevention planning and strengthen public safety





Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.4.1	Coordinate Municipal Emergency Management Plans and Committee	1.4.1.1	Continue to participate in the Northern Victorian Emergency Management Cluster	Manager Community Partnerships	Completed	100%	Participation in the Northern Victorian Emergency Management Cluster has been invaluable during the COVID-19 pandemic. Information, ideas and skill sharing has enabled Council to respond more effectively to the impact on the organisation and community.		
1.4.1	Coordinate Municipal Emergency Management Plans and Committee	1.4.1.2	Adopt the Cluster Influenza Pandemic Plan	Manager Community Partnerships	Completed	100%	The Loddon-Mallee influenza Pandemic Plan was activated in March and continues to be activated.		
1.4.1	Coordinate Municipal Emergency Management Plans and Committee	1.4.1.3	Adopt the Municipal Fire Management Plan 2018-2021	Manager Community Partnerships	In Progress	50%	The Plan continues to be implemented.		
1.4.2	Implement recommendations from flood management plans including flood mitigation works	1.4.2.1	Implement the Carisbrook Flood and Drainage Management Plan, specifically the completion of the western levy and additional creek clearing	Manager Infrastructure	In Progress	50%	This is an ongoing project and will continue in the 2020-2021 action plan. Council is close to finalising land purchase. The project has a planning permit and final design has been completed.		
1.4.3	Extend and upgrade township CCTV systems	1.4.3.1	Complete installation of CCTV and apply for further funding	Manager Infrastructure	In Progress	50%	Substantial planning work is required to implement CCTV until planning work is finalised funding cannot be sought.		

Facilitate an active and inclusive arts community


Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.5.1	Develop a Community Arts Strategy	1.5.1.1	Prepare a background discussion paper to assist the direction and development of a Community Arts Strategy	Manager Tourism Events and Culture	Not Progressing	0%	Community Arts Strategy delayed in order to prioritise the Art Galley Upgrade Project. Strategy will be undertaken in 20/21.		





Promote and enhance passive and active recreation

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.6.1	Develop a Central Goldfields Shire Recreation Plan	1.6.1.1	Implement recommendations from the Recreation and Open Space Strategy	Manager Community Partnerships	In Progress	90%	The draft Recreation & open Space Strategy is open for public comment and scheduled to be		





Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							presented to Council for adoption at its September meeting.		
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans	1.6.2.1	Construct the all-access changing places change room at the Maryborough Sports and Leisure Centre	Manager Community Partnerships	Completed	100%	The Changing Places change room has been constructed and available for community use in early July.		
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans	1.6.2.2	Finalise detail design for upgrade to Carisbrook Recreation Reserve and commence construction.	Manager Community Partnerships	In Progress	90%	The design of Carisbrook Recreation Reserve Stage 1 has been a consultative process working closely with the Recreation Reserve Committee to ensure the new clubrooms reflect their needs and comply with new government standards to increase women and girls' participation in sport and increase accessibility for people with disabilities. Detailed designs were agreed upon by the Committee and a retrospective funding application was submitted to Sport and Recreation Victoria as per the requirements of the Ministerial financial commitment of \$2M. Construction is due to commence before the end of the year.		
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans	1.6.2.3	Seek funding to support the upgrade to the Deledio Reserve in Dunolly and undertake concept design.	Manager Community Partnerships	In Progress	75%	The project forms part of Council's Priority Projects investment attraction document to be considered for approval by Council in July 2020.		
1.6.2	Continue to implement priorities from Major Recreation Reserves Master Plans	1.6.2.4	Complete design for a Skate Park in Maryborough and seek funding for construction.	Manager Community Partnerships	Completed	100%	Council's funding submission to Sport and Recreation Victoria has been successful. The tender process for design and construct will commence shortly and it is anticipated construction will commence before the end of the year.		

Support positive development for residents of all ages and abilities.

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.7.1	Develop a Municipal Early Years Plan	1.7.1.1	Include recommendations from the Regional Early Years and Literature Strategy into the Municipal Early Years Plan.	Manager Community Services	Not Progressing	0%	Early Years Improvement Plan will be developed in 2020/21. Development of the plan was delayed in 19/20 in order to prioritise the Kinder Central Enrolment project, preparations for the introduction of universal 3 year old kinder and the strategic development of the Go Goldfields		

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							partnership to shift its entire focus to improving early years outcomes.		
1.7.2	Facilitate the transition of service delivery models for HACC and NDIS	1.7.2.1	Identify and support clients with their transition to the NDIS	Manager Community Services	Completed	100%			
1.7.2	Facilitate the transition of service delivery models for HACC and NDIS	1.7.2.2	Continue to participate in the Loddon Campaspe Councils review of models of service delivery and viability of aged services	Manager Community Services	Completed	100%			
1.7.3	Implement priorities from the Positive Ageing Strategy	1.7.3.1	Implement Commonwealth Wellness and Reablement Model through Home Support Services and Social Support groups	Manager Community Services	Completed	100%			
1.7.4	Support positive life opportunities for people living with a disability	1.7.4.1	Implement actions in the Disability Action Plan	Manager Community Services	Completed	100%			

Maximise all forms of connectivity for the community

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
1.8.1	Advocate for enhanced passenger rail services	1.8.1.1	Continue to advocate for enhanced passenger rail services.	General Manager Community Wellbeing	Completed	100%			
1.8.1	Advocate for enhanced passenger rail services	1.8.1.2	Participate in the Mildura Passenger Rail project	General Manager Community Wellbeing	Completed	100%			
1.8.3	Deliver local Community Transport Plan	1.8.3.1	Develop a Transport Strategy including public and community transport options.	General Manager Infrastructure Assets and Planning	In Progress	75%	A discussion and options paper has been prepared, with community comment/feedback to be sought in August 2020.		
1.8.4	Implement priorities from the Walking and Cycling Strategy	1.8.4.1	Build four footpaths identified in Walking and Cycling Strategy in Maryborough, Carisbrook, Dunolly, Bealiba.	Manager Operations	Completed	100%			

Our Economy

A vibrant local economy which contributes to the municipality's economic prosperity





Facilitate an environment which is conducive to industry/business growth and employment growth and retention

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.1.1	Develop an Economic Development and Tourism Strategy	2.1.1.1	Complete the Economic Development and Tourism Strategy for Central Goldfields Shire and commence implementation of identified actions	Manager Strategy and Economic Development	Completed	100%			

Develop a skilled workforce to support economic growth




Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.2.1	Support work readiness initiatives, specifically within the Go Goldfields program	2.2.1.1	Implement the Go Goldfields Work Readiness Action Plan 2018-2020	General Manager Community Wellbeing	Not Progressing	0%	The Go Goldfields Partnership has resolved to narrow its focus on improving outcomes in early childhood. The work readiness priority will be addressed through the implementation of the economic development strategy		

Promote Central Goldfields as a place of choice to live, work and play

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.3.1	Review Councils Population Growth Strategy	2.3.1.1	Implement recommendations from Councils Economic Development and Tourism Strategy	Manager Strategy and Economic Development	Completed	100%			
2.3.2	Participate in Regional Economic Development Strategies	2.3.2.1	Implement recommendations from the Regional Economic Statement	Manager Strategy and Economic Development	Completed	100%			
2.3.3	Advocate for the development of the Maryborough Ballarat (Rail) Growth Corridor	2.3.3.1	Continue to advocate for enhanced passenger rail services.	General Manager Community Wellbeing	Completed	100%			
2.3.4	Advocate for a wastewater scheme for Talbot township	2.3.4.1	Identify funding opportunities to undertake a social and economic	General Manager	Completed	100%	This action has resulted in budget in the draft 2020-2021 budget to undertake additional		

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
			business case to support a wastewater scheme for Talbot	Infrastructure Assets and Planning			planning and research about wastewater options for Talbot. Staff have also worked with RDV to identify funding opportunities to further a change to wastewater options in Talbot.		

Provide a supportive environment for existing business to prosper

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.4.1	Include support for existing business in the Economic Development and Tourism Strategy	2.4.1.1	Complete and commence implementation of the Economic Development and Tourism Strategy for Central Goldfields Shire	Manager Strategy and Economic Development	Completed	100%			
2.4.1	Include support for existing business in the Economic Development and Tourism Strategy	2.4.1.2	Continued ongoing representation on Bendigo Regional Tourism Board.	Manager Tourism Events and Culture	Completed	100%			
2.4.2	Support Committee for Maryborough and other business groups in the Central Goldfields Shire	2.4.2.1	Continue to support Committee for Maryborough activities.	Manager Strategy and Economic Development	Completed	100%			

Strengthen and facilitate diversification for the Agri-business and food processing sectors





Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.5.1	Update and renew the Food Cluster Strategy	2.5.1.1	Review Food Cluster Strategy when developing the Economic Development Strategy	Manager Strategy and Economic Development	Completed	100%			

Grow the digital capability of the Shire

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.6.2	Continue to advocate to minimise mobile phone black spots	2.6.2.1	Continue to advocate for mobile towers in blacks spots identified in the Regional Development	General Manager Infrastructure	Completed	100%	This is an on-going action and advocacy has occurred in 2019.		

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
			Australia - Loddon Mallee Mobile Coverage Report	Assets and Planning					





Capitalise on tourism and the visitor economy through growth of events and promotion of unique local experiences

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
2.7.1	Advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing	2.7.1.1	Participate in State Government review of Regional Tourism Boards	General Manager Community Wellbeing	Completed	100%			
2.7.1	Advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing	2.7.1.2	Implement Regional Tourism projects through partnerships including Accessible Tourism, Goldfields Villages Destination Management Plan and Regional Itineraries projects.	Manager Tourism Events and Culture	Completed	100%			
2.7.1	Advance the Goldfields Heritage Development and Opportunity Project towards World Heritage Listing	2.7.1.3	Advance and advocate for Goldfields Heritage Project for World Heritage Listing	Manager Tourism Events and Culture	Completed	100%			
2.7.2	Review and update the business and marketing plan for Energy Breakthrough	2.7.2.1	Implement recommendations from the Energy Breakthrough Business Plan	Manager Tourism Events and Culture	In Progress	80%	Implementation of plan extended in scope following additional State Government investment		




Our Built & Natural Environment

Central Goldfields Shire celebrates the rich built and natural heritage and a sustainable environment







Ensure investment in roads, footpaths and buildings meet community needs now and in the future

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.1.1	Undertake service planning to establish asset requirements to deliver services	3.1.1.1	Build an all access change room at the Maryborough Leisure Centre Indoor Pool	Manager Community Partnerships	Completed	100%	Construction has been completed.		
3.1.1	Undertake service planning to establish asset requirements to deliver services	3.1.1.2	Roll out E-Waste Program, Community Education. Install collection points in Towns	Manager Infrastructure	Completed	100%			
3.1.2	Review and update Asset Management Plans and prepare a 10 year capital works program	3.1.2.1	Develop a 10 year capital works program to inform the 10 year financial plan.	General Manager Infrastructure Assets and Planning	Completed	100%			
3.1.2	Review and update Asset Management Plans and prepare a 10 year capital works program	3.1.2.2	Review and update Council's Assets Management Framework and Asset Plants	General Manager Infrastructure Assets and Planning	In Progress	90%	This in an ongoing action as council gathers greater knowledge of its assets. Council is also participating in a regional project to establish a business case for a regional approach to asset management.		



Improve the appearance of township entrances and streetscapes

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.2.1	Renew and update urban design frameworks in the Shire	3.2.1.1	Implement the Gordons Gardens Masterplan	Manager Operations	Completed	100%			
3.2.2	Collaborate with township tree committees on tree plantings and maintenance	3.2.2.1	Implement Cool It project through consultation with Public Places Tree Advisory Committee	Manager Operations	In Progress	50%	This project has not progressed as planned due to COVID and staffing arrangements.		
3.2.2	Collaborate with township tree committees on tree plantings and maintenance	3.2.2.2	Monitor the plantings and improvements to the landscaping associated with the Town Entry signs	Manager Operations	Completed	100%			


Protect and enhance the environment while planning for growth

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.3.1	Review and update the Central Goldfields Planning Scheme and Municipal Strategic Statement	3.3.1.1	Complete Planning Scheme review and commence implementation via Planning Scheme Amendment	Manager Strategy and Economic Development	Completed	100%			
3.3.2	Develop a Strategic Planning program	3.3.2.1	Develop a Population, Housing and Residential Development Strategy	Manager Strategy and Economic Development	Completed	100%			
3.3.2	Develop a Strategic Planning program	3.3.2.2	Prepare the Maryborough Flood Study and implement recommendations in partnership with NCMA	Manager Infrastructure	In Progress	50%	The flood study is on the way and will be completed in the 20/21 year.		
3.3.3	Participate in regional environmental projects through the Central Victorian Greenhouse Alliance	3.3.3.1	Participate in the development of the Loddon Mallee Regional Renewable Energy Roadmap	Manager Infrastructure	Completed	100%			
3.3.4	Implement the actions from Councils Sustainability Plan	3.3.4.1	Undertake Energy upgrades in priority buildings.	Manager Infrastructure	Completed	100%			
3.3.4	Implement the actions from Councils Sustainability Plan	3.3.4.2	Undertake Station Domain Stormwater Harvesting and Irrigation Design Project	Manager Infrastructure	In Progress	50%	The flood study is on the way and will be completed in the 20/21 year.		

Ensure waste management meets current and future demand and standards

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.4.1	Review and update Councils Waste Management Plan	3.4.1.1	Implement actions from Waste Management Strategy	Manager Infrastructure	Completed	100%			
3.4.2	Participate in regional waste projects through the Grampians Central West Waste and Resource Recovery Group	3.4.2.1	Participate in regional waste projects through the Grampians Central West Waste and Resource Recovery Group	Manager Infrastructure	Completed	100%			



Protect and preserve our heritage assets

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
3.5.2	Seek funding assistance to maintain and preserve heritage assets	3.5.2.1	Seek external heritage funding to undertake repairs to the Maryborough Outdoor pool	Manager Community Partnerships	Completed	100%	Installation of shade structures and artificial turf, and an upgrade to the plant room are almost complete. Funding has been provided by the State Government through the Building Works package for \$2 million for priority works which includes maintenance works for the 50m pool, 25m pool, octagonal pool, entrance pavilion, concourse and plant room.		





Our Organisation

Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation





Ensure the financial sustainability of Council through efficient and effective delivery of services

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.1.1	Undertake service planning across the organisation to set sustainable service levels that meet community needs	4.1.1.1	Develop 10 year financial plan from service plans, continue to review and update as new strategies are adopted.	General Manager Corporate Performance	In Progress	90%	Ten year financial plan will be presented to Council for adoption in August 2020		
4.1.2	Develop a 10 year financial plan	4.1.2.1	New budget and financial system implemented in 2018/19, undertake review in 2019/20	Manager Finance	Completed	100%			

Provide effective and accessible community information and opportunities community contributions to policy and program development




Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.2.1	Implement the Community Engagement Framework	4.2.1.1	Review and update Community Engagement Framework	Manager Community Engagement	Completed	100%			
4.2.1	Implement the Community Engagement Framework	4.2.1.2	Investigate Customer Relationship Management (CRM) tools to assist in the management and monitoring of customer interactions and complaint handling	Manager Business Transformation	In Progress	50%	New core infrastructure implementation is currently underway which will provide the necessary platform to install the OpenOffice CRM module. The CRM module is currently planned for implementation by end of Q4 2020.		
4.2.1	Implement the Community Engagement Framework	4.2.1.3	Develop a Strategic Communications Plan	Manager Community Engagement	In Progress	10%	The development of a Communications and Engagement Strategy has commenced. The draft version will be ready for consultation - along with the Community Engagement Policy - with the new Council once they are in place.		
4.2.1	Implement the Community Engagement Framework	4.2.1.4	Roll out and embed Customer Service Charter across Council	Manager Business Transformation	In Progress	50%	Once the CRM module is implemented, along with other ERP modules, e.g. Building and Planning, CGSC will be able to report on metrics related to the customer charter and show compliance or non-compliance to SLA and other measurement criteria.		

Provide leadership in governance and Council decision making

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.3.1	Develop and implement a cultural change program to develop a high performing, customer focused organisation	4.3.1.1	Implement the Culture Change program	Manager People and Culture	Completed	100%			
4.3.3	Implement recommendations from Internal Audits completed as part of the four year Internal Audit Program	4.3.3.1	Develop a Corporate Governance Framework incorporating changes to the Local Government Act	Manager Governance Property and Risk	In Progress	40%	The development of a Corporate Governance Framework has commenced. This Framework will incorporate the Local Government Act 2020 and the updated timeframes in 2020 for the budget and the annual report. This work has been delayed due to the COVID-19 Pandemic and the focus on ensuring the Local Government Act 2020 requirements are met for 1 September 2020.		
4.3.3	Implement recommendations from Internal Audits completed as part of the four year Internal Audit Program	4.3.3.2	Develop a Risk Management framework including improved practices and reporting systems	Manager Governance Property and Risk	In Progress	80%	The development of a Risk Management Framework including the development of a Strategic Risk Register and the updating of the Risk Register and Risk Management Plan is currently underway. The Risk Management Policy and Strategic Risk Register were adopted by Council in March 2020. The Operational Risk Register is currently being updated. A Risk Appetite Statement Workshop was held with the Administrators on 14 July 2020. The draft Risk Appetite Statement will be presented to the Audit and Risk Committee and Council in September 2020.		
4.3.3	Implement recommendations from Internal Audits completed as part of the four year Internal Audit Program	4.3.3.3	Complete Internal Audit program	Manager Governance Property and Risk	Completed	100%			

Ensure the health and wellbeing of our staff

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
4.4.1	Review and update Occupational Health and Safety policies and practices	4.4.1.1	Implement recommendations from the OH&S Internal Audit	Manager Governance Property and Risk	In Progress	50%	Council has appointed an OHS Advisor for a 3 month period to assist with the completion of the recommendations from the OHS internal audit, in particular the updating of the OHS Manual. This work has been delayed due to the COVID-19 Pandemic, but the extra specialist resourcing will		

Initiative Code	Initiative	Action Code	Action Name	Responsible Officer Position	Status	Progress	Comments	Due Date	Traffic Lights
							ensure that the recommendations are completed by 30 September 2020.		
4.4.2	Re-establish and support a Health and Wellbeing Committee	4.4.2.1	Support activities of the Health and Wellbeing Committee	Manager People and Culture	Completed	100%			
4.4.2	Re-establish and support a Health and Wellbeing Committee	4.4.2.2	Reactivate implementing the Workplace Achievement Program	Manager People and Culture	In Progress	5%	Information from the Staff Survey and action planning sessions will be used to inform the nature and format of Workplace Achievement Program.		
4.4.3	Implement health and wellbeing initiatives in the Enterprise Agreement	4.4.3.1	Update HR Policies incorporating Health and Wellbeing initiatives in Enterprise Agreement	Manager People and Culture	Completed	100%			

8.8 GOVERNANCE RULES FOR ADOPTION

Author: Manager Governance Property and Risk

Responsible Officer: General Manager Corporate Performance

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to present the draft Governance Rules to Council for adoption.

