



**MINUTES OF THE COUNCIL MEETING OF THE HINDMARSH SHIRE COUNCIL
HELD 15 JULY 2020 AT THE NHILL MEMORIAL COMMUNITY CENTRE, 77-79
NELSON STREET, NHILL COMMENCING AT 3:00PM.**

AGENDA

1. Acknowledgement of the Indigenous Community and Opening Prayer

2. Apologies

3. Confirmation of Minutes

4. Declaration of Interests

5. Public Question Time

6. Correspondence

7. Assembly of Councillors

7.1 Record of Assembly

8. Planning Permit Reports

8.1 Application for Planning Permit PA1666-2020 – Two Lot Subdivision – Lot 1 TP
376682 – 40-42 Victoria Street, Dimboola

8.2 Application for Planning Permit PA1611-2018 – 2 Tullyvea Street Jeparit VIC
3423 – Construction of an open canopy building adjacent to the existing building
and associated works including the construction of a levee bank

9. Reports Requiring a Decision

9.1 Audit and Risk Committee Charter

9.2 Public Transparency Policy

9.3 Governance Rules

10. Special Committees

10.1 Audit Committee Minutes

11. Late Reports

11.1 Davis Park Facilities Upgrade

12. Urgent Business

13. Confidential Matters

14. Meeting Closed

Present:

Crs R Gersch (Mayor), D Colbert (Deputy Mayor), R Ismay, R Lowe, D Nelson, T Schneider.

In Attendance:

Mr Greg Wood (Chief Executive Officer), Ms Monica Revell (Director Corporate and Community Services), Ms Angela Hoy (Director Infrastructure Services), Ms Shauna Johnson (Executive Assistant), Ms Helen Thomson (Manager Governance and Human Services), Mr Jeff Woodward (Tourism and Economic Officer).

1. ACKNOWLEDGEMENT OF THE INDIGENOUS COMMUNITY AND OPENING PRAYER

Cr R Gersch opened the meeting at 3:00pm by acknowledging the Indigenous Community and offering the opening prayer.

2. APOLOGIES

No apologies.

3. CONFIRMATION OF MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on Wednesday 24 June 2020 at the Nhill Memorial Community Centre, 77-79 Nelson Street Nhill as circulated to Councillors be taken as read and confirmed.

MOVED: CRS R Lowe/T Schneider

That the Minutes of the Ordinary Council Meeting held on Wednesday 24 June 2020 at the Nhill Memorial Community Centre, 77-79 Nelson Street Nhill as circulated to Councillors be taken as read and confirmed.

CARRIED

Attachment: 1

4. DECLARATION BY COUNCILLORS OR OFFICERS OF ANY DIRECT OR INDIRECT INTEREST IN ANY ITEM ON THE AGENDA.

- Direct; or
- Indirect interest
- a) by close association;
- b) that is an indirect financial interest;
- c) because of conflicting duties;
- d) because of receipt of an applicable gift;
- e) as a consequence of becoming an interested party; or

- f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

Cr T Schneider declared a direct conflict of interest in item 8.1.

5. PUBLIC QUESTION TIME

Community members wishing to ask questions at council meetings may do so, in writing, at least 24 hours prior to the council meeting. Both the question and answer will be read out at the meeting. Questions may be submitted by mail, email info@hindmarsh.vic.gov.au or delivered in person to a council customer centre but are limited to 100 words including any pre-amble. Offensive, trivial and repetitive questions or questions which have been recently answered may be excluded at the discretion of the Mayor.

The question must be accompanied by a name and the locality where the questioner resides or works which will be read out at the meeting. By submitting a question, the questioner gives consent to this information being read out in public. Anonymous questions will not be answered.

Wendy Bywaters - Nhill

At the Councils Special Meeting on June 17 it was unclear what the total amount of seed funding council had raised for the Government Sport and Recreation Victoria's, Community Sports Infrastructure Stimulus Program to upgrade Davis Park.

Was it \$350,000 or \$450,000?

What is the final project cost? \$1 million, \$3.5 million or \$4.5 million?

While there is some confusion in the community, exactly what this money will be used for at Davis park can council provide more details on what they are upgrading?

Response:

A Late report has been included in today's Council Meeting agenda dealing with the issues raised in your question.

Louise Dillon – Jeparit East

Q1: How is it decided which Council matters are discussed in the confidential "briefing" prior to a Council meeting?

Response:

Items for the briefing session are determined by the Chief Executive Officer but Councillors can raise issues during the briefing and request items for future briefings.

Q2: According to the *Hindmarsh Shire Council – Jeparit Community Plan – 2016 – 2019* – "The Plan illustrates a continued collaborative approach between council and the local community. The initiatives identified in the plan represent the aspirations of Jeparit and

will be considered in the development of the next Council Plan. - Anne Champness - Acting Chief Executive Officer”.

The first Objective of the *Jeparit Community Plan* is listed as “*Establish a Neighbourhood House*”.

Given we have an active incorporated committee wanting to achieve this initiative, what assistance specifically can the *Hindmarsh Shire Council* provide in relation to facilities, resources, budgets etc to achieve this Objective...?

Response:

Detail around the name, structure, not for profit status and governance of the incorporated committee and a commitment to obtain public liability insurance would be required before any request to lease a community facility would be considered by Council.

Q3: Could you please explain what is the purpose of the (new) library facility in Jeparit, and where can the public access the operations and delivery plan for the (new) library facility.

Response:

The purpose is to provide a static library, with additional hours to replace the mobile library which was operating 2 hours per fortnight in Jeparit. Library services follow the Australian Library and Information Association guidelines which set the standards for public libraries in Australia. We are very excited to be corporate members of ALIA which highlights our commitment to the provision of quality library services within Hindmarsh which meets the needs of our community. The library plan will be incorporated into the new Council Plan.

6. CORRESPONDENCE

6.1 GENERAL CORRESPONDENCE

Responsible Officer: Chief Executive Officer

Attachments: 2 - 4

Introduction:

The following correspondence is tabled for noting by Council

Outwards:

- 03/07/2020 – Thank you letter to Prime Minister Scott Morrison
- 03/07/2020 – Thank you letter to Premier Daniel Andrews
- 03/07/2020 – Letter of congratulations to Minister for Local Government Shaun Leane

RECOMMENDATION:

That Council notes the attached correspondence.

MOVED: CRS D Colbert/R Lowe

That Council notes the attached correspondence.

CARRIED

Attachments: 2 - 4

7. ASSEMBLY OF COUNCILLORS

Responsible Officer: Chief Executive Officer
Attachment: 5

Introduction:

The attached Assembly of Councillors Record is presented as an attachment to the Council agenda for the information of Councillors and recorded at the Council meeting as required under s80A Local Government Act 1989.

RECOMMENDATION:

That Council accepts the Assembly of Councillors Record as presented.

MOVED: CRS T Schneider/R Ismay

That Council accepts the Assembly of Councillors Record as presented.

CARRIED

Attachment: 5

8. PLANNING PERMITS

Cr T Schneider declared a direct conflict of interest in item 8.1 and left the room at 3:06pm.

8.1 APPLICATION FOR PLANNING PERMIT PA1666-2020 – TWO LOT SUBDIVISION – LOT 1 TP 376682 – 40-42 VICTORIA STREET, DIMBOOLA

Responsible Officer: Director Infrastructure Services
File: Planning – Applications
Assessment: 029380
Applicant: Mr Graeme Schneider c/o Peter Richards Surveying
Owner: Mr Anthony Schneider
Subject Land: Lot 1 TP376682, 40-42 Victoria Street, Dimboola
Proposal: Two Lot Subdivision
Zoning & Overlays: General Residential Zone
Environmental Significance Overlay (Schedule 6)
Attachment: 6

Summary:

This report recommends that Council issue a planning permit to allow the two lot subdivision of Lot 1 TP 376682 at 40-42 Victoria Street, Dimboola.

Background:

Planning permit application PA1666-2020 was lodged in SPEAR on 28/04/2020 with the fee paid on 14/05/2020. The application seeks to subdivide 40-42 Victoria Street, Dimboola into two lots.

Proposal Details:

It is proposed to subdivide the lot down its central axis to create two equally sized parcels of 506 square metres. The proposed lots will therefore both be rectangular in shape and have a lot width of 10.06 metres, and a depth of 50.29 metres. No easements are proposed for the two lots.

Both lots will have a frontage to Victoria Street which is where access will be provided from. The lots will both be serviced by reticulated sewerage and potable water.