These Governance Rules are designed to replace councils meeting procedure local laws. They are also designed to provide guidance in relation to key governance arrangements in relation to Council meetings which were previously included in Part 4 Council Administration – Division 2 Procedure and Proceedings of the Local Government Act 1989.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

Governance Rules

Section 60 of the Local Government Act 2020 states that Council must develop, adopt and keep in force Governance Rules for or with respect to the following:

- (a) the conduct of Council meetings;
- (b) the conduct of meetings of delegated committees;
- (c) the form and availability of meeting records;
- (d) the election of the Mayor and the Deputy Mayor;
- (da) the appointment of an Acting Mayor;
- (e) an election period policy in accordance with section 69;

the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130;

- (f) the procedure for the disclosure of a conflict of interest by a Councillor under section 131;

- (g) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter within the meaning of section 126(1);
 - (h) any other matters prescribed by the regulations.
- (2) The Governance Rules must provide for a Council to—
- (a) consider and make decisions on any matter being considered by the Council fairly and on the merits; and
 - (b) institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered.

A Council must comply with its Governance Rules.

A Council must adopt the first Governance Rules under this section on or before 1 September 2020.

Until a Council adopts Governance Rules under this section, the Local Law Meeting Procedures made by the Council under the Local Government Act 1989 apply as if the Local Law Meeting Procedures had been adopted as Governance Rules under this section.

Election Period Policy

Section 69 states that Council must include an election period policy in its Governance Rules.

An election period policy must prohibit any Council decision during the election period for a general election that—

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

An election period policy must prohibit any Council decision during the election period for a general election or a by-election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

A Council decision made in contravention of (a) or (b) above is invalid.

Any person who suffers any loss or damage as a result of acting in good faith on a Council decision that is invalid is entitled to compensation from the Council for that loss or damage.

REPORT

The Local Government Act 2020 requires councils to develop Governance Rules. These Governance Rules are designed to replace councils meeting procedure local laws. They are

also designed to include details which were previously included in Part 4 Council Administration – Division 2 Procedure and Proceedings of the Local Government Act 1989. These sections detailed requirements in relation to matters such as Council Meetings and Minutes and have been revoked. Not all this previous legislative guidance is included in the Local Government Act 2020, and councils are therefore asked to include it in their Governance Rules.

The draft Governance Rules have been developed using a template from Maddocks Lawyers.

This template has been reviewed in accordance with Council's current Code of Meetings Procedure 2015 and several updates have been made accordingly..

The draft Governance Rules are separated into 7 chapters:

1. Governance Framework
2. Meeting Procedure for Council Meetings
3. Meeting Procedure for Delegated Committees
4. Meeting Procedure for Community Asset Committees
5. Disclosure of Conflicts Of Interest
6. Miscellaneous
7. Election Period Policy

The draft Governance Rules were presented to the Council Briefing on 14 July 2020 for review and comments and with a recommendation that they go out on public exhibition for comments. All the requested changes were made to the Governance Rules before they were put out.

No public comments have been received on the draft Governance Rules.

The Audit and Risk Committee have reviewed the draft Governance Rules and requested one clarification in the Rules – noting, as detailed in the Local Government Act 2020, that the Mayor is to Chair the Council Meetings.

CONSULTATION/COMMUNICATION

Section 60(4) of the Local Government Act 2020 states that Council must ensure that a process of community engagement is followed in developing or amending its Governance Rules. The Act does not specify what type of community engagement is required. As the Governance Rules must be adopted by Council by 1 September 2020 it was recommended that the draft Governance Rules go on public exhibition for a period of two weeks.

The Governance Rules were put out on public exhibition from 21 July 2020 – 4 August 2020. Public notice was put on Council's website and in the Maryborough Advertiser. A media release was also put out.

The draft Governance Rules were also forwarded to Council's Audit and Risk Committee out of session for review and comments.

FINANCIAL & RESOURCE IMPLICATIONS

Council has purchased the draft Governance Rules template developed by Maddocks Lawyers, the cost of which is provided for in Council's budget. There are no other financial implications in development of the draft Governance Rules.

RISK MANAGEMENT

This report addresses Council's strategic risks of Legislative compliance - Failure to manage our compliance with relevant legislative requirements by ensuring that Council has Governance Rules and an Election Period Policy which comply with the Local Government Act 2020; and Governance - Failure to transparently govern and embrace good governance practices by being transparent about its processes for conducting Council meetings and meetings of delegated committees, electing the Mayor and Deputy Mayor, the disclosure of conflict of interests and its election period policy.

CONCLUSION

The draft Governance Rules have been developed in accordance with the Local Government Act 2020. The draft Governance Rules was put out for public exhibition and no comments were received.

ATTACHMENTS

1. Draft Governance Rules

RECOMMENDATION

That Council adopt the Governance Rules.



**CENTRAL
GOLDFIELDS**
SHIRE COUNCIL

GOVERNANCE RULES

GOVERNANCE RULES

Introduction

1. Nature of Rules

These are the Governance Rules of Central Goldfields Shire Council, made in accordance with section 60 of the *Local Government Act 2020*.

2. Date of Commencement

These Governance Rules commence on 1 September 2020.

3. Contents

These Governance Rules are divided into the following Chapters:

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

4. Definitions

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

Act means the *Local Government Act 2020*.

Chief Executive Officer includes an Acting Chief Executive Officer.

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

Council means Central Goldfields Shire Council.

Council meeting has the same meaning as in the Act.

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

Mayor means the Mayor of *Council*.

these Rules means these Governance Rules.

1. Context

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

- (a) the overarching governance principles specified in section 9(2) of the *Act*; and
- (b) the following documents adopted or approved by *Council*:

Virtual Council Meeting Procedures

Councillor Code of Conduct

2. Decision Making

- (a) In any matter in which a decision must be made by *Council* (including persons acting with the delegated authority of *Council*), *Council* must consider the matter and make a decision:
 - (i) fairly, by giving consideration and making a decision which is balanced, ethical and impartial; and
 - (ii) on the merits, free from favouritism or self-interest and without regard to irrelevant or unauthorised considerations
- (b) *Council* must, when making any decision to which the principles of natural justice apply, adhere to the principles of natural justice (including, without limitation, ensuring that any person whose rights will be directly affected by a decision of *Council* is entitled to communicate their views and have their interests considered).
- (c) Without limiting anything in paragraph (b) of this sub-Rule:
 - (i) before making a decision that will directly affect the rights of a person, *Council* (including any person acting with the delegated authority of *Council*) must identify the person or persons whose rights will be directly affected, give notice of the decision which *Council* must make and ensure that such person or persons have an opportunity to communicate their views and have their interests considered before the decision is made;
 - (ii) if a report to be considered at a *Council meeting* concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered;
 - (iii) if a report to be considered at a *Delegated Committee* meeting concerns subject-matter which will directly affect the rights of a person or persons, the Report must record whether the person has or persons have been provided with an opportunity to communicate their views and have their interests considered.

Chapter 2 – Meeting Procedure for Council Meetings

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Part A – Introduction

1. Title

This Chapter will be known as the "Meeting Procedure Chapter".

2. Purpose of this Chapter

The purpose of this Chapter is to:

- 2.1 provide for the election of the Mayor and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor; and
- 2.3 provide for the procedures governing the conduct of Council meetings.

3. Definitions and Notes

3.1 In this Chapter:

"absolute majority" means the number of Councillors which is greater than half the total number of the Councillors of a Council;

"agenda" means the notice of a meeting setting out the business to be transacted at the meeting;

"Chair" means the Chairperson of a meeting and includes a Councillor who is appointed by resolution to chair a meeting under section 61(3) of the *Act*;

<p><i>Note:</i> Section 18(1)(a) of the <i>Act</i> states that the role of the Mayor is to chair Council Meetings.</p>
--

"minute book" means the collective record of proceedings of *Council*;

"municipal district" means the municipal district of *Council*;

"notice of motion" means a notice setting out the text of a motion, which it is proposed to move at the next relevant meeting;

"notice of rescission" means a *notice of motion* to rescind a resolution made by *Council*;

"quorum" means an absolute majority; and

"written" includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and *writing* has a corresponding meaning.

3.2 Introductions to Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

Part B – Election of Mayor

Introduction: This Part is concerned with the annual election of the *Mayor*. It describes how the *Mayor* is to be elected.

4. Election of the *Mayor*

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands.

6. Determining the election of the *Mayor*

6.1 The *Chief Executive Officer* must open the meeting at which the *Mayor* is to be elected, and invite nominations for the office of *Mayor*.

6.2 Any nominations for the office of *Mayor* must be:

6.2.1 seconded by another Councillor; and

6.2.2 Accepted by the nominee.

6.3 Once nominations for the office of *Mayor* have been received, the following provisions will govern the election of the *Mayor*:

6.3.1 if there is only one nomination, the candidate nominated must be declared to be duly elected;

6.3.2 if there is more than one nomination, the Councillors present at the meeting must vote for one of the candidates;

6.3.3 in the event of a candidate receiving an absolute majority of the votes, that candidate is declared to have been elected;

6.3.4 in the event that no candidate receives an absolute majority of the votes, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of votes must be declared to be a defeated candidate. The Councillors present at the meeting must then vote for one of the remaining candidates;

6.3.5 if one of the remaining candidates receives an absolute majority of the votes, he or she is duly elected. If none of the remaining candidates receives an absolute majority of the votes, the process of declaring the candidates with the fewest number of votes a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an absolute majority of the votes. That candidate must then be declared to have been duly elected;

6.3.6 in the event of two or more candidates having an equality of votes and one of them having to be declared:

- a) a defeated candidate; and
- b) duly elected

the declaration will be determined by lot.

6.3.7 if a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:

- a) each candidate will draw one lot;
- b) the order of drawing lots will be determined by the alphabetical order of the surnames of the Councillors who received an equal number of votes except that if two or more such Councillors' surnames are identical, the order will be determined by the alphabetical order of the Councillors' first names; and
- c) as many identical pieces of paper as there are Councillors who received an equal number of votes must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the Councillor who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further vote must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).

7. Election of Deputy Mayor and Chairs of Delegated Committees

7.1 At a meeting to elect the Mayor, Council may resolve to elect a Deputy Mayor.

7.2 Any election for:

7.2.1 any office of Deputy Mayor; or

7.2.2 Chair of a *Delegated Committee*

will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the:

7.2.3 Chief Executive Officer is a reference to the Mayor; and

7.2.4 Mayor is a reference to the Deputy Mayor or the Chair of the Delegated Committee (as the case may be).

8. Appointment of Acting Mayor

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

8.1 resolving that a specified Councillor be so appointed; or

8.2 following the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

Part C – Meetings Procedure

Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.

Division 1 – Notices of Meetings and Delivery of Agendas

9. Dates and Times of Meetings Fixed by Council

Subject to Rule 11, *Council* must from time to time fix the date, time and place of all *Council meetings*.

10. Council May Alter Meeting Dates

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

11. Meetings Not Fixed by Council

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

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

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

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

12. Notice Of Meeting

12.1 A notice of meeting, incorporating or accompanied by an *agenda* of the business to be dealt with, must be delivered or sent electronically to every Councillor for all *Council meetings* at least 48 hours before the meeting.

12.2 Notwithstanding sub-Rule 12.1, a notice of meeting need not be delivered or sent electronically to any Councillor who has been granted leave of absence unless the Councillor has requested the *Chief Executive Officer* in *writing* to continue to give notice of any meeting during the period of his or her absence.

12.3 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this:

12.3.1 for *meetings* which it has fixed by preparing a schedule of meetings annually:

- a) by listing the *Council meeting dates* on its website and;
- b) arranging publication of such schedule in a newspaper generally circulating in the *municipal district* (if such a newspaper exists). either at various times throughout the year, or prior to each such *Council meeting*; and
- c) for any meeting by giving notice on its website and where timing for publishing a notice permits in at least one newspaper generally circulating in the municipal district (if such a newspaper exists).

Division 2 – Quorums

13. Inability To Obtain A Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a quorum cannot be obtained:

- 13.1 the meeting will be deemed to have lapsed;
- 13.2 the Mayor must convene another Council meeting, the agenda for which will be identical to the agenda for the lapsed meeting; and
- 13.3 the Chief Executive Officer must give all Councillors written notice of the meeting convened by the Mayor.

14. Inability To Maintain A Quorum

- 14.1 If during any Council meeting, a quorum cannot be maintained then Rule 13 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 14.2 Sub-Rule 14.1 does not apply if the inability to maintain a quorum is because of the number of Councillors who have a conflict of interest in the matter to be considered.

Section 67 of the Act details the process to be followed where a quorum is unable to be maintained because of the number of Councillors who have a conflict of interest in the matter to be considered.

15. Adjourned Meetings

- 15.1 *Council* may adjourn any meeting to another date or time.
- 15.2 *Council* may only adjourn a meeting in session to another location if there is disorder or a threat to the safety of any Councillor or member of Council staff.
- 15.3 The *Chief Executive Officer* must give *written* notice to each Councillor of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.

- 15.4 If it is impracticable for the notice given under sub-Rule 15.3 to be in *writing*, the *Chief Executive Officer* must give notice to each Councillor by telephone or in person.

16. Time limits for Meetings

- 16.1 A *Council meeting* must not continue after 3 hours unless a majority of Councillors present vote in favour of it continuing.
- 16.2 A meeting cannot be continued for more than 30 minutes at a time.
- 16.3 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 15.3 and 15.4 apply.

17. Cancellation or Postponement of a Meeting

- 17.1 The *Chief Executive Officer* may, in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 17.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 17.1.

Division 3 – Business of Meetings

18. Agenda and the Order Of Business

The *agenda* for and the order of business for a *Council meeting* is to be determined by the *Chief Executive Officer* so as to facilitate and maintain open, efficient and effective processes of government.

19. Change To Order Of Business

Once an *agenda* has been sent to Councillors, the order of business for that *Council meeting* may be altered with the consent of *Council*.

20. Urgent Business

If the *agenda* for a *Council meeting* makes provision for urgent business, business cannot be admitted as urgent business other than by resolution of *Council* and only then if it:

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

Division 4 – Motions and Debate

21. Councillors May Propose *Notices Of Motion*

Councillors may ensure that an issue is listed on an *agenda* by lodging a *Notice of Motion*.

22. Notice Of Motion

22.1 A *notice of motion* must be in *writing* signed by a Councillor, and be lodged with or sent to the *Chief Executive Officer* at least one week before the *Council meeting* to allow sufficient time for him or her to include the *notice of motion* in agenda papers for a *Council meeting* and to give each Councillor at least 48 hours notice of such *notice of motion*.

22.2 The *Chief Executive Officer* may reject any *notice of motion* which:

22.2.1 is vague or unclear in intention

22.2.2 it is beyond *Council's* power to pass; or

22.2.3 if passed would result in *Council* otherwise acting invalidly

but must:

22.2.4 give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and

22.2.5 notify in *writing* the Councillor who lodged it of the rejection and reasons for the rejection.

22.3 The full text of any *notice of motion* accepted by the *Chief Executive Officer* must be included in the *agenda*.

22.4 The *Chief Executive Officer* must cause all notices of motion to be numbered, dated and entered in the notice of motion register in the order in which they were received.

22.5 Except by leave of *Council*, each *notice of motion* before any meeting must be considered in the order in which they were entered in the notice of motion register.

22.6 If a Councillor who has given a *notice of motion* is absent from the meeting or fails to move the motion when called upon by the *Chair*, any other Councillor may move the motion.

22.7 If a *notice of motion* is not moved at the *Council meeting* at which it is listed, it lapses.

23. Chair's Duty

Any motion which is determined by the *Chair* to be:

23.1 defamatory;

- 23.2 objectionable in language or nature;
- 23.3 vague or unclear in intention;
- 23.4 outside the powers of Council; or
- 23.5 irrelevant to the item of business on the agenda and has not been admitted as urgent, or purports to be an amendment but is not,

must not be accepted by the *Chair*.

24. Introducing a Report

24.1 Before a *written* report is considered by *Council* and any motion moved in relation to such report, a member of Council staff may introduce the report by indicating in not more than 2 minutes, unless the *Chair* indicates otherwise:

24.1.1 its background; or

24.1.2 the reasons for any recommendation which appears.