Requirement for Permit:

A planning permit is required under the following clauses of the Hindmarsh Planning Scheme:

- Clause 32.08-3 – Subdivision of land in the General Residential Zone
- Clause 42.01-2 – Subdivision of land in the Environmental Significance Overlay

Definitions:

Section 3 of the *Planning and Environment Act 1987* defines 'subdivision' as "*the division of the land into two or more parts which can be disposed of separately.*"

'Subdivision' is not defined within the Hindmarsh Planning Scheme.

Restrictive Covenant or Section 173 Agreement:

The subject site is not burdened by a Restrictive Covenant or Section 173 Agreement.

Cultural Heritage Management Plan (CHMP):

The proposal is exempt from requiring a CHMP pursuant to the Aboriginal Heritage Regulations 2007, as the proposal is not within land affected by the Aboriginal Cultural Heritage Overlay.

Subject site & locality:

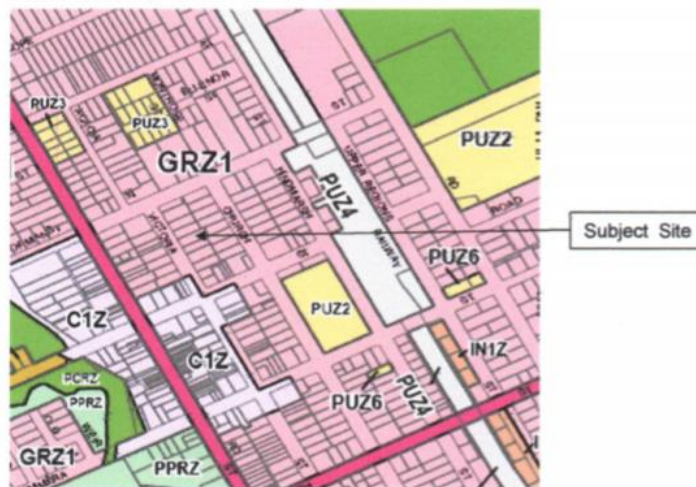
The subject site is known as 40-42 Victoria Street in Dimboola. The site is rectangular in shape and has a frontage of just over 20 metres, and a depth of 50.29 metres. The total area of the land is 1,012 square metres.

The subject site is flat, does not contain any buildings and is generally void of any notable features. All standard residential services are available to the site.

The land is situated at the eastern end of the commercial centre of the township, being in an established residential location with lots generally sized approximately 1,000 square metres. The site abuts land used for residential purposes on all boundaries. The Commercial 1 Zone is located within walking distance of the site.

The site is centrally located in the township of Dimboola, close to retail premises in the town centre and public facilities, including the Dimboola Primary School, Elderly Citizens Club and a public library at the Council Offices in Dimboola. Public Transport is available within 200 metres of the subject site at the intersection of Lloyd Street and Lochiel Street.

Figure 1 – Locality Plan and Zones (Planning Maps Online 2020)



An aerial image of the site and surrounds is displayed in Figure 2.

Figure 2 – Aerial Image (Vicmap Property)



s52 Notice of application

- (1) *Unless the Responsible Authority requires the applicant to give notice, the Responsible Authority must give notice of an application in a prescribed form—*

- (a) *to the owners (except persons entitled to be registered under the **Transfer of Land Act 1958** as proprietor of an estate in fee simple) and occupiers of allotments or lots adjoining the land to which the application applies unless the Responsible Authority is satisfied that the grant of the permit would not cause material detriment to any person.*

The application is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act and pursuant to Section 52 of the *Planning and Environment Act 1987* the following forms of advertising were undertaken:

- a. A sign was erected at the front property boundary for a period of 14 days;
- b. Notices were sent to owners and occupiers of adjoining land; and
- c. The application was made available for public exhibition at Council's Nhill Office.

No objections have been lodged with Council.

Referrals:

Clause 66.01 states that no statutory referrals are required for a two lot subdivision, with mandatory conditions to be placed on any permit issued. These conditions will be included in the recommended conditions below.

Internal Referrals:

- Engineering: Conditions applied.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework

Clause 11.01- Victoria

Clause 11.01-1S – Settlement

Clause 13.02 - Bushfire

Clause 13.02-1S - Bushfire planning

Clause 16.01-4S – Housing affordability

Clause 16.01-5S – Rural residential development

Local Planning Policy Framework

Clause 21 - Municipal Strategic Statement

Zoning Provisions

Clause 32.08 – General Residential Zone

Overlay Provisions

Clause 42.01 – Environmental Significance Overlay (Schedule 6)

Particular Provisions

Clause 56 – Residential Subdivision

General Provisions

Clause 65 - Decision Guidelines, states that: -

“Because a permit can be granted does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause”.