25. Introducing A Motion or an Amendment

The procedure for moving any motion or amendment is:

25.1 the mover must state the motion without speaking to it;

25.2 the motion must be seconded and the seconder must be a Councillor other than the mover. If a motion is not seconded, the motion lapses for want of a seconder;

25.3 if a motion or an amendment is moved and seconded the Chair must ask:

"Is the motion or amendment opposed? Does the mover wish to speak to the motion or amendment?"

25.4 if no Councillor indicates opposition and the mover has no desire to speak to it, the Chair may declare the motion or amendment carried without discussion;

25.5 if a Councillor indicates opposition or a desire to speak to it, then the Chair must call on the mover to address the meeting;

25.6 after the mover has addressed the meeting, the seconder may address the meeting;

25.7 after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting,) the Chair must invite debate by calling on any Councillor who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;

- 25.8 Apart from the mover's right of reply referred to below, a Councillor may only speak once on the motion and once any amendment of a motion;
- 25.9 if, after the mover has addressed the meeting, the Chair has invited debate and no Councillor speaks to the motion, then the Chair must put the motion to the vote.
- 25.10 A Councillor may, with the leave of the Chair, ask a question for the purposes of clarification. In asking such questions Councillors must not offer opinions on the issue to be considered. Asking a question for the purposes of clarification will not be deemed as speaking to the motion.

26. Right Of Reply

- 26.1 The mover of a motion, including an amendment, has a right of reply to matters raised during debate.
- 26.2 After the right of reply has been taken but subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion, the motion must immediately be put to the vote without any further discussion or debate.

27. Moving An Amendment

- 27.1 Subject to sub-Rule 27.4 a motion which has been moved and seconded may be amended by leaving out or adding words. Any added words must be relevant to the subject of the motion.
- 27.2 A Councillor may address the meeting once on any amendment, whether or not they have spoken to the original motion but debate must be confined to the terms of the amendment;
- 27.3 The mover of an amendment has no right of reply;
- 27.4 A motion to confirm a previous resolution of *Council* cannot be amended.
- 27.5 An amendment must not be directly opposite to the motion.

28. Who May Propose An Amendment

- 28.1 An amendment may be proposed or seconded by any Councillor, except the mover or seconder of the original motion.
- 28.2 Any one Councillor cannot move more than two amendments in succession.

29. How Many Amendments May Be Proposed

- 29.1 Any number of amendments may be proposed to a motion but only one amendment may be accepted by the *Chair* at any one time.
- 29.2 No second or subsequent amendment, whether to the motion or an amendment of it, may be taken into consideration until the previous amendment has been dealt with.

30. An Amendment Once Carried

30.1 If the amendment is carried, the motion as amended then becomes the motion before the meeting, and the amended motion must then be put.

30.2 The mover of the original motion retains the right of reply to that motion.

31. Withdrawal Of Motions

31.1 Before any motion is put to the vote, it may be withdrawn by the mover and seconder with the leave of *Council*.

31.2 If the majority of Councillors objects to the withdrawal of the motion, it may not be withdrawn.

32. Separation Of Motions

Where a motion contains more than one part, a Councillor may request the *Chair* to put the motion to the vote in separate parts.

33. Chair May Separate Motions

The *Chair* may decide to put any motion to the vote in several parts.

34. Priority of address

In the case of competition for the right of speak, the *Chair* must decide the order in which the Councillors concerned will be heard.

35. Motions In Writing

35.1 The *Chair* may require that a complex or detailed motion be in writing.

35.2 *Council* may adjourn the meeting while the motion is being *written* or *Council* may defer the matter until the motion has been *written*, allowing the meeting to proceed uninterrupted.

36. Repeating Motion and/or Amendment

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

37. Debate Must Be Relevant To The Motion

37.1 Debate must always be relevant to the motion before the Chair, and, if not, the *Chair* must request the speaker to confine debate to the motion.

37.2 If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion then before the Chair.

37.3 A speaker to whom a direction has been given under sub-Rule 38.2 must comply with that direction.

38. Speaking Times

A Councillor must not speak longer than the time set out below, unless granted an extension by the *Chair*:

- 38.1 the mover of a motion or an amendment which has been opposed: 5 minutes;
- 38.2 any other Councillor: 3 minutes; and
- 38.3 the mover of a motion exercising a right of reply: 2 minutes.

39. Addressing the Meeting

39.1 Except for the *Chair*, any Councillor or person who addresses the meeting must stand and direct all remarks through the Chair, However, the *Chair* may permit any Councillor or person to remain seated while addressing the *Council meeting* for reasons of injury, sickness, disability or otherwise at the *Chair's* discretion.

39.2 Any person addressing the *Chair* must refer to the *Chair* as:

- 39.2.1 Mayor; or
- 39.2.2 Chair

as the case may be;

39.3 All Councillors, other than the *Mayor*, must be addressed as

Cr**(name)**.

39.4 All members of Council staff, must be addressed by their official title.

40. Right to Ask Questions

40.1 A Councillor may, when no other Councillor is speaking, ask any question concerning or arising out of the motion or amendment before the Chair.

40.2 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

Division 5 – Procedural Motions

41. Procedural Motions

41.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the *Chair*.

41.2 Procedural motions require a seconder.

41.3 Notwithstanding any other provision in this Chapter, procedural motions must be dealt with in accordance with the following table:

PROCEDURAL MOTIONS TABLE

Procedural Motion	Form	Mover & Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate Permitted on Motion
1. Adjournment of debate to later hour and/or date	That this matter be adjourned to *am/pm and/or *date	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking	Motion and amendment is postponed to the stated time and/or date	Debate continues unaffected	Yes
2. Adjournment of debate indefinitely	That this matter be adjourned until further notice	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of a <i>Chair</i> ; (b) When another Councillor is speaking; (c) When the motion would have the effect of causing <i>Council</i> to be in breach of a legislative requirement	Motion and any amendment postponed but may be resumed at any later meeting if on the agenda	Debate continues unaffected	Yes
3. The closure	That the motion be now put	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	During nominations for <i>Chair</i>	Motion or amendment in respect of which the closure is carried is put to the vote immediately without debate of this motion, subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion	Debate continues unaffected	No

Division 6 – Rescission Motions

42. Notice of Rescission

It should be remembered that a notice of rescission is a form of notice of motion.

Accordingly, all provisions in this Chapter regulating notices of motion equally apply to notices of rescission.

- 42.1 A Councillor may propose a *notice of rescission* provided:
- 42.1.1 it is in writing;
 - 42.1.2 the resolution proposed to be rescinded has not been acted on; and
 - 42.1.3 the *notice of rescission* is delivered to the *Chief Executive Officer* within 24 hours of the resolution having been made setting out -
 - a) the resolution to be rescinded; and
 - b) the meeting and date when the resolution was carried.
- 42.2 Any Councillor proposing a *notice of rescission* is required to provide written justification that must include one or more of the following:
- 42.2.1 The vote may not have accurately reflected the opinion held by the meeting due to the misunderstanding of the motion or for some other reasons; or
 - 42.2.2 New information has become available which may affect the decision of *Council*; or
 - 42.2.3 Some vital information was overlooked in *Council* forming its decision.
- 42.3 A *notice of rescission* must include the written endorsement of one other Councillor.
- 42.4 A resolution will be deemed to have been acted on if:
- 42.4.1 its contents have or substance has been communicated in *writing* to a person whose interests are materially affected by it; or
 - 42.4.2 a statutory process has been commenced
- so as to vest enforceable rights in or obligations on *Council* or any other person.
- 42.5 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a resolution which:
- 42.5.1 has not been acted on; and

42.5.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 42.1.3,

unless deferring implementation of the resolution would have the effect of depriving the resolution of efficacy.

By way of example, assume that, on a Monday evening, Council resolves to have legal representation at a planning appeal to be heard on the following Monday. Assume also that, immediately after that resolution is made, a Councillor lodges a notice of motion to rescind that resolution. Finally, assume that the notice of rescission would not be dealt with until the next Monday evening (being the evening of the day on which the planning appeal is to be heard).

In these circumstances, deferring implementation of the resolution would have the effect of depriving the resolution of efficacy. This is because the notice of rescission would not be debated until after the very thing contemplated by the resolution had come and gone. In other words, by the time the notice of rescission was dealt with the opportunity for legal representation at the planning appeal would have been lost.

Sub-Rule 42.5 would, in such circumstances, justify the Chief Executive Officer or an appropriate member of Council staff actioning the resolution rather than deferring implementation of it.

43. If Lost

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least three months from the date it was last lost, unless *Council* resolves that the *notice of motion* be re-listed at a future meeting.

44. If Not Moved

If a motion for rescission is not moved at the meeting at which it is listed, it lapses.

45. May Be Moved By Any Councillor

A motion for rescission listed on an *agenda* may be moved by any Councillor present but may not be amended.

46. When Not Required

46.1 Unless sub-Rule 46.2 applies, a motion for rescission is not required where *Council* wishes to change policy.

46.2 The following standards apply if *Council* wishes to change policy:

46.2.1 if the policy has been in force in its original or amended form for less than 12 months, a *notice of rescission* must be presented to *Council*; and

46.2.2 any intention to change a *Council* policy, which may result in a significant impact on any person, should be communicated to those

affected and this may include publication and consultation, either formally or informally.

Division 7 – Points of Order

47. Chair To Decide

The *Chair* must decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

48. Chair May Adjourn To Consider

48.1 The *Chair* may adjourn the meeting to consider a point of order but otherwise must rule on it as soon as it is raised.

48.2 All other questions before the meeting are suspended until the point of order is decided.

49. Procedure For Point Of Order

A Councillor raising a point of order must:

49.1 state the point of order; and

49.2 state any section, Rule, paragraph or provision relevant to the point of order before resuming his or her seat.

50. Valid Points Of Order

A point of order may be raised in relation to:

50.1 a motion, which, under Rule 23, or a question which, under Rule 51, should not be accepted by the Chair;

50.2 a question of procedure; or

50.3 any act of disorder.

Rising to express a difference of opinion or to contradict a speaker is not a point of order.

Division 9 – Petitions and Joint Letters

51. Petitions and Joint Letters

51.1 Unless *Council* determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next *Council meeting* after that at which it has been presented.

- 51.2 It is incumbent on every Councillor presenting a petition or joint letter to acquaint himself or herself with the contents of that petition or joint letter, and to ascertain that it does not contain language disrespectful to *Council*.
- 51.3 Every Councillor presenting a petition or joint letter to *Council* must:
- 51.3.1 write or otherwise record his or her name at the beginning of the petition or joint letter; and
 - 51.3.2 confine himself or herself to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the prayer or request.
- 51.4 Every petition or joint letter presented to *Council* must be in *writing* (other than pencil), typing or printing, contain the request of the petitioners or signatories and be signed by at least 12 people.
- 51.5 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 51.6 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.
- 51.7 Every page of a petition or joint letter must be a single page of paper and not be posted, stapled, pinned or otherwise affixed or attached to any piece of paper other than another page of the petition or joint letter.
- 51.8 If a petition, joint letter, memorial or other like application relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* for consideration.

Division 10 – Voting

52. How Motion Determined

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion and then those opposed to the motion, and must then declare the result to the meeting.

53. Silence

Voting must take place in silence.

54. Recount

The *Chair* may direct that a vote be recounted to satisfy himself or herself of the result.

55. Casting Vote

In the event of a tied vote, the *Chair* must exercise a casting vote.

56. By Show Of Hands

Voting on any matter is by show of hands.

57. Procedure For A Division

57.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a Councillor may call for a division.

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

57.3 When a division is called for, the *Chair* must:

57.3.1 first ask each Councillor wishing to vote in the affirmative to raise a hand and, upon such request being made, each Councillor wishing to vote in the affirmative must raise one of his or her hands. The *Chair* must then state, and the Chief Executive Officer or any authorised officer must record, the names of those Councillors voting in the affirmative; and

57.3.2 then ask each Councillor wishing to vote in the negative to raise a hand and, upon such request being made, each Councillor wishing to vote in the negative must raise one of his or her hands. The *Chair* must then state, and the *Chief Executive Officer* or any *authorised officer* must record, the names of those Councillors voting in the negative.

57.3.3 Any Councillor which abstains from voting on the question, motion or amendment will be recorded as having abstained from voting.

Although a Councillor who abstains from voting on a matter will be recorded as so in a division section 61(5)(e) of the Act states that for the purposes of determining the result of a vote, a Councillor present at the meeting who does not vote is taken to have voted against the question.

58. No Discussion Once Declared

Once a vote on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves:

58.1 a Councillor requesting, before the next item of business is considered, that his or her opposition to a resolution be recorded in the minutes or a register maintained for that purpose; or

58.2 foreshadowing a notice of rescission where a resolution has just been made, or a positive motion where a resolution has just been rescinded.

For example, Rule 58 would allow some discussion if, immediately after a resolution was made, a Councillor foreshadowed lodging a notice of rescission to rescind that resolution.

Equally, Rule 58 would permit discussion about a matter which would otherwise be left in limbo because a notice of rescission had been successful. For instance, assume that Council resolved to refuse a planning permit application. Assume further that this resolution was rescinded.

Without a positive resolution – to the effect that a planning permit now be granted – the planning permit application will be left in limbo. Hence the reference, in sub-Rule 58.2, to discussion about a positive motion were a resolution has just been rescinded.

Division 11 – Minutes

59. Confirmation of Minutes

- 59.1 At every *Council meeting* the minutes of the preceding meeting(s) must be dealt with as follows:
- 59.1.1 a copy of the minutes must be delivered to each Councillor no later than 48 hours before the meeting;
 - 59.1.2 A Councillor can express opposition in regard to the items in the minutes on the basis that the record is incomplete or inaccurate;
 - 59.1.3 The Councillor who indicates opposition must specify the particular item or items in the minutes concerned and can, after asking any questions to clarify the matter, only move a motion to rectify the alleged error(s) in the record;
 - 59.1.4 if no Councillor indicates opposition, the minutes must be declared to be confirmed;
 - 59.1.5 a resolution of *Council* must confirm the minutes and the minutes must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed;
 - 59.1.6 unless otherwise resolved or required by law, minutes of a *Delegated Committee* requiring confirmation by *Council* must not be available to the public until confirmed by *Council*.

60. No Debate on Confirmation Of Minutes

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

61. Deferral Of Confirmation Of Minutes

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

62. Form and Availability of Minutes

62.1 The Chief Executive Officer (or other person authorised by the Chief Executive Officer to attend the meeting and to take the minutes of such meeting) must keep minutes of each Council meeting, and those minutes must record:

62.1.1 the date, place, time and nature of the meeting;

62.1.2 the names of the Councillors present and the names of any Councillors who apologised in advance for their non-attendance;

62.1.3 the names of the members of Council staff present;

62.1.4 any disclosure of a conflict of interest made by a Councillor, including the explanation given by the Councillor under Chapter 5;

62.1.5 arrivals and departures (including temporary departures) of Councillors during the course of the meeting;

62.1.6 each motion and amendment moved (including motions and amendments that lapse for the want of a seconder);

62.1.7 the vote cast by each Councillor upon a division;

62.1.8 the vote cast by any Councillor who has requested that his or her vote be recorded in the minutes;

62.1.9 questions upon notice;

62.1.10 the failure of a quorum;

62.1.11 any adjournment of the meeting and the reasons for that adjournment; and

62.1.12 the time at which standing orders were suspended and resumed.

62.2 The *Chief Executive Officer* must ensure that the minutes of any *Council meeting* are:

62.2.1 published on *Council's* website; and

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

62.3 Nothing in sub-Rule 62.2 requires *Council* or the *Chief Executive Officer* to make public any minutes relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.

Division 12 – Behaviour

63. Public Addressing The Meeting

- 63.1 Members of the public do not have a right to address *Council* and may only do so with the consent of the *Chair* or by prior arrangement.
- 63.2 Any member of the public addressing *Council* must extend due courtesy and respect to *Council* and the processes under which it operates and must take direction from the *Chair* whenever called on to do so.
- 63.3 A member of the public present at a *Council meeting* must not disrupt the meeting.

64. Chair May Remove

The *Chair* may order and cause the removal of any person, other than a Councillor, who disrupts any meeting or fails to comply with a direction given under sub-Rule 63.2.

It is intended that this power be exercisable by the Chair, without the need for any Council resolution. The Chair may choose to order the removal of a person whose actions immediately threaten the stability of the meeting or wrongly threatens his or her authority in chairing the meeting.

65. Chair may adjourn disorderly meeting

If the *Chair* is of the opinion that disorder at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper. In that event, the provisions of sub-Rules 15.2 and 15.3 apply.

66. Removal from Chamber

The *Chair*, or *Council* in the case of a suspension, may ask the *Chief Executive Officer* or a member of the Victoria Police to remove from the Chamber any person who acts in breach of this Chapter and whom the *Chair* has ordered to be removed from the gallery under Rule 64.

Division 13 – Additional Duties of Chair

67. The Chair's Duties And Discretions

In addition to the duties and discretions provided in this Chapter, the *Chair*:

- 67.1 must not accept any motion, question or statement which is derogatory, or defamatory of any Councillor, member of Council staff, or member of the community; and
- 67.2 must call to order any person who is disruptive or unruly during any meeting.

Division 14 – Suspension of Standing Orders

68. Suspension of Standing Orders

- 68.1 To expedite the business of a meeting, *Council* may suspend standing orders.

The suspension of standing orders should be used to enable full discussion of any issue without the constraints of formal meeting procedure.

Its purpose is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.

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

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

- 68.3 No motion can be accepted by the *Chair* or lawfully be dealt with during any suspension of standing orders, other than a motion to resume standing orders.

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

"That standing orders be resumed."

Division 15 – Miscellaneous

69. Meetings Conducted Remotely

If:

- 69.1 by law a meeting may be conducted electronically; and

- 69.2 Council decides that a meeting is to be conducted electronically,

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

70. Procedure not provided in this Chapter

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

71. Criticism of members of Council staff

- 71.1 The *Chief Executive Officer* may make a brief statement at a *Council meeting* in respect of any statement by a Councillor made at the *Council meeting* criticising him or her or any member of Council staff.
- 71.2 A statement under sub-Rule 71.1 must be made by the *Chief Executive Officer*, through the *Chair*, as soon as it practicable after the Councillor who made the statement has resumed his or her seat.

Chapter 3 – Meeting Procedure for Delegated Committees



1. Meeting Procedure Generally

If *Council* establishes a *Delegated Committee*:

- 1.1 all of the provisions of Chapter 2 apply to meetings of the *Delegated Committee*; and
- 1.2 any reference in Chapter 2 to:
 - 1.2.1 a *Council meeting* is to be read as a reference to a *Delegated Committee* meeting;
 - 1.2.2 a Councillor is to be read as a reference to a member of the *Delegated Committee*; and
 - 1.2.3 the Mayor is to be read as a reference to the Chair of the *Delegated Committee*.

2. Meeting Procedure Can Be Varied

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

- 2.1 *Council* may; or
- 2.2 the *Delegated Committee* may, with the approval of *Council*

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

Chapter 4 – Meeting Procedure for Community Asset Committees



1. Introduction

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

2. Meeting Procedure

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

Chapter 5 – Disclosure of Conflicts of Interest



1. Introduction

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

2. Definition

In this Chapter:

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

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

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

- 3.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the matter is considered; or
- 3.2 intends to be present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Council meeting* commences a written notice:
 - 3.2.1 advising of the conflict of interest;
 - 3.2.2 explaining the nature of the conflict of interest; and
 - 3.2.3 detailing, if the nature of the conflict of interest involves a Councillor’s relationship with or a gift from another person, the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
 - (c) nature of that other person’s interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

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

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

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

A member of a *Delegated Committee* who has a conflict of interest in a matter being considered at a *Delegated Committee* meeting at which he or she:

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

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

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

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

- 5.1 is present must disclose that conflict of interest by explaining the nature of the conflict of interest to those present at the *Community Asset Committee* meeting immediately before the matter is considered; or
- 5.2 intends to present must disclose that conflict of interest by providing to the *Chief Executive Officer* before the *Community Asset Committee* meeting commences a written notice:

- 5.2.1 advising of the conflict of interest;
- 5.2.2 explaining the nature of the conflict of interest; and
- 5.2.3 detailing, if the nature of the conflict of interest involves a member of a Councillor's relationship with or a gift from another person the:
 - (a) name of the other person;
 - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
- 5.2.4 nature of that other person's interest in the matter,

and then immediately before the matter is considered at the meeting announcing to those present that he or she has a conflict of interest and that a written notice has been given to the *Chief Executive Officer* under this sub-Rule.

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

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

A Councillor who has a conflict of interest in a matter being considered by a meeting held under the auspices of *Council* at which he or she is present must:

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

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

7.1 A member of Council staff who, in his or her capacity as a member of Council staff, has a conflict of interest in a matter in respect of which he or she is preparing or contributing to the preparation of a Report for the consideration of a:

- 7.1.1 *Council meeting*;
- 7.1.2 *Delegated Committee* meeting;
- 7.1.3 *Community Asset Committee* meeting

must, immediately upon becoming aware of the conflict of interest, provide a written notice to the *Chief Executive Officer* disclosing the conflict of interest and explaining the nature of the conflict of interest.

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

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

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

9. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function

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

1. Confidential Information

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

Chapter 7 – Election Period Policy



Directorate:	Chief Executive Office
Responsible Manager:	Manager Governance, Property and Risk
Adoption:	Council
Date Adopted:

Acknowledgement

Central Goldfields Shire Council acknowledges that we are situated on the traditional lands of the Dja Dja Wurrung people, and we offer our respects to their elders past, present and emerging.

1. Purpose

The purpose of this Policy is to ensure that the election for the Central Goldfields Shire Council is conducted in a manner that is ethical, fair and equitable, and publicly perceived as such.

This Policy will also facilitate the continuation of the ordinary business of local government in Central Goldfields Shire throughout the election period in a responsible and transparent manner, in accordance with statutory requirements and established election period conventions.

This Policy also commits Council during the election period to:

- Avoid making significant new policies or decisions that could unreasonably bind a future Council; and
- Ensure public resources, including staff resources are not used in election campaigning in a way that may improperly influence the result of an election, or improperly advantage existing Councillors as candidates in the election.

2. Application and Scope

This policy applies to Council, all Councillors, Delegated Committees, Community Asset Committees and Council staff.

3. Definitions

Act means the Local Government Act 2020.

CEO means Chief Executive Officer.

Chief Executive Officer includes an Acting Chief Executive Officer.

Election Period means in relation to a general election means the period that starts on the last day on which nominations for that election can be received and ends at 6pm on election day, a period of 32 days.

Electoral Material means an advertisement, handbill, pamphlet or notice that contains electoral matter, but does not include an advertisement in a newspaper that is only announcing holding a meeting.

Electoral Matter means matter which is intended to, or likely to, affect voting in an election other than that which is prepared by the Returning Officer for the purposes of conducting the election.

Handbill means a small printed advertisement or other notice distributed by hand.

Publication includes any means of publication including letters and information on the internet and social media.

Significant Decision means a decision that significantly affects the municipality.

Any reference to a Councillor in this Policy is to be read as referring to an Administrator of Council.

4. General Provisions

4.1. Chief Executive Officer

The Chief Executive Officer must ensure, as far as possible, that:

- All Councillors and Council staff are informed of the application of this policy prior to the commencement of the Election period; and
- Matters of Council business requiring major policy or significant decisions are scheduled for Council to enable resolution prior to the commencement of the election period, or deferred where appropriate for determination by the incoming Council.

4.2. Decisions By Council

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

- a) Relates to the appointment or remuneration of the Chief Executive Officer but not the appointment or remuneration of an Acting Chief Executive Officer;
- b) Commits the Council to expenditure exceeding one percent of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year;
- c) The Council considers could be reasonable deferred until the next Council is in place;
- d) The Councils considers should not be made during an election period.

Section 69 (4) of the Act states that a decision made in contravention of a) or b) above is deemed to be invalid under the Act.

Section 69(3) of the Act also prohibits any Council decision during the election period for a general election or a by election that would enable the use of Council's resources in a way that is intended to influence, or is likely to influence, voting at the election.

Council will avoid making decisions that significantly affect the municipality and unreasonably bind the incoming Council.

Council acknowledges that it has an ongoing responsibility to act in the best interests of the community. Where a delay in making a significant decision would result in a significant detriment to the municipality, Council may make an exception where the issue is:

- Urgent
- Cannot be reasonably deferred without major negative repercussions.

It is the responsibility of the CEO to determine if a matter is significant and urgent.

4.3. Council Meetings

Council meeting papers will be carefully vetted to ensure that no agenda item is included that could potentially influence voters' intentions at the forthcoming election or could encourage councillors and candidates to use the item as part of their electioneering.

4.4. Briefing Sessions

Briefing session meeting papers will be carefully vetted to ensure that no agenda item is included that could be perceived as a disadvantage to candidates.

4.5. Public Consultation and Events

Public consultation will not take place during the election period except where there is a legal obligation or the CEO determines that special circumstances exist.

Scheduling of Council events will be permitted but limited during the election period. Council events will only be organised and run by Council administration if they are part of the normal services or operation of the Council and the scheduling of the event during the election period is deemed appropriate.

Where events occur and whether or not a Councillor is to make a speech, Councillors will be conscious of the fact that they are representing Council and are not to use the opportunity for electioneering.

Speeches for Councillors will only be prepared by Council staff in relation to events that are part of the normal services or operation of the Council and such speeches will not be circulated or available for publication.

4.6. Council Publications

4.6.1. Prohibition on publishing material that contains electoral material

Section 304(2) of the Act prohibits Council from printing, publishing or distributing any electoral material during an election period unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation. This is to ensure that Council does not utilise public funds that may influence or be seen to influence people's voting intentions.

4.6.2. Approval Procedures for Council Publications during the Election Period

All proposed publications during the election period must be approved by the CEO, or someone authorised by the CEO for the purpose, that they comply with section 304(2) of the Act.

The CEO will determine if there is any electoral material in the proposed publication (other than factual election process information).

Should the proposed publication contain such information, it will be returned to the author for correction.

Should the proposed publication not contain such information, it will be approved for publishing and forwarded to the Manager Community Engagement.

4.6.3. Website

Material published on Council's website in advance of the election period is not subject to certification, however existing material that is prominently displayed will be reviewed and consideration given to the removal of any such material that would be considered electoral matter, were it to be published during the election period.

Councillor contact information will remain available on the website during the election period, but Councillor profiles will be removed.

Any material published on Council's website during the election period must be certified by the CEO.

4.6.4. Annual Report

The Annual Report will be compiled during the election period and will not contain any material that could be regarded as electioneering or inappropriately promotes individual Councillors. Information about Councillors will be restricted to names, contact details, titles, membership of Committees and other bodies to which they have been appointed by the Council.

4.6.5. Social Media

Any publication (comments or new content) on Council-managed social media sites during the election period must be certified by the CEO.

At the commencement of the election period, Council may advise social media subscribers that comments containing electoral material will be deleted.

Councillor's individual (personal) social media pages are not managed by Council and are not subject to the same provisions.

4.7. Council Resources

Public resources must not be used by Councillors or a member of Council staff in a manner that would influence the way people vote in elections. Council will ensure Council resources are not used inappropriately during the Council election and comply with the requirements of section 304 of the Act.

Council resources, including offices, Council staff, equipment, electronic equipment and stationery will be used exclusively for normal Council business during the election period, and will not be used in connection with any electioneering activity.

4.7.1. Use of Council Resources by Councillors

Councillors may continue to use any Council equipment provided to them to facilitate their performance of normal Council duties, subject to existing protocols and terms of use. Councillors standing for re-election must not use Council equipment as a resource to assist with election campaigns.

Photocopying for election campaigning by Councillors or staff on office photo copiers is not permitted.

Databases and mailing lists held by the organisation remain the property of the Council and are therefore not available to members of the public, candidates or Councillors.

The organisation will not prepare or produce any materials associated with Councillors' individual election campaigns.

No Council logos, letterheads or other Council branding should be used for, or linked in any way to, a candidate's election campaign.

Councillors will not use Council issued mobile phone and email addresses for election campaigning purposes.

The use of Council's internet and intranet sites for any activity to do with election campaigning is prohibited. This includes linking Council websites to private candidate websites.

Access to the voters' roll is subject to the requirements of the Act and the Privacy and Data Protection legislation. A copy of the voters' roll will be provided to candidates by the Returning Officer. The voters' roll will be available for inspection during the election period at advertised times.

Council facilities booked for electoral campaigning purposes by Councillors, candidates or supporters or other persons during the election period will be let at the same rates to all hirers.

4.7.2. Staff Discretion

Staff must avoid assisting Councillors in ways that are, or could, create perception that staff are assisting Councillors in their election campaign.

If any staff member considers that a particular use of Council resources may influence voting in the election, or be perceived as influencing voting, or be perceived as being part of an election campaign, they must advise the CEO immediately.

4.7.3. Councillor Expenses Reimbursement

Reimbursement of Councillor's out-of-pocket expenses during an election period will only apply to costs that have been incurred in the performance of official Council duties as defined and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign.

4.8. Media

Council publicity during the election period will be restricted to communicating normal Council activities and initiatives and subject to certification by the CEO.

All official media statements during the election period will only be made by the CEO.

Media Releases or other media statements will not refer to specific Councillors or feature any photograph, quote from or name of incumbent Councillors during the Election Period. Where it is necessary to make or clarify any public statement, comment on sensitive or political issues or identify a spokesperson in relation to an issue, the matter must be referred to and approved by the CEO.

Media services, including media releases, will not be provided for individual Councillors by any Council officers, including the CEO, during the election period.

Media statements dealing with their election campaign must be issued by Councillors privately. Statements must be clearly communicated as personal opinion and not undermine the standing of the Council in the community.

Councillors must not use their position as an elected representative or their access to Council staff and resources to gain media attention in support of an election campaign.

4.8.1. Council staff

Staff must not provide advice or assistance in the preparation of media releases or other media statements that contain electoral material.

Staff must not make any public statement that can be interpreted as a political comment or have influence on the electoral process, public statement includes social media platforms. Council staff must make it clear when making comments related to the election that they are expressing their own views and not making an official comment.

It is critical that Council staff be, and appear to be, apolitical throughout the election period to maintain the confidence of the Council, Councillors and the community at all times throughout the electoral process.

4.9. Access to Information

4.9.1. Candidates

All election related enquiries from candidates or prospective candidates must be directed to the Returning Officer.

Staff must not provide any information to any candidate or prospective candidate that is not publically available. If staff receive requests from candidates, or prospective candidates, for any information that is not publically available these requests must be forwarded to the Manager Governance, Property and Risk.

If the information requested is appropriate to be released to the candidate, the Manager Governance, Property and Risk will ensure that it is made available to all candidates, not just the candidate who requested the information. This is to ensure that all candidates have fair and equitable access to information.

4.9.2. Current Councillors

As Councillors must continue to perform their elected role during the election period, they may receive all necessary information for them to fulfil that role. Information that can be provided to Councillors includes:

- Information that is publicly and freely available – Council Plans, Annual Reports, strategies, policies etc.;

- Information and advice provided by Council's management as part of Council meeting agendas; and
- Briefing papers in relation to matters to be decided upon at forthcoming Council meetings.

Any information provided to Councillors must be necessary to the carrying out of the Councillor's role and must not be used for election purposes.

Requests for information which require significant resources to be devoted to making a response or which might be perceived to support an election campaign must be referred to the CEO or the Manager Governance, Property and Risk for consideration.

4.10. Displaying Electoral Material

Electoral material, including pamphlets, posters and notices must not be visible or available at any council premises, including libraries, during the election period. The only exception to this is material issued by the Returning Officer for the purpose of conducting the election.

4.11. Use of Title

Councillors may use the title 'Councillor' in their election material as they continue to hold the positions in the period; however to avoid confusion, Councillors must ensure that any election publication using the title Councillor clearly indicates that it is their own material and has not been produced or endorsed by Council.

5. Human Rights Statement

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006). Central Goldfields Shire Council is committed to consultation and cooperation between management and employees.

6. Relevant Legislation and Council Policies

- Local Government Act 2020
- Councillor Code of Conduct

8.9 PUBLIC TRANSPARENCY POLICY

Author: Manager Governance Property and Risk

Responsible Officer: General Manager Corporate Performance

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to present the draft Public Transparency Policy to Council for adoption.

The Public Transparency policy must give effect to the public transparency principles and describe the ways in which members of the community can access Council information.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

Public Transparency Policy

1. A Council must adopt and maintain a public transparency policy.
2. A public transparency policy must—
 - a) give effect to the public transparency principles; and
 - b) describe the ways in which Council information is to be made publicly available; and
 - c) subject to section 58(b), specify which Council information must be publicly available, including all policies, plans and reports required under this Act or any other Act; and
 - d) include any other matters prescribed by the regulations.
3. A Council must adopt the first public transparency policy under this section on or before 1 September 2020.
4. For the purposes of the public transparency policy and the public transparency principles, "information" includes documents.

Public Transparency Principles

Section 58 of the Local Government Act 2020 sets out the Public Transparency Principles:

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

REPORT

The Local Government Act 2020 requires councils to develop a Public Transparency Policy.

This Policy must:

- a) give effect to the public transparency principles; and
- b) describe the ways in which Council information is to be made publicly available; and
- c) subject to section 58(b), specify which Council information must be publicly available, including all policies, plans and reports required under this Act or any other Act; and
- d) include any other matters prescribed by the regulations.

The draft Public Transparency Policy have been developed using a template from Maddocks Lawyers, the LGV template Public Transparency Policy, assistance from Council staff in relation to information which must be made public in accordance with legislation and reviewing several other councils draft Public Transparency Policies.

The draft Public Transparency Policy details:

- The availability of Council Information;
- The accessibility of Council Information;
- Council Information that is not available;
- How Council will ensure public awareness of the availability of Council Information;
- What can be done if people are dissatisfied with the application of this Policy; and
- A list of the commonly available Council information on its website.

The draft Public Transparency Policy was presented to the Council Briefing on 14 July 2020 for review and comments and with a recommendation that they go out on public exhibition for comments. The Policy was substantially altered based on the comments received before it was put out on public exhibition.

No public comments have been received on the draft Public Transparency Policy.

The Audit and Risk Committee have reviewed the draft Public Transparency Policy and did not require any changes to be made to the policy.

CONSULTATION/COMMUNICATION

As the Public Transparency Policy must be adopted by Council by 1 September 2020 it was recommended that the draft Public Transparency Policy go on public exhibition for a period of two weeks. The draft Public Transparency Policy was put out on public exhibition from 24 July – 4 August 2020. Public notice was put on Council's website and in the Maryborough Advertiser. A media release was also put out.

The draft Public Transparency Policy was also forwarded to Council's Audit and Risk Committee out of session for review.