The decision guidelines relevant to this application are stated within Clause 65.01 of the Hindmarsh Planning Scheme – Approval of an application or plan.

Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The State Planning Policy Framework and the Local Planning Policy.
- Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.

It is considered that the application complies with the relevant decision guidelines as outlined. The proposal is supportive of, and complies with the Planning Policy Framework, having regard to the benefit the proposal will cause regarding appropriate use of land for residential purposes. The lots will provide an alternative housing option

for people who wish to stay in the area but not maintain such a large block. The lots will also provide a more affordable option for future residents of Dimboola.

General Residential Zone

The objectives of the General Residential Zone are:

- 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.

As described above in this report, the application is generally consistent with relevant state and local planning policies.

As will be further demonstrated below in this report, the application complies with the objectives and standards of Clause 56 of the Hindmarsh Planning Scheme. With respect to garden area, the lot sizes will be able to accommodate garden area requirements on the future lots when they are developed for single dwellings. The proposed subdivision will create smaller infill residential lots close to the centre of Dimboola. Public Transport is available within walking distance of the site and the site is also capable of being connected to all standard residential services.

Environmental Significance Overlay Schedule 6

Relevant environmental objectives to be achieved in this schedule include:

- To ensure that the increase or decrease of surface runoff or concentration of surface water runoff from primary catchment areas (ESO6) does not lead to erosion and siltation of conservation value wetlands (ESO5).
- To ensure that any land use and development within a primary catchment area (ESO6) is consistent with maintaining the existing ecological condition of the wetlands of conservation value (ESO5)
- To ensure that the natural alignment of waterways is not altered.

Given the location of the subject site close to the centre of the township of Dimboola, the subdivision will not adversely impact on any catchments of wetlands.

Clause 56 – Subdivision

The application has been assessed against the requirements of Clause 56 of the Hindmarsh Planning Scheme and is considered to be in compliance with these

requirements. An application to subdivide the land for two lots must meet the objectives and standards of Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

Although the proposed lots will be relatively small in comparison to the surrounding lots, they will comfortably fit standard sized dwellings on the lots and associated landscaping. It is considered that the smaller lots will complement the surrounding area and provide alternative housing options for both existing and new residents.

Standard C8 relates to lot area and building envelopes and requires that lots greater than 500 square metres should be able to fit a rectangle of 10 metres by 15 metres. As no objections have been received to the proposal, it is not considered necessary to limit the development of the lot by the use of building envelopes which are not necessary on lots over 500 square metres.

Both lots will have good solar orientation which will ensure that future dwellings will have good energy efficiency when constructed. No common property is proposed as part of the subdivision so an Owners Corporation is not required to be created.

Council's Engineers have required conditions to ensure that a crossover is constructed to lot 2 and that this is constructed prior to a statement of compliance for the subdivision. As stated elsewhere in this report, it is also acknowledged that the site has access to and will be connected to standard residential services including water, sewerage and electricity.



Location: Victoria Street, north west corner of property.
Aspect: View to east along the northern boundary



Location: Victoria Street, south west corner of property
Aspect: View to east along the southern boundary.

Public Open Space has not been paid on the existing lot, however as the subdivision is for the purposes of two lots and each of the lots are unlikely to be further subdivided, the application is exempt from this requirement and no conditions will be applied to the permit.

All required standard conditions from Clause 66.01 have been included on the permit recommended to be issued. The subdivision of the land is supported and is considered appropriate.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

Report to Council:

The Manager Contracts and Development advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on 28 April 2020 with fee paid on 14 May 2020. The report is being presented to Council at its meeting on the 15 July 2020 (20 statutory days). The statutory processing time requirements of the Planning and Environment Act 1987 have been satisfied in this instance.

Conflict of Interest:

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible: Angela Hoy, Director Infrastructure Services

In providing this advice as the Officer Responsible, I have no interests to disclose.

Co-Author: Stephen Michael O'Brien, Town Planning Consultant

In providing this advice as a Co-Author, I have no interests to disclose.