FINANCIAL & RESOURCE IMPLICATIONS

Council has purchased the draft Public Transparency template developed by Maddocks Lawyers, the cost of which is provided for in Council's budget. There are no other financial implications in development of the draft Public Transparency template.

RISK MANAGEMENT

This report addresses Council's strategic risks of Legislative compliance - Failure to manage our compliance with relevant legislative requirements by ensuring that Council has Governance Rules and an Election Period Policy which comply with the Local Government Act 2020; and Governance - Failure to transparently govern and embrace good governance practices by being transparent about its decision making processes and information.

CONCLUSION

The draft Public Transparency Policy have been developed in accordance with the Local Government Act 2020. The draft Public Transparency Policy was put out for public exhibition and no comments were received.

ATTACHMENTS

1. Draft Public Transparency Policy

RECOMMENDATION

That Council adopt the Public Transparency Policy.

PUBLIC TRANSPARENCY POLICY



Directorate:	Corporate Performance
Responsible Manager:	Manager Governance, Property and Risk
Review Due:	August 2024
Adoption:	Council
Date Adopted:

Acknowledgement

Central Goldfields Shire Council acknowledges that we are situated on the traditional lands of the Dja Dja Wurrung people, and we offer our respects to their elders past, present and emerging.

1. Purpose

This purpose of this Policy is to:

1. give effect to the Public Transparency Principles;
2. describe the ways in which Council Information will be made publicly available;
3. specify which Council Information will be made publicly available as a matter of course; and
4. describe the categories of Council Information that may be unavailable to the public.

This Policy is adopted under section 57 of the Local Government Act 2020.

2. Application and Scope

This Policy applies to Council, Councillors and Council Officers.

This Policy applies to all Council Information, except Council Information which is made available, or is otherwise accessible, under another Act (other than an Act which refers to this Policy).

Without limiting the generality of the above, this Policy does not apply to Council Information which is:

- required to be made available under the Planning and Environment Act 1987;
- required to be made available under the Building Act 1993; or
- otherwise required to be made available on payment of a fee or charge.

3. Definitions

Act means the *Local Government Act 2020*.

CEO means the Chief Executive Officer includes an Acting Chief Executive Officer.

Community means municipal community.

Confidential Information means confidential information as defined in section 3(1) of the Act.

Council means Central Goldfields Shire Council.

Council Information means all documents and other information held by Council.

Council Offices means the offices of Council located at 22 Nolan St, Maryborough VIC 3465.

Council Website means Council's website at www.centralgoldfields.vic.gov.au.

Governance Rules means the governance rules adopted by Council under section 60 of the Act, as amended from time to time.

Health Information means health information as defined in section 3(1) of the *Health Records Act 2001*.

Meeting means a meeting of Council or a Delegated Committee.

Municipal Community means:

- a) people who live in the municipal district of the Council;
- b) people and bodies who are ratepayers of the Council;
- c) traditional owners of land in the municipal district of the Council; and
- d) people and bodies who conduct activities in the municipal district of the Council.

Officer means a member of Council staff, and includes the Chief Executive Officer.

Personal Information means personal information as defined in section 3(1) of the *Privacy and Data Protection Act 2014*.

Public Transparency Principles means the public transparency principles set out in section 58 of the Act and reproduced in section 4 of this Policy.

4. General Provisions

4.1. Public Transparency Principles

The Public Transparency Principles are set out in section 58 of the Act as follows:

1. Council decision-making processes must be transparent, except when Council is dealing with information that is confidential by virtue of the Act or any other Act.
2. Council Information must be publicly available, unless:
 - a. the information is confidential by virtue of the Act or any other Act; or
 - b. public availability of the information would be contrary to the public interest.
3. Council Information must be understandable and accessible to members of the municipal community;
4. Public awareness of the availability of Council Information must be facilitated.

Council will give effect to and implement the Public Transparency Principles in accordance with this Policy.

4.2. Council Decision Making Processes

Council will ensure that the decision-making processes that it adopts are transparent and open so that the Community is provided with an opportunity for meaningful engagement with Council and its decision-making processes.

Without limiting the generality of the above, Council's decision-making processes will:

- be conducted in accordance with the Act and the Governance Rules;
- unless considering Confidential Information, be conducted in a forum that is open to, and accessible by, the Community; and
- be informed by the:
 - views of those members of the Community whose rights and interests will be directly affected by the decision; and
 - responses, if any, to any process of community engagement conducted by Council in respect of the decision, whether in accordance with its Community Engagement Policy or otherwise.

Further details of Council's decision-making process can be found in Chapter 1 of the Governance Rules.

4.3. Availability of Council Information

All Council Information will be made available to the public unless the:

- Council Information is Confidential Information; or
- release of the Council Information is assessed by the CEO as being contrary to the public interest.

4.3.1. Publicly available information

A non-exhaustive list of the categories of Council Information which will generally be made available either on the Council Website, at the Council Offices or on request is set out at in Appendix 1.

4.3.2. Freedom of Information (FOI)

The Freedom of Information Act 1982, establishes a general right of access to information. This is limited by exceptions and exemptions necessary for the protection of essential public interests including access to personal information, commercially sensitive or legal information.

For information on how to access information or make an FOI Application please see our website <https://www.centralgoldfields.vic.gov.au/Council/Governance/Freedom-of-Information>

4.4. Council Information that is Not Available

Some Council information may not be made publicly available. This will occur if the information is Confidential Information, or its release would be contrary to the public interest.

4.4.1. Confidential Information

What constitutes Confidential Information is set out in section 3(1) of the Act and includes information within the categories listed in Appendix 2.

In the interests of transparency, Council may, by resolution, determine to release information to the public even though it is Confidential Information. A decision will generally only be made if Council, on the advice of the CEO, is satisfied that releasing the Confidential Information would not:

- be inconsistent with any legal or contractual obligation;
- cause disadvantage to any person, including Council; and
- otherwise be contrary to the public interest.

4.4.2. Contrary to the Public Interest

Council Information will not be made publicly available if doing so would be contrary to the public interest.

When assessing whether making certain Council Information publicly available would be contrary to the public interest, the CEO will have regard to, among other things:

1. the sensitivity of the Council Information including:
 - the type of information being requested e.g. is the information Personal Information or Health Information;
 - the status of the information being requested such as whether the Council Information comprises a draft, or otherwise is no longer current or the information is of a preliminary nature such that they might:
 - mislead the Community with respect to Council's position on a matter; or
 - have a substantial adverse effect on the economy of the Municipal District;
 - whether releasing the information would prejudice discussions or negotiations between Council and any other party, in relation to a contract, legal proceedings or any other matter;
 - whether releasing the information would impair or otherwise impact defence, prosecution and settlement of legal proceedings;
2. whether the request for information would impair or otherwise impact on Council's ability to obtain information in future that is similar in nature to the Council Information;
3. whether the request for information would impair or otherwise impact on the reasonable allocation of Council's resources, including in responding to requests for Council Information that are assessed by the CEO as being frivolous, vexatious or repetitious in nature;
4. any adverse effect that releasing the Council Information would have on the effectiveness of Council's decision-making processes.

4.5. Accessibility of Council Information

Council Information will be made available on the Council Website, at the Council Offices and/or on request.

Council will, to the extent possible, facilitate access to Council Information by:

- Endeavouring to make Council Information accessible electronically and in hard copy, where requested;
- Endeavouring to convert Council Information to different accessible formats where necessary for members of the Community for whom:
 - English is their second language; or
 - Have a disability which requires an alternative means of access to be provided;
- Provided in formats that reduce costs to individuals as far as is practicable; and
- Provided using a wide range of tools including Council's website, social media and print media.

4.6. Public Awareness of Availability of Council Information

Council will ensure public awareness of this Policy and the availability of Council Information by:

- publishing this Policy on the Council Website;
- making this Policy available for public inspection at Council's offices;
- converting this Policy to such accessible formats; and
- ensuring that all Officers:
 - are aware of this Policy and its effect; and
 - direct members of the Community to this Policy when access to Council Information is sought.

4.7. Roles and Responsibilities

The CEO is responsible for the application and operation of this Policy.

The CEO may, from time to time, authorise another Officer or Officers to fulfil any of the CEO's functions and duties under this Policy.

Where another Officer is or other Officers are authorised any reference in this Policy to the CEO is to be read as a reference to that Officer or those Officers.

4.8. Dissatisfaction with the Application of this Policy

If a Requestor is dissatisfied with Council's application of, or believes that Council has acted inconsistently with, this Policy, they can report their dissatisfaction to Council's Manager Governance, Property and Risk by contacting:

Manager Governance Property and Risk
mail@cgoldshire.vic.gov.au
5461 0610
22 Nolan Street, Maryborough VIC 3456

If the Requestor believes that the matter remains unresolved, it can be reported to the Victorian Ombudsman by making a complaint online at <https://www.ombudsman.vic.gov.au/complaints> or via telephone on 03 9613 6222.

5. Review

This Policy must be reviewed a minimum of once every 4 years or in line with legislative changes.

6. Human Rights Statement

This Policy has been assessed against the *Charter of Human Rights and Responsibilities Act 2006* as being consistent with that Act and, in particular, as promoting the rights of members of the Community:

- not to have their privacy interfered with (section 13); and
- take part in public life (section 18), by having the opportunity to:
 - participate in the conduct of Council's affairs; and
 - have access to Council and Council Information.

7. Relevant Legislation and Council Policies

- Local Government Act 2020
- Freedom of Information Act 1982
- Central Goldfields Shire Council Governance Rules
- Privacy Policy

Appendix 1

The following Council Information will generally, and subject to this Policy, be made available either on the Council Website or on request by a member of the Community.

1. The following Council Information will be available on Council's website:

- Council Plan;
- Annual Action Plan;
- Annual Budget;
- Strategic Resource Plan;
- Annual Report;
- Disability Action Plan;
- Municipal Health and Wellbeing Plan;
- Local Laws;
- Public Road Register;
- Road Management Plan;
- Emergency Management Plan;
- Procurement Policy;
- Plans, Policies and Strategies adopted by Council;
- Meeting Agendas;
- Minutes of Meetings;
- Audit and Risk Committee Charter;
- Terms of Reference for Delegated Committees;
- FOI Part II Statement; and
- Councillor Code of Conduct.

2. Process information such as:

- Application processes for approvals, permits, grants, access to Council services;
- Decision-making processes;
- Guidelines and Manuals;
- Community Engagement Processes; and
- Complaints Handling Processes;

3. The following information will be available for inspection if not available on Council's website

- Gift Registers for Councillors and Council Staff;
- Travel Registers for Councillors and Council Staff;
- Registers of Conflicts of Interest disclosed by Councillors and Council Staff;

- Registers of Leases entered into by Council;
- Register of Delegations;
- Register of Authorised Officers;
- Register of Election Campaign Donations;
- Summary of Personal Interests; and
- any other Registers or Records required by the Act or any other Act

4. Publications

Council publishes a range of newsletters, reports and handbooks for residents, businesses and visitors to the Municipal District. These publications are available on the Council Website, at the Council Offices or on request to Council.

Appendix 2

What constitutes Confidential Information is set out in section 3(1) of the Act and includes information within the categories below.

Type	Description
Council business information	Information that would prejudice Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement information	Information which would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that, if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.
Confidential meeting information	Records of Council and Delegated Committee meetings that are closed to the public to consider confidential information.
Internal arbitration information	Information provided to, or produced by, an arbiter for the purpose of an internal arbitration process, other than the findings and the reasons.
Councillor Conduct Panel information	Information: <ul style="list-style-type: none"> provided to, or produced by, a Principal Councillor Conduct Registrar, for the purposes of an application to form a Councillor Conduct Panel; or provided to, or produced by, a Councillor Conduct Panel for the purposes of conducting a hearing, other than a decision or reasons for a decision; or comprising any part of a statement of reasons or other document under the control of a Councillor Conduct Panel that the Councillor Conduct Panel determines contains confidential information.
Confidential information under the 1989 Act	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .

8.10 DRAFT EXPENSES AND SUPPORT FOR COUNCILLORS AND MEMBERS OF DELEGATED COMMITTEES POLICY

Author: Manager Governance Property and Risk

Responsible Officer: General Manager Corporate Performance

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to present the updated draft Expenses and Support for Councillors and Members of Delegated Committees Policy to Council for adoption.

The Expenses and Support for Councillors and Members of Delegated Committees Policy provides advice and guidance on the support available for Councillors and members of delegated committees to perform their roles.

This Policy has been reviewed and updated in accordance with the Local Government Act 2020.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

Section 41 of the Local Government Act 2020 ("the Act") requires councils to adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.

Section 41(2) of the Act states that the Policy must:

- Specify procedures for applying for reimbursement of expenses;
- Comply with the regulations, of which there are none at the time of writing this Report;
- Provide for the reimbursement of child care costs where the provision of child care is reasonably required for a Councillor or member of a delegated committee to perform their role; and
- Have regard to expenses occurred by a Councillor who is a carer.

Council must adopt the first expenses policy under the Act by 1 September 2020.

Section 40 of the Act states that Council must:

- Reimburse a Councillor or member of a delegated committee for out-of-pocket expenses which the Council is satisfied:
 - are bona fide expenses;

- have been reasonably incurred in the performance of the role of Councillor or member of a delegated committee; and
- are reasonably necessary for the Councillor or member of a delegated committee to perform that role.
- Provide details of all reimbursements under this section to the Audit and Risk Committee.

BACKGROUND INFORMATION

Council's current Councillor and Advisory Committee Member Support and Expenses Policy (Expenses Policy) was adopted by Council on 23 October 2018.

REPORT

The Act requires councils to adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.

Council's current Expenses Policy has been reviewed and updated to ensure it complies with the new legislated requirements. The key changes have been made:

- The policy has been put into the new policy template;
- The policy name has been updated to reflect the requirements of the Act;
- The policy has been reordered into sections, to ensure like sections are grouped together:
 - General Provisions;
 - Councillor Allowances;
 - Administrative Support;
 - Travel Expenses;
 - Training and Conferences;
 - Accommodation and Meals
 - Reporting
- Addition of sections 4.1 and 4.2 in relation to overarching principles and claiming expenses has been added to the policy to provide clarification of the process to Councillors and delegated committee members;
- Addition of section 6.2 in relation to the use of a corporate card by the Mayor;
- Addition of guidance that reimbursement in relation to travel, accommodation and meals are to be in accordance with the rates determined by the Australian Taxation Office to ensure that there is a consistency of spend and a reasonable cap on expenses;
- Updated forms for claiming expenses and travel and an application to attend training or conferences.

CONSULTATION/COMMUNICATION

The draft Expenses and Support for Councillors and Members of Delegated Committees Policy will be made available on Council's website.

Council, any members of delegated committees and staff will be notified of the updated Expenses and Support for Councillors and Members of Delegated Committees Policy. Training will be provided to the new Councillors as part of their induction program staff to ensure that the Policy is understood and consistently applied.

FINANCIAL & RESOURCE IMPLICATIONS

There are no financial or resource implications in relation to the updating of the Expenses and Support for Councillors and Members of Delegated Committees Policy.

This Policy outlines the support, both financially and otherwise, provided to Councillors and member of delegated committees to support them to perform their roles. It ensures transparency and consistency of decisions in relation to this support and provides processes to ensure that the support provided is bona fide and reasonable.

RISK MANAGEMENT

This report addresses Council's strategic risk Legislative compliance - Failure to manage our compliance with relevant legislative requirements and Government policy changes - change in government policy and/or funding resulting in significant impact on the delivery of critical services by complying with the requirements of the Local Government Act 2020 and being transparent about the support it provides to its Councillors and Members of Delegated Committees.

CONCLUSION

The Privacy Policy has been reviewed and updated to ensure that it is compliant with the requirements of the Local Government Act 2020.

ATTACHMENTS

1. Draft Expenses and Support for Councillors and Members of Delegated Committees Policy

RECOMMENDATION

That Council adopt the Expenses and Support for Councillors and Members of Delegated Committees Policy.

EXPENSES AND SUPPORT FOR COUNCILLORS AND MEMBERS OF DELEGATED COMMITTEES POLICY



Directorate:	Corporate Performance
Responsible Manager:	Manager Governance, Property and Risk
Review Due:	August 2024
Adoption:	Council
Date Adopted:

Acknowledgement

Central Goldfields Shire Council acknowledges that we are situated on the traditional lands of the Dja Dja Wurrung people, and we offer our respects to their elders past, present and emerging.

1. Purpose

This Policy supports the requirements of the Local Government Act 2020 in relation to payment of allowances and reimbursement of expenses for Councillors and delegated committee members. It provides an overview of how Council provides resources and training to its Councillors and delegated committee members to ensure they can carry out their functions and duties.

Council must reimburse a Councillor or delegated committee member for out-of-pocket expenses which the Council is satisfied:

- Are bona fide expenses;
- Have been reasonably incurred in the performance of the role of Councillor or delegated committee member; and
- Are reasonably necessary for the Councillor or delegated committee member to perform that role.

2. Application and Scope

This Policy applies to all Councillors elected to the Central Goldfields Shire Council.

This Policy also applies to delegated committee members where specified under this Policy.

Expenditure must always be in the interests of the Central Goldfields Shire community and is allocated from Council's annual budget.

Claims for any expenditure not included in this Policy will be subject to a Council resolution.

3. Definitions

The Act means the Local Government Act 2020.

CEO's EA means the Chief Executive Officer's Executive Assistant.

Training and Conferences means all training, conferences, events, functions, seminars etc.