Co-Author: Janette Fritsch, Manager Contracts & Development

In providing this advice as a Co-Author, I have no interests to disclose.

RECOMMENDATION:

That Council approves planning application PA1666-2020 for a Two Lot Subdivision at Lot 1 TP 376682 at 40-42 Victoria Street, Dimboola, subject to the following conditions:

General

- 1. The subdivision as shown on the endorsed plan must not be altered or modified without the consent in writing of the Responsible Authority.***
- 2. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.***
- 3. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority***

for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.

4. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.*
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 providers' 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 will not be provided by optical fibre.*

Engineering Conditions

7. Crossover

A new crossover shall be installed to provide independent access to Lot 2. This crossover shall be constructed as per IDM-240 to the satisfaction of the Responsible Authority and shall comply with the following:

- (a) *Standard crossover shall be constructed at right angles to the road to suit the proposed driveway.*
- (b) *Crossover shall have satisfactory clearance to any side-entry pit, power or telecommunication pole, manhole cover or street tree.*

Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant authority and shall be at the applicant's expense.

A consent to works within road reserve permission required prior to construction.

8. Storm Water Drainage:

All storm water and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible authority. This can be applied during building permit.

Actions required Prior to Statement of Compliance

- 9. Prior to a Statement of Compliance being issued, unless otherwise agreed to in writing by the Responsible Authority, the owner must to the satisfaction of the Responsible Authority:**
- (a) Fully construct crossovers, in accordance with plans and specifications approved by Council**
 - (b) Provide reticulated water, sewerage and electricity to each lot**

Permit Expiry

- 10. This permit will expire if**
- (a) The plan of subdivision is not certified within two years of the date of this permit; or**
 - (b) A Statement of Compliance is not issued within 5 years of the certification of the plan of subdivision**

The Responsible Authority may extend the time associated with (a) above if a request is made in writing before the permit expires or within six months afterwards. The timeframe associated with (b) above cannot be extended under the Subdivision Act 1988.

MOVED: CRS R Ismay/R Lowe

That Council approves planning application PA1666-2020 for a Two Lot Subdivision at Lot 1 TP 376682 at 40-42 Victoria Street, Dimboola, subject to the following conditions:

General

- 1. The subdivision as shown on the endorsed plan must not be altered or modified without the consent in writing of the Responsible Authority.**
- 2. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.**
- 3. All existing and proposed easements and sites for existing and required utility services and roads must be set aside in favour of the relevant authority for which the easement or site is to be created on the plan of subdivision submitted for certification under the Subdivision Act 1988.**
- 4. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities and electricity, gas and telecommunication services to each lot shown on**

the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

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 providers' 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 will not be provided by optical fibre.**

Engineering Conditions

7. Crossover

A new crossover shall be installed to provide independent access to Lot 2. This crossover shall be constructed as per IDM-240 to the satisfaction of the Responsible Authority and shall comply with the following:

- (a) Standard crossover shall be constructed at right angles to the road to suit the proposed driveway.**
- (b) Crossover shall have satisfactory clearance to any side-entry pit, power or telecommunication pole, manhole cover or street tree.**

Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant authority and shall be at the applicant's expense.

A consent to works within road reserve permission required prior to construction.

8. Storm Water Drainage:

All storm water and surface water discharging from the site, buildings and works must be conveyed to the legal point of discharge by underground pipe drains to the satisfaction of the responsible authority. This can be applied during building permit.

Actions required Prior to Statement of Compliance

9. ***Prior to a Statement of Compliance being issued, unless otherwise agreed to in writing by the Responsible Authority, the owner must to the satisfaction of the Responsible Authority:***
- (a) ***Fully construct crossovers, in accordance with plans and specifications approved by Council***
 - (b) ***Provide reticulated water, sewerage and electricity to each lot***

Permit Expiry

10. ***This permit will expire if***
- (a) ***The plan of subdivision is not certified within two years of the date of this permit; or***
 - (b) ***A Statement of Compliance is not issued within 5 years of the certification of the plan of subdivision***

The Responsible Authority may extend the time associated with (a) above if a request is made in writing before the permit expires or within six months afterwards. The timeframe associated with (b) above cannot be extended under the Subdivision Act 1988.

CARRIED

Attachment: 6

Cr T Schneider returned to the room at 3:08pm.