4. General Provisions

4.1. Overarching Principles

- Receipts/invoices must be provided for any expenses which are being claimed. Failure to produce a receipt/invoice may result in the expense not being reimbursed.
- Receipts/invoices must be itemised and contain relevant information about the expense. EFTPOS receipts/invoices with just a price are not acceptable.
- All reimbursements will be paid in arrears.
- If a Councillor does not claim a particular expense or use a particular resource the budget allocation cannot be rolled over into the next financial year.
- Requests for reimbursement should be received within 60 days of the cost being incurred. Claims for expenses six months or older will not be reimbursed. All claims must be made by 7 July to ensure that they are paid in the correct financial year.

4.2. Claiming Expenses

All claims for reimbursement of expenses must be submitted via an expense claim form (see below), to the CEO's EA, for the CEO's authorisation within one month of the expense being incurred. Tax invoices or receipts must be attached to the claim form to verify the expenditure.

Reimbursement will occur within two weeks of an accurately completed expense claim form being received and authorised, and paid via electronic funds transfer into the Councillor/delegated committee member's bank account.

4.3. Insurance

Council will ensure that policies of insurance are maintained in accordance with the provisions of the Act to provide the relevant protections to Councillors and delegated committee members while performing their duties as a Councillor or delegated committee member.

4.4. Legal Costs

Other than by specific Council resolution or in accordance with a Council Policy, any legal expenses incurred by a Councillor shall be the responsibility of that Councillor.

4.5. Child Care Expenses

The Council will reimburse the cost of necessary child care expenses where the provision of child care is reasonably required for a Councillor or delegated committee member to perform their role.

Child care expenses are not eligible for reimbursement if paid to a family member or a person who normally or regularly lives with the Councillor or delegated committee member, except

where a live-in (professional) helper such as a nanny is required to work extra time at extra expense because of the Councillor or delegated committee member's duties.

Each child care expense claimed shall be substantiated by a receipt from the caregiver showing the dates and times care was provided, and the Councillor or delegated committee member shall provide the reason why the care was required on each occasion.

Child Care Expenses will be reimbursed for attendance at:

- Council Meetings, Briefing Sessions of the Council and Committee Meetings of the Council;
- Delegated Committee Meetings;
- Official Council Functions;
- Meetings arising as a result of a Councillor being appointed by the Council to an external body;
- Training or conferences the Councillor is attending which Council has paid for; and
- Other meetings, events or occasions as agreed by the Mayor or Chief Executive Officer from time to time, or by resolution of the Council.

Expenses will be reimbursed to Councillors or delegated committee members following receipt of a completed Claim for Reimbursement of Expenses Form, together with the relevant receipts/invoices.

4.6. Carer Expenses

Council will provide reimbursement of costs where the provision of carer services is reasonably required when a Councillor who is a carer in a care relationship within the meaning of section 4 of the Carers Recognition Act 2012.

Payments for carer services will not be made to a person who resides with the Councillor; has any financial or pecuniary interest with the Councillor or has a relationship with the Councillor.

Council will reimburse the out-of-pocket carer expenses incurred by Councillors in the course of carrying out their duties, including attendance when required at:

- Council Meetings, Briefing Sessions of the Council and Committee Meetings of the Council;
- Official Council Functions;
- Meetings arising as a result of a Councillor being appointed by the Council to an external body;
- Training or conferences the Councillor is attending which Council has paid for; and
- Other meetings, events or occasions as agreed by the Mayor or Chief Executive Officer from time to time, or by resolution of the Council.

Carers expenses that may be reimbursed include:

- payment to an accredited child care/attendant care provider, or
- a person providing care who does not:
 - have a familial or like relationship with the Councillor; or
 - reside either permanently or temporarily with the Councillor; or
 - have a relationship with the Councillor or his or her partner such that it would be inappropriate for Council to reimburse monies paid to the care provider.

Fees are generally payable per hour or part thereof, subject to any minimum period which is part of the care provider's usual terms.

4.7. Access and Inclusion

Council commits to provide support to any individual who requires particular assistance to be able to fulfil their role as a Councillor or delegated committee member. Councillors or delegated committee members requiring particular workplace assistance or modification should contact the General Manager Corporate Performance.

4.8. Councillor Welfare

Councillors and delegated committee members may approach the CEO with regard to any specific guidance, counselling or coaching that may be required to enhance their performance as a Councillor or delegated committee member.

Councillors or delegated committee members experiencing personal difficulties may seek counselling on a confidential basis through Council's Employee Assistance Program. Details can be obtained from the CEO.

5. Councillor Allowances

Council will pay an allowance to the Mayor and Councillors as required under the Act.

The allowance will be in accordance with the level of allowance determined by Council, and the notice published in the Government Gazette following the annual review of Mayor and Councillor allowances by the Minister for Local Government.

Allowances shall be paid monthly in advance, provided that upon a Councillor ceasing to hold office or pending an election, payment shall be withheld until such time as the Councillor is declared elected. If a Councillor retires or has their position as a Councillor terminated, they will be required to reimburse Council any Allowance paid in advance.

Payment will be made by electronic funds transfer into the Councillor's nominated bank account.

6. Administrative Support

6.1. Meeting Room and Mayoral Office

The Mayor is provided with office accommodation in the Community Hub which may be used for Council business.

Councillors may book meeting rooms owned and controlled by Council for meetings, interviews and other functions where the primary purpose is to allow the Councillor to discharge their Council duties. The Councillor must be in attendance and bookings must be made through the CEO's EA.

6.2. Corporate Card

A Corporate Card will be made available to the Mayor for use while discharging the functions of the office. Use of the Corporate Card must be in accordance with Council's Corporate Purchase Card Policy.

6.3. Communication Technology

Councillors are provided with ICT equipment to assist with the conduct of Council business. All Council and Committee papers, Councillor communications and correspondence will be distributed electronically.

Councillors will be provided with mobile phones and tablet/laptop computers. Councillors will be provided with a Council email address and mobile phone number. These devices are to be used for official Council business only. Council will pay all connection fees, rental charges and all Council business call and data charges. Any costs in relation to private use of these devices will be reimbursed to Council by the relevant Councillor.

Councillors must adhere to Council's Information and Communications Technology Use Policy and Records Management Policy in using these resources.

All equipment remains the property of Council therefore any faults or issues with the equipment should be reported to the CEO's EA at the earliest possible opportunity. The CEO's EA will liaise with Council's Information Technology department to have the fault or issue rectified.

All equipment must be returned to Council immediately at the end of a Councillor's term of office or upon retirement or resignation of a Councillor, unless purchase of equipment by a Councillor is approved by the CEO.

6.4. Administrative Support

The CEO's Executive Assistant will provide administrative support to Councillors to assist them with diary management and in responding to correspondence, enquiries, requests for service, registrations for conferences, reservations for accommodation and meeting rooms as part of their official duties as a Councillor.

6.5. Mail Inward

All mail received by Council is deemed to be Council business and will be opened by Central Records staff. Private mail should not be sent via the Council address.

The following provides the basis for how external invitations are received and managed:

- Upon receiving invitations the CEO's EA will distribute invitations and the relevant particulars as specified in the invitation.
- If Councillors advise the CEO's EA that they will be attending an event, the CEO's EA will put the event into the Councillors electronic calendar.

- Invitations addressed to the Mayor will be referred to the Mayor for acceptance. If the Mayor is unable to attend other Councillors will be given the opportunity to attend. The invitation will be discussed at the next Briefing Session of Council, or sent via email if urgent.

6.6. Apparel and Stationery

The Council shall, upon request, provide Councillors with standard stationery held or obtained generally for the organisation's requirements.

This stationery may include:

- Name plate for Council Meetings;
- Business cards;
- Name badges; and
- Sundry stationery items (excluding Council letterhead) on request.

The Council shall, upon request, lend Councillors protective clothing required to assist in carrying out the duties of office. This clothing is to be returned promptly upon the completion of the activity for which the clothing was required.

This clothing shall be limited to high visibility vests, wet weather pants and pullovers, gumboots, winter jackets and/or hats, as may be held in the store to meet the organisation's requirements.

6.7. Return of Resources

All resources provided to Councillors are provided for use by the Councillor in the conduct of their duties of office. All equipment provided and items purchased shall be returned within one month of the retirement or termination of office to the CEO's EA.

7. Travel Expenses

Council will meet transport costs incurred in attending meetings (other than Council meetings), functions and other commitments outside of the Shire but within Victoria. This includes reimbursement for use of a private vehicle while conducting Council business, and car parking fees.

The allowance payable for reimbursement of private vehicle use will be in accordance with the rates determined by the Australian Taxation Office (ATO) each year.

Accommodation and incidental costs incurred whilst travelling on Council business within the state of Victoria will also be met by Council.

Council will cover costs associated with Councillors travelling interstate on Council business as approved by the Council within the limits of the budget approved by Council. This comprises airfares, accommodation costs, car hire, taxis, ride-sharing fares and meals.

Council will cover costs associated with Councillors travelling overseas on Council business as approved by the Council within the limits of the budget approved by Council. This comprises airfares, accommodation, passports, visas, passports, car hire, taxis, ride-sharing fares and meals. All overseas travel by Councillors must be approved by resolution of full Council.

All Councillor travel should be undertaken utilising the most direct route and the most practicable and economical mode of transport. When travelling interstate the mode of transport is to be the most cost effective form of transport. All air travel will be in economy class.

Any expenses arising from a breach of road, traffic parking or other regulations or laws or for damage or loss of a vehicle will not be reimbursed or funded by Council.

Travel claims will be from the Councillors notified place of normal residence.

Expenses will be reimbursed to Councillors following receipt of a completed Claim for Travel Expenses Form.

7.1. Vehicles

A fully maintained vehicle will be provided to assist the Mayor to perform his/her duties and for private use during the Mayoral term.

Where practicable, and by prior arrangement through the CEO's Executive Assistant, a Council pool vehicle may be made available to Councillors for travel to Council related meetings or engagements. Councillors must complete the log book in pool vehicles.

All vehicle usage must be in accordance with Council's Motor Vehicle Policy.

Alternatively Councillors may use their private vehicle for Council business and request reimbursement at the per kilometre rate determined by the Australian Taxation Office annually.

7.2. Parking

Council will pay for parking when required. Expenses will be reimbursed to Councillors following receipt of a completed Councillor Claim for Reimbursement of Expenses Form, together with the relevant receipts/invoices.

8. Training and Conferences

Council will cover the registration fees, reasonable travel, meal and accommodation expenses associated with attendance by Councillors at conferences, seminars and functions held locally, interstate and overseas within the limits of the budget approved by Council. These conferences are normally held by local government related organisations, professional bodies and institutions, and private sector providers on issues and events which impact on the role of Councillors and the Shire in general.

Approval of Councillors' attendance at conferences and events will be determined by the Mayor in consultation with the CEO. Approval for the Mayor's attendance shall be by Council resolution. Consistent with the approval process for travel, all interstate and overseas conferences must be approved by resolution of Council.

Factors to be considered in approval include:

- Relevance of the program to the efficient and effective operations of Central Goldfields Shire Council; and
- Cost/benefit of being represented; and
- Expertise, interest and experience of Councillors in areas of conference business; and,

- Numbers to attend being regulated by distance/cost.

A report of the conference will be provided to all Councillors at the next available Council meeting.

Should Councillor attendance not be considered relevant by the Mayor, the matter will be referred to Council for information and review.

A Councillor who is funded by Council to attend a conference or training shall participate as a representative of Council, not as an individual.

All attendance at training and conferences shall be booked through the CEO's EA, following approval by the Mayor.

Costs associated with the training, conferences and seminars shall be separately disclosed for and include items such as travel costs, meals, accommodation etc. Separate ledgers exist for each of these items.

8.1. Events and functions

Provision of resources or reimbursement of expenses to a Councillor to attend a function or event will only be provided where a benefit to Central Goldfields Shire can be demonstrated e.g. attendance will contribute towards a commitment under the Council Plan.

Council will meet the cost of Councillors attending external events and functions to which they have been invited in their capacity as a Councillor.

Council will meet the cost of the Mayor or his/her representative to attend a charity fundraising event. If other Councillors wish to attend to support the charity, they will be required to make their own contribution to attend.

Council does not financially support political parties. Where Councillors attend a political party fundraising event the cost is to be borne by the individual Councillor.

8.2. Procedure for Approval

The Mayor will approve Councillor attendance at training and conferences. Attendance at training and conferences will only be approved where:

- The event provides an opportunity to receive or upgrade relevant training and skills related to the role of a Councillor;
- The event provides the opportunity to learn key information about an issue of public policy related to the Central Goldfields Shire community; or
- The event has the potential to foster broad economic development opportunities with the Central Goldfields Shire.

There must also be sufficient funds available in the Councillors individual training and conferences budget to cover the cost of the Councillor attending the event.

8.3. Accompanying partners/guests

Any additional attendance fees, accommodation costs, meal costs, or any other costs incurred as a result of the attendance of partners and/or children shall be borne by the Councillor.

9. Accommodation & Meals

Where overnight accommodation is required Council will provide accommodation to a maximum value in line with the rates determined by the ATO.

Accommodation will be arranged to achieve the best value for Council, with breakfast and parking being included wherever possible. The CEO's EA will book the accommodation upon receipt of an approved Councillor Application to Attend Training or Conference Form.

Should Councillors elect to stay at accommodation that is more expensive, Council will only cover costs to the value listed above.

9.1. Refreshments (mini-bar)

All mini-bar accounts are the responsibility of the Councillor.

9.2. Other accommodation costs

Unless otherwise approved, in-room movie charges and dry-cleaning/laundry costs will not be reimbursed to a Councillor or paid for by Council.

9.3. Meals

When a Councillor is attending training and conferences Council will reimburse meal expenses in line with the rates determined by the ATO unless there is a set meal cost included in the training or conference package.

Incidental costs such as snacks, coffee or alcohol will not be covered by Council unless included as part of a meal as stipulated above.

Should Councillors elect to consume meals that are more expensive, Council will only cover costs to the value listed above.

10. Reporting

The Chief Executive Officer shall ensure that any reporting in relation to Councillor expenses and travel required by the Act or the relevant regulations is completed.

Full details of all reimbursements made in accordance with this Policy will be provided annually to the Audit and Risk Committee.

In the interests of transparency and good governance, details of reimbursements to Councillors and delegated committee members will also be published in Council's Annual Report and annually on Council's website.

11. Review

This Policy must be reviewed a minimum of once every 4 years or in line with legislative changes.

12. Human Rights Statement

It is considered that this policy does not impact negatively on any rights identified in the Charter of Human Rights and Responsibilities Act (2006). Central Goldfields Shire Council is committed to consultation and cooperation between management and employees.

13. Relevant Legislation and Council Policies

- Local Government Act 2020
- Corporate Purchase Card Policy
- Motor Vehicle Policy
- Information and Communications Technology Use Policy
- Records Management Policy

CLAIM FOR REIMBURSEMENT OF EXPENSES

Councillor:

Date of Claim: / / 20...

**Please ensure that all relevant itemised receipts/invoices are attached to your claim.
Failure to provide itemised receipts/invoices may result in your claim being denied.**

PARTICULARS OF CLAIM

Date	Details	Amount

I certify that the above expenses have been incurred in accordance with the Councillor Expenses Policy.

.....
Signature of Councillor

.....
Approved by Chief Executive Officer

Office Use Only

Ledger Account:

CLAIM FOR TRAVEL EXPENSES

Councillor:

Date of Claim: / / 20...

No. of cylinders of motor vehicle

Date	Purpose of Travel	Kilometres Travelled

I certify that the above expenses have been incurred in accordance with the Councillor Expenses Policy.

.....
Signature of Councillor

.....
Approved by Chief Executive Officer

Office Use Only

Ledger Account:



APPLICATION TO ATTEND TRAINING OR CONFERENCE

Councillor:

TRAINING OR CONFERENCE DETAILS

Title of Training/Conference:			
Training/Conference Provider:			
Training/Conference Duration: (number of days)			
Date/s of Training/Conference:	From:		To:
Cost of Training/Conference:			
Location of Training/Conference:			
Accommodation Required?			
Benefit to Council: <i>(Please tick relevant benefit/s below)</i>			
The event provides an opportunity to receive or upgrade relevant training and skills related to the role of a Councillor.			
The event provides the opportunity to learn key information about an issue of public policy related to the Central Goldfields Shire community.			
The event has the potential to foster broad economic development opportunities with the Central Goldfields Shire.			

Please attach details of training or conference where possible.

I certify that the above expenses have been incurred in accordance with the Councillor Expenses Policy.

.....
Signature of Councillor

.....
Approved by Mayor

<p>Office Use Only</p> <p>Ledger Account:</p>

8.11 UPDATE OF INSTRUMENT OF DELEGATION BY COUNCIL TO STAFF

Author: Manager Governance Property and Risk

Responsible Officer: General Manager Corporate Performance

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to recommend that Council resolve to delegate specified duties and powers as per the attached instrument to Council staff in accordance with the Local Government Act 2020.

Instruments of delegation are the means by which Council delegates many powers to its staff. The S 6 Instrument of Delegation under which Council delegates its powers to Council Staff is required to be updated due to the new Local Government Act 2020 which repeals all delegations as of 1 September 2020.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

The Local Government Act 2020 received Royal Assent on 24 March 2020. Sub-section 9 states "Unless sooner revoked, a delegation made by a Council under the Local Government Act 1989 continues in force until 1 September 2020."

Council is therefore required to endorse a new Instrument of Delegation under the Act by 1 September 2020.

Maddocks have released an updated Instrument of Delegation from Council to staff to reflect the recent changes to the Local Government Act 2020 and references to the Local Government Act 1989 have been updated accordingly.

REPORT

The Act, and a variety of other legislation, make express provision for the appointment of delegates to act on behalf of Council and delegation of powers is essential to enable day to day decisions to be made and for the effective operation of the organisation.