8.2 APPLICATION FOR PLANNING PERMIT PA1611-2018 – 2 TULLYVEA STREET JEPARIT VIC 3423 – CONSTRUCTION OF AN OPEN CANOPY BUILDING ADJACENT TO THE EXISTING BUILDING AND ASSOCIATED WORKS INCLUDING THE CONSTRUCTION OF A LEVEE BANK

Responsible Officer:	Director Infrastructure Services
File:	Planning – Applications
Assessment:	73680
Applicant:	Mr Bruce McIntosh, McIntosh Constructions Horsham
Owner:	EJBI Pty Ltd
Subject Land:	2 Tullyvea Street Jeparit VIC 3423 (Lot 1 TP228795W)
Proposal:	Construction of an open canopy building adjacent to the existing building and associated works including the construction of a levee bank
Zoning & Overlays:	Township Zone (TZ) & Farming Zone (FZ) Environmental Significance Overlay Schedule 6 (ESO6), Floodway Overlay (FO), Land Subject to Inundation Overlay (LSIO), Bushfire Management Overlay (BMO) and Environmental Audit Overlay (EAO)
Attachments:	7 - 9 7 - Site Plan and Elevations 8 - Memorandum Report by Water Technology 9 – Wimmera CMA Referral Response dated 25 June 2020

Summary:

This report recommends that Council approve Planning Permit PA1611-2018 for the 'Construction of an open canopy building adjacent to the existing building and associated works including the construction of a levee bank' subject to specific conditions required by the relevant catchment management authority for the construction of an earth bund and levee to minimise flooding of the site and the surrounding properties.

Background:

The site has been used for Rural Trade Supplies and Service Station (Fuel Depot) for a long time.

Discussions have been held with the owner and building designer about a proposed canopy shed and the associated flooding implications have been discussed with the Wimmera Catchment Management Authority for several years.

Proposal Details:

The proposal is for the construction of an open canopy building adjacent to the existing building and associated works including the construction of a levee bank. The proposed open canopy building will be located on the south-eastern side of the existing building and have dimensions of 30 metres long by 21 metres wide with an area of 630 square metres. The building will have setbacks of between 15.0 metres and 41.0 metres from

the property boundaries which are consistent with the existing building setbacks. The building will have five (5) open bays facing south-east, with an enclosed south-western side wall and an open north-eastern side wall. The building will have a wall height of 6.0 metres and a maximum height of approximately 7.2 metres from the existing ground level. The building will be used for the storage of supplies associated with the existing Trade Supplies use of the land. Refer to Attachment 1 – Site Plan and Elevations.

A levee bank is proposed to be constructed around the property boundaries to prevent flooding of the site and the surrounding properties from the Wimmera River floodplain extending through and adjacent to the site. The proposed levee will range in height from approximately 0.6m to 1.0m to achieve the minimum height of 81.69 m AHD.

A detailed report has been submitted with the application as a Memorandum Report by Water Technology dated 21 March 2020 which details the flood risk and detailed design of the levee bank for the proposal. Refer to Attachment 2 – Memorandum Report by Water Technology. Two Figures from this report showing a site layout plan and a plan of the site and section are detailed below.



Figure 1-1 Site Layout



Figure 3-2 Plan of Site and Long Section Location

It is noted that the concrete wall shown in the Figure above is required to be a permanent earth bund in accordance with the WCMA's conditions.

Requirement for Permit:

A planning permit is required for the following:

- Construct buildings and works for an existing Trade Supplies use which is a Section 2 Use pursuant to Clause 32.05-2 of the Township Zone.
- Construct buildings and works pursuant to Clause 44.03-2 of the Floodway Overlay.
- Construct buildings and works pursuant to Clause 44.04-2 of the Land Subject to Inundation Overlay.

A planning permit is not required for buildings and works under the Farming Zone (FZ) as the part of the site for the proposed building is not within the Farming Zone.

A planning permit is not required for buildings and works under Clause 42.01 of the Environmental Significance Overlay (ESO) and Schedule 3 and Schedule 6 of the ESO.

A planning permit is not required for buildings and works under Clause 44.06 of the Bushfire Management Overlay (BMO) as the part of the site for the proposed building is not within the BMO.

A planning permit is not required under Clause 45.03 of the Environmental Audit Overlay (EAO) as there is no new sensitive use (residential use, child care centre, pre-school centre or primary school) proposed as part of this application.

Definitions:

Trade Supplies

Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.