The Instruments of Delegation and Appointment and Authorisation are prepared for Council by Maddocks Lawyers.

The S6 Instrument has been updated to reflect the commencement of the Local Government Act 2020, the repealing of the Rail Safety (Local Operations) Act 2006 (Vic) as well as the commencement of some changes to

- the Residential Tenancies Act 1997 (Vic) and
- the Road Management Act 2014 (Vic).

CONSULTATION/COMMUNICATION

No consultation or communication is necessary. Relevant staff will be provided with confirmation of the amendments to the Instruments of Delegation.

FINANCIAL & RESOURCE IMPLICATIONS

Council subscribes to the Delegations and Authorisations service provided by Maddocks Lawyers, the cost of which is provided for in Council's budget. There are no other financial implications in reviewing the Instruments of Delegation.

RISK MANAGEMENT

This report addresses Council's strategic risk Legislative compliance - Failure to manage our compliance with relevant legislative requirements by meeting the requirements of the Local Government Act 2020.

CONCLUSION

It is recommended that Council adopt the updated Instrument of Delegation to meet the requirements of the Act.

ATTACHMENTS

1. Updated Instrument of Delegation to staff.

RECOMMENDATION

In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Central Goldfields Shire Council (Council) resolves that:

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

Central Goldfields Shire Council

Instrument of Delegation

S6 Instrument of Delegation - Members of Staff

05 August 2020

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. declares that:

2.1 this Instrument of Delegation is authorised by a resolution of Council passed on 25 August 2020; and

2.2 the delegation:

2.2.1 comes into force immediately this Instrument of Delegation is authorised by a Resolution of Council;

2.2.2 remains in force until varied or revoked;

2.2.3 is subject to any conditions and limitations set out in sub-paragraph 2.3, and the Schedule; and

2.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

2.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

2.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a

(a) policy; or

(b) strategy

adopted by Council;

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

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

GOLDFIELDS SHIRE COUNCIL

Signed:

.....**Noel Harvey, Chief Administrator.**

Delegation Sources

- Cemeteries and Crematoria Act 2003
- Domestic Animals Act 1994
- Environment Protection Act 1970
- Food Act 1984
- Heritage Act 2017
- Local Government Act 1989
- Planning and Environment Act 1987
- Residential Tenancies Act 1997
- Road Management Act 2004
- Cemeteries and Crematoria Regulations 2015
- Planning and Environment Regulations 2015
- Planning and Environment (Fees) Regulations 2016
- Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020
- Road Management (General) Regulations 2016
- Road Management (Works and Infrastructure) Regulations 2015

Titles

Title	Position
CASS	Coordinator Strategic Asset Management
CCMP	Coordinator Compliance
CODP	Coordinator Design and Projects
CSTP	Coordinator Statutory Planning
EHO	Environmental Health Officer
GMCP	General Manager Corporate Performance
GMCW	General Manager Community Wellbeing
GMIAP	General Manager Infrastructure Assets and Planning
GO	Governance Officer
MBS	Municipal Building Surveyor
MFIN	Manager Finance
MGPR	Manager Governance Property and Risk
MGSS	Manager Statutory Services

Title	Position
MIFR	Manager Infrastructure
MOPS	Manager Operations
MSED	Manager Strategy and Economic Development
Not Delegated	Not Delegated
Not relevant	Not relevant to CGSC
PCO	Planning Compliance Officer
PLNNR	Town Planner
STRAT	Strategic Planner

S6 Instrument of Delegation - Members of Staff

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	GMCP, MGPR	Where Council is a Class B cemetery trust
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	GMCP, MGPR	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	GMCP, MGPR	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) - (n)	Not relevant	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	Not relevant	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	GMCP, MGPR	
s 14	Power to manage multiple public cemeteries as if they are one cemetery.	GMCP, MGPR	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	Not relevant	
s 15(4)	Duty to keep records of delegations	Not relevant	
s 17(1)	Power to employ any persons necessary	Not relevant	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	Not relevant	
s 17(3)	Power to determine the terms and conditions of employment or engagement	Not relevant	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	Not relevant	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Not relevant	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Not relevant	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	Not relevant	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not relevant	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under section 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not relevant	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the Financial Management Act 1994	Not relevant	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	Not relevant	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not relevant	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	Not relevant	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))	Not relevant	Where Council is a Class A cemetery trust

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not relevant	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)	Not relevant	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	Not relevant	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	Not relevant	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	Not relevant	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not relevant	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	Not relevant	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	Not relevant	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.	Not relevant	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	Not relevant	
s 20(1)	Duty to set aside areas for the interment of human remains	Not relevant	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 20(3)	Power to set aside areas for those things in paragraphs (a) - (e)	GMCP, MGPR	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	Not relevant	
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	Not relevant	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Not relevant	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	Not Delegated	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not relevant	Provided the street was constructed pursuant to the Local Government Act 1989
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	GMCP, MGPR	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	GMCP, MGPR	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	GMCP, MGPR	
s 60(2)	Power to charge fees for providing information	Not relevant	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	Not Delegated	
s 64B(d)	Power to permit interments at a reopened cemetery	Not relevant	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not Delegated	The application must include the requirements listed in s 66(2)(a)-(d)

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	Not relevant	
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	GMCP, MGPR	
s 70(2)	Duty to make plans of existing place of interment available to the public	GMCP, MGPR	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	GMCP, MGPR	
s 71(2)	Power to dispose of any memorial or other structure removed	GMCP, MGPR	
s 72(2)	Duty to comply with request received under s 72	Not Delegated	
s 73(1)	Power to grant a right of interment	Not relevant	
s 73(2)	Power to impose conditions on the right of interment	Not relevant	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	Not Delegated	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	Not relevant	
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	Not relevant	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	Not relevant	
s 80(2)	Function of recording transfer of right of interment	Not relevant	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	Not relevant	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	Not relevant	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	Not relevant	
s.85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	Not relevant	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	Not relevant	Does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of internment 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.	Not relevant	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of internment 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	Not relevant	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of internment to a perpetual right of interment	Not relevant	
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	Not relevant	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s.86(4)	power to take action under s.86(4) relating to removing and re-interring cremated human remains	Not relevant	
s.86(5)	duty to provide notification before taking action under s.86(4)	Not relevant	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	Not relevant	
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	Not relevant	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	Not relevant	
s 91(1)	Power to cancel a right of interment in accordance with s 91	Not Delegated	
s 91(3)	Duty to publish notice of intention to cancel right of interment	Not relevant	
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	Not relevant	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	Not relevant	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	Not Delegated	
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	Not Delegated	
s 100(1)	Power to require a person to remove memorials or places of interment	Not relevant	
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)	Not Delegated	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 100(3)	Power to recover costs of taking action under s 100(2)	Not Delegated	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	Not relevant	
s 102(1)	Power to approve or refuse an application under section 101, if satisfied of the matters in (b) and (c)	Not relevant	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Not Delegated	
s 103(1)	Power to require a person to remove a building for ceremonies	Not relevant	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	Not Delegated	
s 103(3)	Power to recover costs of taking action under s 103(2)	Not Delegated	
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	GMCP, MGPR	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	Not relevant	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	Not Delegated	
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	Not Delegated	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	Not Delegated	
s 108	Power to recover costs and expenses	Not relevant	
s 109(1)(a)	Power to open, examine and repair a place of interment	GMCP, MGPR	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	GMCP, MGPR	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	Not relevant	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	GMCP, MGPR	
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	GMCP, MGPR	
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	Not relevant	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	Not relevant	
s 112	Power to sell and supply memorials	Not relevant	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	Not relevant	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	Not relevant	
s 119	Power to set terms and conditions for interment authorisations	Not relevant	
s 131	Function of receiving an application for cremation authorisation	Not relevant	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not Delegated	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	GMCP, MGPR	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not relevant	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	Not relevant	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	Not relevant	
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	Not relevant	
s 151	Function of receiving applications to inter or cremate body parts	Not relevant	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	Not Delegated	
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	Not relevant	

Cemeteries and Crematoria Act 2003			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 1 cl 8(8)	Power to regulate own proceedings	Not Delegated	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not relevant	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	Not relevant	Where Council is a Class A cemetery trust Subject to cl 8

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

Environment Protection Act 1970			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 53M(3)	Power to require further information	EHO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	EHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	EHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	EHO	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	EHO	Refusal must be ratified by Council or it is of no effect

Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	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	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	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	EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under section 19 if satisfied that an order has been complied with	EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	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).	EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	EHO	Where Council is the registration authority

Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	EHO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	Not Delegated	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	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	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	EHO	Where Council is the registration authority
	Power to register, renew or transfer registration	EHO	Where Council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
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	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)	Not Delegated	Where Council is the registration authority

Food Act 1984			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 38A(4)	Power to request a copy of a completed food safety program template	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	EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	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	EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	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	EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	EHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the Public Health and Wellbeing Act 2008	EHO	

Food Act 1984

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	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	EHO	Where Council is the registration authority
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	GMIAP	Where Council is the registration authority

Heritage Act 2017

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 116	Power to sub-delegate Executive Director's functions, duties or powers	Not Delegated	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

Local Government Act 1989

Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	Not Delegated	

Local Government Act 1989			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 185L(4)	Power to declare and levy a cladding rectification charge	Not Delegated	Recommend not delegated

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	GMIAP, MSED	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	MSED, STRAT	
s 4H	Duty to make amendment to Victoria Planning Provisions available	MSED, STRAT	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	MSED, STRAT	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	MSED, STRAT	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	GMIAP, MSED	
s 8A(5)	Function of receiving notice of the Minister's decision	GMIAP, MSED, STRAT	
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	GMIAP, MSED, STRAT	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	GMIAP, MSED	
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	GMIAP, MSED, STRAT	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s19 of the Planning and Environment (Planning Schemes) Act 1996)	GMIAP, MSED, STRAT	
s 12B(1)	Duty to review planning scheme	GMIAP, MSED, STRAT	
s 12B(2)	Duty to review planning scheme at direction of Minister	GMIAP, MSED, STRAT	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	GMIAP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	GMIAP, MSED, STRAT	
s 17(1)	Duty of giving copy amendment to the planning scheme	GMIAP, MSED, STRAT	
s 17(2)	Duty of giving copy s 173 agreement	GMIAP, MSED, STRAT	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	GMIAP, MSED, STRAT	
s 18	Duty to make amendment etc. available	GMIAP, MSED, STRAT	
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	GMIAP, MSED, STRAT	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	GMIAP, MSED, STRAT	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			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	GMIAP	
s 21(2)	Duty to make submissions available	MSED, STRAT	
s 21A(4)	Duty to publish notice	MSED, STRAT	
s 22	Duty to consider all submissions	GMIAP, MSED, STRAT	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	MSED, STRAT	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	GMIAP, MSED, STRAT	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	GMIAP, MSED, STRAT	
s 26(1)	Power to make report available for inspection	GMIAP, MSED, STRAT	
s 26(2)	Duty to keep report of panel available for inspection	MSED, STRAT	
s 27(2)	Power to apply for exemption if panel's report not received	GMIAP, MSED	
s 28	Duty to notify the Minister if abandoning an amendment	GMIAP, MSED	Note: the power to make a decision to abandon an amendment cannot be delegated
s 30(4)(a)	Duty to say if amendment has lapsed	GMIAP, MSED	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 30(4)(b)	Duty to provide information in writing upon request	MSED, STRAT	
s 32(2)	Duty to give more notice if required	MSED, STRAT	
s 33(1)	Duty to give more notice of changes to an amendment	MSED, STRAT	
s 36(2)	Duty to give notice of approval of amendment	MSED, STRAT	
s 38(5)	Duty to give notice of revocation of an amendment	MSED, STRAT	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	MSED	
s 40(1)	Function of lodging copy of approved amendment	MSED, STRAT	
s 41	Duty to make approved amendment available	MSED, STRAT	
s 42	Duty to make copy of planning scheme available	MSED, STRAT	
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	Not relevant	Where Council is a responsible public entity and is a planning authority Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	GMIAP	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	GMIAP	Where Council is a responsible public entity

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	GMIAP	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	GMIAP	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	GMIAP	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	GMIAP	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	GMIAP	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	GMIAP, MSED, STRAT	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	GMIAP, MSED, STRAT	
s 46GP	Function of receiving a notice under s 46GO	GMIAP, MSED, STRAT	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	GMIAP, MSED, STRAT	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	GMIAP, MSED, STRAT	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	GMIAP, MSED, STRAT	
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	MSED	
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	MSED	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	MSED	
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	MSED	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	MSED	
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	MSED	
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	MFIN	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	GMIAP, MSED	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)	GMIAP, MSED	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)	GMIAP, MSED	Where Council is the collecting agency

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	GMIAP, MSED	
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	GMIAP, MSED	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	GMIAP, MSED	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	GMIAP, MSED	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	GMCP, MFIN	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	GMCP, MFIN	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	GMCP, MFIN	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	GMCP, MFIN	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	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	GMCP, MFIN	Where Council is the development agency under an

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			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)	GMCP, MFIN	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	GMCP, MFIN	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	GMCP, MFIN	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	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	GMCP, MFIN	If any inner public purpose land is vested in Council under the Subdivision Act 1988 or acquired by Council before the time it is required to be provided to Council under s 46GV(4) Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development agency
s 46GZ(9)	Function of receiving the fee simple in the land	GMCP, MFIN	Where Council is the development agency under an

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			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	GMCP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the Local Government Act 2020	GMCP, MFIN	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)	GMIAP	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	GMIAP	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)	GMIAP	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)	GMIAP	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)	GMCP, MFIN	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	GMCP, MFIN	Where Council is the development agency under an approved infrastructure contributions plan This duty does not apply where Council is also the collecting agency

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	GMCP, MFIN	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)	GMCP	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	GMCP	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)	GMIAP	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	GMCP, MFIN	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)	GMCP, MFIN	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	GMCP, MFIN	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	GMCP	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	GMIAP	Where Council is a collecting agency or development agency

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	GMCP	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)	GMIAP	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	MSED, STRAT	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	MSED, STRAT	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	GMIAP, MSED	
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	MSED, STRAT	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	GMIAP, MSED	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	GMIAP, MSED	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	GMIAP, MSED	
s 46Q(1)	Duty to keep proper accounts of levies paid	MFIN, MSED	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency or plan preparation costs incurred by a development agency	MFIN, MSED	
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	MFIN, MSED	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	MFIN, MSED	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)	MFIN, MSED	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	GMIAP, MSED	Must be done in accordance with Part 3
s46Q(4)(e)	Duty to expend that amount on other works etc.	GMIAP, MSED	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	MFIN, MSED	
s 46QD	Duty to prepare report and give a report to the Minister	MFIN, MSED	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	Not Delegated	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	Not Delegated	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CSTP, PLNRR	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CSTP, PLNRR	
s 49(2)	Duty to make register available for inspection	CSTP, PLNRR	
s 50(4)	Duty to amend application	CSTP, PLNRR	
s 50(5)	Power to refuse to amend application	CSTP, PLNRR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 50(6)	Duty to make note of amendment to application in register	CSTP, MGSS, PLNNR	
s 50A(1)	Power to make amendment to application	CSTP, PLNNR	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CSTP, PLNNR	
s 50A(4)	Duty to note amendment to application in register	CSTP, PLNNR	
s 51	Duty to make copy of application available for inspection	CSTP, PLNNR	
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	CSTP, PLNNR	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CSTP, PLNNR	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CSTP, PLNNR	
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	CSTP, PLNNR	
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	CSTP, PLNNR	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CSTP, PLNNR	
s.52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CSTP, PLNNR	
s 52(3)	Power to give any further notice of an application where appropriate	CSTP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CSTP, PLNNR	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CSTP, PLNNR	
s 54(1)	Power to require the applicant to provide more information	CSTP, PLNNR	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CSTP, PLNNR	
s 54(1B)	Duty to specify the lapse date for an application	CSTP, PLNNR	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CSTP, PLNNR	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CSTP, PLNNR	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CSTP, PLNNR	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CSTP, PLNNR	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CSTP, PLNNR	
s 57(5)	Duty to make available for inspection copy of all objections	CSTP, PLNNR	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CSTP, PLNNR	
s 57A(5)	Power to refuse to amend application	CSTP, PLNNR	
s 57A(6)	Duty to note amendments to application in register	CSTP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 57B(1)	Duty to determine whether and to whom notice should be given	CSTP, PLNNR	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CSTP, PLNNR	
s 57C(1)	Duty to give copy of amended application to referral authority	CSTP, PLNNR	
s 58	Duty to consider every application for a permit	CSTP, PLNNR	
s 58A	Power to request advice from the Planning Application Committee	CSTP, PLNNR	
s 60	Duty to consider certain matters	CSTP, PLNNR	
s 60(1A)	Duty to consider certain matters	CSTP, PLNNR	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CSTP, PLNNR	
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	CSTP, PLNNR	The permit must not be inconsistent with a cultural heritage management plan under the Aboriginal Heritage Act 2006
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CSTP, PLNNR	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CSTP, MGSS, PLNNR	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not relevant	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	Not relevant	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CSTP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CSTP, PLNNR	
s 62(2)	Power to include other conditions	CSTP, PLNNR	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CSTP, PLNNR	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CSTP, PLNNR	
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	CSTP, GMIAP, PLNNR	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CSTP, GMIAP, PLNNR	
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)	CSTP, PLNNR	
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)	CSTP, PLNNR	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CSTP, PLNNR	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CSTP, PLNNR	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	CSTP, PLNNR	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	CSTP, PLNNR	This provision applies also to a decision to grant an amendment to a permit - see s 75

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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	CSTP, STRAT	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	CSTP, PLNNR	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CSTP, PLNNR	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CSTP, PLNNR	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	CSTP, PLNNR	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	CSTP, PLNNR	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	CSTP, PLNNR	
s 69(1A)	Function of receiving application for extension of time to complete development	CSTP, PLNNR	
s 69(2)	Power to extend time	CSTP, PLNNR	
s 70	Duty to make copy permit available for inspection	CSTP, PLNNR	
s 71(1)	Power to correct certain mistakes	CSTP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 71(2)	Duty to note corrections in register	CSTP, PLNNR	
s 73	Power to decide to grant amendment subject to conditions	CSTP, PLNNR	
s 74	Duty to issue amended permit to applicant if no objectors	CSTP, PLNNR	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CSTP, PLNNR	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CSTP, PLNNR	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CSTP, PLNNR	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	CSTP, MGSS	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CSTP, PLNNR	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	CSTP, PLNNR	
s 83	Function of being respondent to an appeal	CSTP, GMIAP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 83B	Duty to give or publish notice of application for review	CSTP, GMIAP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CSTP, GMIAP, PLNNR	
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	CSTP, PLNNR	
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	CSTP, PLNNR	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CSTP, PLNNR	
s 84AB	Power to agree to confining a review by the Tribunal	CSTP, MGSS	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CSTP, PLNNR	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CSTP, GMIAP	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CSTP, GMIAP, PLNNR	
s 91(2)	Duty to comply with the directions of VCAT	CSTP, GMIAP, PLNNR	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CSTP, GMIAP, PLNNR	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CSTP, PLNNR	
s 93(2)	Duty to give notice of VCAT order to stop development	CSTP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 95(3)	Function of referring certain applications to the Minister	GMIAP	
s 95(4)	Duty to comply with an order or direction	CSTP, PLNNR	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CSTP, PLNNR	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	GMIAP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CSTP, PLNNR	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CSTP, PLNNR	
s 96F	Duty to consider the panel's report under s 96E	CSTP, PLNNR	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the Planning and Environment (Planning Schemes) Act 1996)	CSTP, GMIAP, PLNNR	
s 96H(3)	Power to give notice in compliance with Minister's direction	CSTP, GMIAP, PLNNR	
s 96J	Power to issue permit as directed by the Minister	CSTP, PLNNR	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CSTP, PLNNR	
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	CSTP, PLNNR	
s 97C	Power to request Minister to decide the application	CSTP, PLNNR	

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

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 103	Power to reject a claim for compensation in certain circumstances	CSTP, PLNNR	
s.107(1)	function of receiving claim for compensation	CSTP, PLNNR	
s 107(3)	Power to agree to extend time for making claim	CSTP, PLNNR	
s 114(1)	Power to apply to the VCAT for an enforcement order	GMIAP	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CCMP, PCO	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CCMP, PCO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CCMP, PCO	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CCMP, PCO	Except Crown Land
s 129	Function of recovering penalties	CCMP, PCO	
s 130(5)	Power to allow person served with an infringement notice further time	CCMP, PCO	
s 149A(1)	Power to refer a matter to the VCAT for determination	GMIAP	
s 149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	GMIAP	
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)	CSTP	Where Council is the relevant planning authority

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 171(2)(f)	Power to carry out studies and commission reports	CSTP, MGSS	
s 171(2)(g)	Power to grant and reserve easements	CSTP, MGSS	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not Delegated	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)	Not Delegated	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)	Not Delegated	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	CSTP, MGSS	
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	Not Delegated	Where Council is the relevant responsible authority
	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires something to be to the satisfaction of Council or Responsible Authority	CSTP, MGSS, PLNNR	
	Power to give consent on behalf of Council, where an agreement made under s 173 of the Planning and Environment Act 1987 requires that something may not be done without the consent of Council or Responsible Authority	CSTP, MGSS, PLNNR	
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	CSTP, MGSS	
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	CSTP, MGSS	

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

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CSTP, MGSS	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	CSTP, MGSS	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	CSTP, MGSS	After considering objections, submissions and matters in s.178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CSTP, MGSS	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)	CSTP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CSTP	
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	CSTP, MGSS	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CSTP, MGSS	
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	CSTP, MGSS	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CSTP, MGSS	
s 179(2)	Duty to make available for inspection copy agreement	CSTP, PLNNR	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CSTP, MGSS	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CSTP, MGSS	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CSTP, MGSS	
s 182	Power to enforce an agreement	CSTP, MGSS, PCO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CSTP, MGSS	
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	CSTP, MGSS	
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	CSTP, MGSS	
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	CSTP, MGSS	
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	CSTP, MGSS	
s 184G(2)	Duty to comply with a direction of the Tribunal	CCMP, CSTP, MGSS	
s 184G(3)	Duty to give notice as directed by the Tribunal	CCMP, CSTP, MGSS	
s 198(1)	Function to receive application for planning certificate	CSTP	
s 199(1)	Duty to give planning certificate to applicant	CSTP	
s 201(1)	Function of receiving application for declaration of underlying zoning	CSTP, PLNNR	

Planning and Environment Act 1987			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 201(3)	Duty to make declaration	CSTP, PLNNR	
	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	CSTP, PLNNR	
	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	CSTP, PLNNR	
	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	CSTP, PLNNR	
	Power to give written authorisation in accordance with a provision of a planning scheme	CSTP, PLNNR	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CSTP, PLNNR	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CSTP, PLNNR	

Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	GMCW, GMIAP	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	GMIAP	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier

Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	GMCW,	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	GMCW,	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 142D	Function of receiving notice regarding an unregistered rooming house	EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	EHO	
s 142G(2)	Power to enter certain information in the Rooming House Register	EHO	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	EHO	
s 206AZA(2)	Function of receiving written notification	EHO, MTEC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	EHO, MTEC	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	EHO, MTEC	
s 317ZDA(2)	Function of receiving written notification	EHO, MTEC	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	EHO	

Residential Tenancies Act 1997			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 522(1)	Power to give a compliance notice to a person	EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	Not Delegated	
s 525(4)	Duty to issue identity card to authorised officers	GO, MGPR	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	EHO	
s 526A(3)	Function of receiving report of inspection	EHO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	Not Delegated	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	GMIAP	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	GMCP	
s 11(9)(b)	Duty to advise Registrar	MIFR	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	MIFR	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	MIFR	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	Not Delegated	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	CASS, GMIAP, MIFR	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	MIFR	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	MIFR	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	MIFR	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	MIFR	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	MIFR	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	MIFR	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	GMIAP	
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	GMIAP	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	GMIAP	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 15(2)	Duty to include details of arrangement in public roads register	CASS, MIFR	
s 16(7)	Power to enter into an arrangement under s 15	GMIAP	
s 16(8)	Duty to enter details of determination in public roads register	CASS, MIFR	
s 17(2)	Duty to register public road in public roads register	CASS, MIFR	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	GMIAP	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	CASS, MIFR	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	Not Delegated	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	CASS, MIFR	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CASS, MIFR	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CASS, MIFR	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	CASS, MIFR	
s 19(4)	Duty to specify details of discontinuance in public roads register	CASS, MIFR	
s 19(5)	Duty to ensure public roads register is available for public inspection	CASS, MIFR	
s 21	Function of replying to request for information or advice	CASS, MIFR	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	GMIAP	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	GMIAP	
s 22(5)	Duty to give effect to a direction under s 22	GMIAP	
s 40(1)	Duty to inspect, maintain and repair a public road.	CASS, MIFR	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CASS, MIFR	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CASS, MIFR	
s 42(1)	Power to declare a public road as a controlled access road	GMIAP	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CASS, MIFR	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	CASS, MIFR	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	CASS, MIFR	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)	CASS, MIFR	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	CASS, MIFR	
s 49	Power to develop and publish a road management plan	GMIAP	
s 51	Power to determine standards by incorporating the standards in a road management plan	CASS, MIFR	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CASS, MIFR	
s 54(2)	Duty to give notice of proposal to make a road management plan	CASS, MIFR	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CASS, MIFR	
s 54(6)	Power to amend road management plan	CASS, MIFR	
s 54(7)	Duty to incorporate the amendments into the road management plan	CASS, MIFR	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CASS, MIFR	
s 63(1)	Power to consent to conduct of works on road	CASS, MIFR	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	CASS, MIFR	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CASS, MIFR	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CASS, MIFR	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	CASS, MIFR	Where Council is the coordinating road authority
s 67(3)	Power to request information	CASS, MIFR	Where Council is the coordinating road authority
s 68(2)	Power to request information	CASS, MIFR	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	Not Delegated	
s 72	Duty to issue an identity card to each authorised officer	GO, MGPR	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
s 85	Function of receiving report from authorised officer	CASS, MIFR	
s 86	Duty to keep register re s 85 matters	CASS, MIFR	
s 87(1)	Function of receiving complaints	MIFR	
s 87(2)	Duty to investigate complaint and provide report	MIFR	
s 112(2)	Power to recover damages in court	GMIAP	
s 116	Power to cause or carry out inspection	CASS, MIFR	
s 119(2)	Function of consulting with the Head, Transport for Victoria	CASS, MIFR	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CASS, MIFR	
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)	CASS, MIFR	
s 121(1)	Power to enter into an agreement in respect of works	GMIAP	
s 122(1)	Power to charge and recover fees	MIFR	
s 123(1)	Power to charge for any service	MIFR	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	GMIAP	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	Not Delegated	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	Not Delegated	

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CASS, MIFR	
sch 2 cl 5	Duty to publish notice of declaration	CASS, MIFR	
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	CASS, MIFR	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CASS, MIFR	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	CASS, MIFR	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	CASS, MIFR	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	CASS, MIFR	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	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	MFIN, MIFR	Where Council is the coordinating road authority

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
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)	CASS, MIFR	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CASS, MIFR	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)	CASS, MIFR	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CASS, MIFR	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CASS, MIFR	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	CASS, MIFR	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	GMIAP	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CASS, MIFR	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	CASS, MIFR	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	CASS, MIFR	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	CASS, MIFR	Power of responsible road authority where it is the coordinating road authority or

Road Management Act 2004			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
			responsible road authority in respect of the road
sch 7 cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CASS, MIFR	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	CASS, MIFR	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	CASS, MIFR	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 24	Duty to ensure that cemetery complies with depth of burial requirements	Not relevant	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	Not relevant	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	Not relevant	
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	Not relevant	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not relevant	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not relevant	
r 30(2)	Power to release cremated human remains to certain persons	Not relevant	Subject to any order of a court

Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not relevant	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not relevant	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not relevant	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not relevant	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not relevant	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not relevant	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not relevant	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	Not relevant	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	Not relevant	
r 40	Power to approve a person to play sport within a public cemetery	Not relevant	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not relevant	
r 42(1)	Power to approve hunting within a public cemetery	Not relevant	
r 43	Power to approve camping within a public cemetery	Not relevant	
r 45(1)	Power to approve the removal of plants within a public cemetery	Not relevant	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	Not relevant	

Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 47(3)	Power to approve the use of fire in a public cemetery	Not relevant	
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	Not relevant	
	Note: Schedule 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules	Not relevant	
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	Not relevant	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	Not relevant	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	Not relevant	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	Not relevant	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	Not relevant	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	Not relevant	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	Not relevant	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	Not relevant	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	Not relevant	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	Not relevant	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	Not relevant	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	Not relevant	See note above regarding model rules

Cemeteries and Crematoria Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	Not relevant	See note above regarding model rules

Planning and Environment Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r.6	function of receiving notice, under section 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CSTP, PLNNR	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r.21	power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under section 54 of the Act	CSTP, PLNNR	
r.25(a)	duty to make copy of matter considered under section 60(1A)(g) available for inspection free of charge	CSTP, PLNNR	where Council is the responsible authority
r.25(b)	function of receiving a copy of any document considered under section 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CSTP, PLNNR	where Council is not the responsible authority but the relevant land is within Council's municipal district
r.42	function of receiving notice under section 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CSTP, PLNNR	where Council is not the planning authority and the amendment affects land within Council's municipal district; or where the amendment will amend the planning scheme to designate Council as an acquiring authority.

Planning and Environment (Fees) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	CSTP	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	CSTP	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r 19 or 20	CSTP, PLNNR	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 7	Function of entering into a written agreement with a caravan park owner	EHO	
r 10	Function of receiving application for registration	EHO	
r 11	Function of receiving application for renewal of registration	EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	EHO	
r 12(4) & (5)	Duty to issue certificate of registration	EHO	
r 14(1)	Function of receiving notice of transfer of ownership	EHO	
r 14(3)	Power to determine where notice of transfer is displayed	EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 15(1)	Duty to transfer registration to new caravan park owner	EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	Not Delegated	Fees can only be set by resolution of Council.
r 17	Duty to keep register of caravan parks	EHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	EHO	
r 18(6)	Power to determine where certain information is displayed	EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	EHO, MBS	
r 26	Duty to have regard to any report of the relevant fire authority	EHO	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	EHO, MBS	
r 41(4)	Function of receiving installation certificate	EHO	

Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	EHO, MBS	
sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	EHO, MBS	

Road Management (General) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 8(1)	Duty to conduct reviews of road management plan	CASS, MIFR	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CASS, MIFR	
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)	CASS, MIFR	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	CASS, MIFR	
r 13(1)	Duty to publish notice of amendments to road management plan	GMIAP	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	CASS, MIFR	
r 16(3)	Power to issue permit	CASS, MIFR	Where Council is the coordinating road authority

Road Management (General) Regulations 2016			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 18(1)	Power to give written consent re damage to road	CASS, MIFR	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	GMIAP	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CASS, MIFR	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CASS, MIFR, MOPS	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))	CASS, MIFR, MOPS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	GMIAP	

Road Management (Works and Infrastructure) Regulations 2015			
Provision	Powers and Functions Delegated	Delegate	Conditions and Limitations
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CODP	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	CODP	Where Council is the coordinating road authority

8.12 RESCHEDULING OF COUNCIL MEETING DATES FOR THE REMAINDER OF 2020

Author: Manager Governance Property and Risk

Responsible Officer: Chief Executive Officer

The Officer presenting this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

SUMMARY/PURPOSE

The purpose of this report is to recommend to Council rescheduling of some Council Meeting dates and times for Council Meetings for the remainder of 2020.

This rescheduling is required following an update of the expected declaration date by the Victorian Electoral Commission and the changes to Council's External Audit.

LEGISLATION AND POLICY CONTEXT

Central Goldfields Shire Council's Council Plan 2017-2021 (2018 Refresh) – Our Organisation

Outcome: Central Goldfields Shire is a proactive, well governed, professional and financially sustainable organisation.

4.3 Objective: Provide leadership in governance and Council decision making.

BACKGROUND INFORMATION

At its Meeting on 26 November 2019 Council set its Meeting dates for 2020 as follows:

- Tuesday 25 February 2020
- Tuesday 24 March 2020
- Tuesday 28 April 2020
- Tuesday 26 May 2020
- Tuesday 23 June 2020
- Tuesday 28 July 2020
- Tuesday 25 August 2020
- Tuesday 15 September 2020
- Tuesday 22 September 2020 – Special Meeting to approve the annual Financial and Performance Statements
- Tuesday 20 October 2020
- Tuesday 10 November 2020 – Statutory Meeting
- Tuesday 24 November 2020
- Tuesday 15 December 2020

REPORT

A Special Meeting of Council was scheduled for Tuesday 22 September 2020 to approve the annual Financial and Performance Statements in accordance with the anticipated dates of Council's Annual External Audit.

The External Audit dates have now been rescheduled and do not align with this Special Meeting date. The annual Financial and Performance Statements will now be presented to the Council Meeting on 20 October 2020 and the Special Meeting scheduled for 22 September 2020 is no longer required.

The Statutory Meeting date was set for 10 November 2020 following the 2020 Council elections. This date was set as the Victorian Electoral Commission (VEC) has stated in its Draft Service Plan for the 2020 Local Government Elections that all elections are to be declared by 6 November 2020.

However, in its updated Service Plan the VEC has stated that all elections are to be declared by 13 November 2020. As the declaration may now take place following the scheduled Statutory Meeting date, it is recommended that the meeting is rescheduled for Tuesday 17 November 2020.

The rescheduling of the Statutory Meeting will leave only a week between the Statutory Meeting and the November Council Meeting. Having a Council Meeting so soon after being declared as Councillors and beginning their induction program may be a challenge for the new Councillors. It is recommended that the 24 November Council Meeting be rescheduled for the following week to 1 December 2020. This will allow the newly elected Councillors more time following the Statutory Meeting to be briefed on the Agenda items for the Council Meeting, and progress through more of the Councillor Induction Program.

CONSULTATION/COMMUNICATION

The annual calendar of meetings is published on Council's website. This will be updated following any changes to the current schedule. The community will also be notified of the change through Council's Noticeboard in the Maryborough Advertiser.

FINANCIAL & RESOURCE IMPLICATIONS

There are no financial implications in relation to rescheduling these Council Meetings.

RISK MANAGEMENT

This report addresses Council's strategic risks of Legislative compliance - Failure to manage our compliance with relevant legislative requirements by ensuring that Council sets its meeting dates for the year, and provides public notice of the dates.

CONCLUSION

Two Council Meetings are required to be rescheduled due to changing circumstances in relation to the 2020 General Election and Council's External Audit.

ATTACHMENTS

NIL

RECOMMENDATION

That Council:

- 1. Note that the Special Council Meeting on 22 September 2020 is no longer required;*
- 2. Reschedule the Statutory Council Meeting from 10 November 2020 to 17 November 2020; and*
- 3. Reschedule the Council Meeting scheduled for 24 November 2020 to 1 December 2020.*