Restrictive Covenant or Section 173 Agreement:

The subject site is not burdened by a Restrictive Covenant or Section 173 Agreement.

Cultural Heritage Management Plan (CHMP):

The proposal is exempt from requiring a CHMP pursuant to the Aboriginal Heritage Regulations 2018, as the proposed development is not within part of the land that is affected by an Aboriginal Cultural Heritage Sensitivity Area.

Subject site & locality:

The subject site is located on the north-eastern corner of Tullyvea Street and Charles Street, Jeparit. The subject lot affected by the proposal is known as Lot 1 on Title Plan 228795W and has an area of approximately 4.0 hectares. There are existing buildings, accessways, car parking areas, a weighbridge and storage areas on the site. The

primary vehicle access is from Tullyvea Street. There is a second access point to exit from the site on Charles Street.

The site is located at the southern end of the Jeparit Township. There are residential properties to the north, west and south-west of the site. The Wimmera River and associated floodplain are situated to the south-east and south of the site. The adjoining land to the north-east on the same side of Tullyvea Street is occupied by warehouses and other non-residential uses.

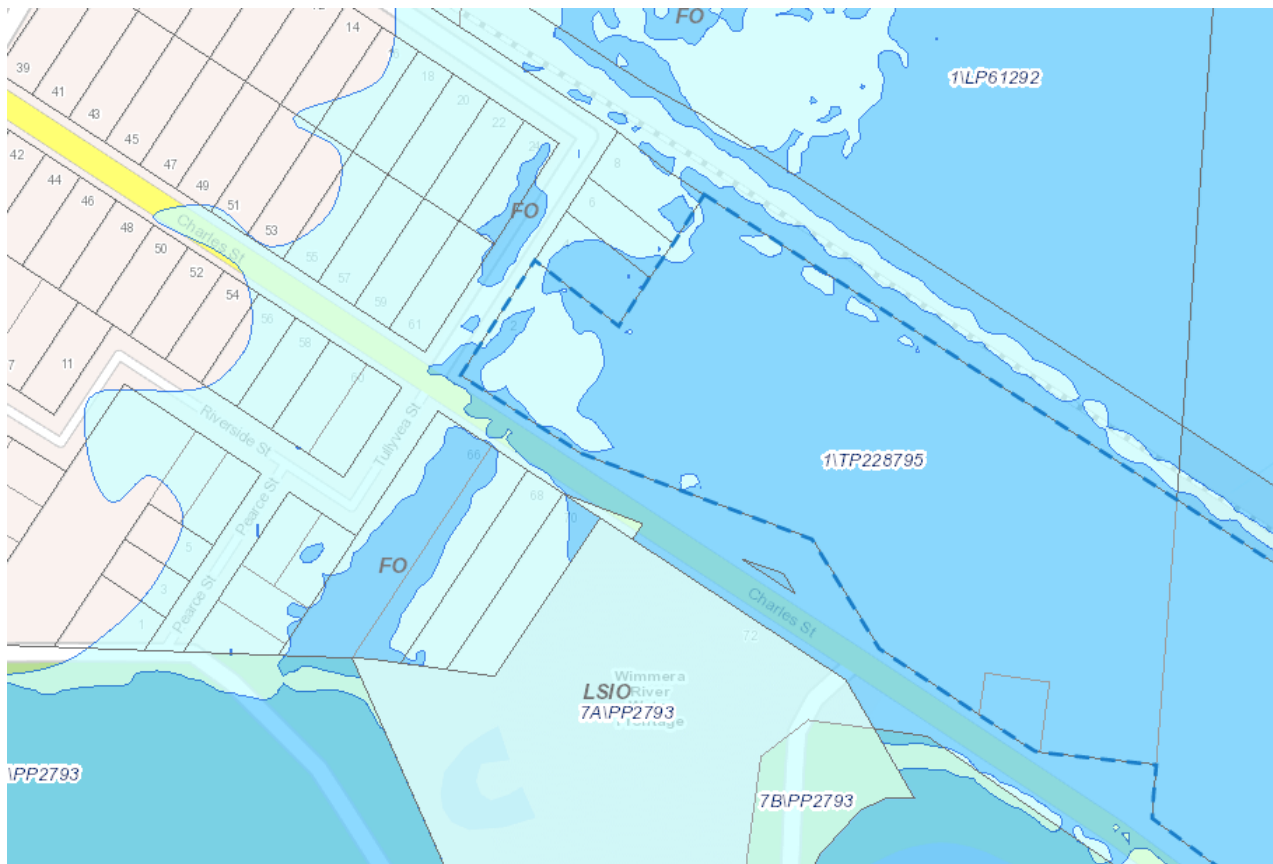
The north-western part of the land where the existing buildings and turning areas are located is within the Township Zone. The balance of the land is within the Farming Zone. The southern boundary of the site adjoins a Road Zone Category 1, being the road reserve along Charles Street.

The adjacent land to the north, north-west and south is within the Township Zone. The adjacent land to the north and east is within the Public Use Zone 4 and the Farming Zone.

Aerial Photo below showing the subject lot where the building is proposed (POZI, 2016):



Aerial Map below of the areas of the site and surrounding areas affected by the Floodway Overlay (FO) and the Land Subject to Inundation Overlay (LSIO):



Advertising

Section 52 Notice of application

(2) *Unless the Responsible Authority requires the applicant to give notice, the Responsible Authority must give notice of an application in a prescribed form—*

- (b) *to the owners (except persons entitled to be registered under the **Transfer of Land Act 1958** as proprietor of an estate in fee simple) and occupiers of allotments or lots adjoining the land to which the application applies unless the Responsible Authority is satisfied that the grant of the permit would not cause material detriment to any person.*

The application was advertised by letters to the adjoining and adjacent owners and occupiers, by public notices on the land and by a public notice in the Rainbow Jeparit Argus newspaper.

As a result of the advertising process, no objections were received.

Referrals:

External Referrals/Notices Required by the Planning Scheme:

Section 55 Referrals:

Wimmera Catchment Management Authority (WCMA) – Refer to Attachment 3 – WCMA referral response

- No objections to the permit subject to conditions relating to:

- The construction of a permanent earth bund with a minimum height of 81.69m AHD before construction of the open canopy shed.
- The construction of a temporary levee to infill a section along Tullyvea Street with specifications to meet or exceed the minimum height of 81.69M AHD.
- A Levee Management Plan to be submitted to the WCMA for approval.
- Any fencing within the floodplain to be an open style to not obstruct the conveyance of flood water across the property.

Section 52 Notices:

Environment Protection Authority (EPA)

Comments provided about the following:

- The EPA not being a statutory referral authority under Section 55 as the proposal does not require a licence or works approval, is not used for industry or warehouse in the table to Clause 53.10 and is not for a proposed extractive industry.
- EPA understands that the site currently operates as a fuel and rural supply depot. The proposal is to construct a building adjacent to the retail sales area and a water levee to protect the site during a flood event.
- EPA's role is to protect human health and the environment from pollution and waste. EPA has reviewed the application material provided and considers that the environmental and human health risks of the proposed buildings and works to be low.

Internal Referrals:

Engineering:

Condition required for:

- All stormwater and surface water discharging from the site must be conveyed to the Legal Point of Discharge drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type will be allowed to enter any Council drainage system.

Planning Assessment:

Planning Scheme Requirements:

Planning Policy Framework

Clause 11.03-6S Regional and local places

Clause 12.03-1S River corridors, waterways, lakes and wetlands

Clause 12.05-2S Landscapes

Clause 12.05-1S Environmentally sensitive areas

Clause 13.03-1S Floodplain management

Clause 13.07-1S Land use compatibility

Clause 14.02-1S Catchment planning and management

Clause 15.01-2S Building design

Clause 17.01-1S Diversified economy

Clause 17.01-1R Diversified economy - Wimmera Southern Mallee

Clause 17.02-1S Business

Clause 19.03-2S Infrastructure design and provision

Clause 19.03-3S Integrated water management

Local Planning Policy Framework

Clause 21.02 Vision – Strategic Framework

Clause 21.03 Objectives – Strategies – Implementation

Clause 22.03 Floodplain Management

Objective

To protect and manage floodplains to ensure the long term sustainability of the Shire

22.03-2 Performance standards and measures

It is policy to assess proposals against the following standards and measures:

Buildings and Works

Buildings and works should:

- Be located on land outside the Floodway Overlay and Land Subject to Inundation Overlay, or where this can be demonstrated to not be practical, be on the highest available natural ground;
- Have a 100-year Average Recurrence Interval (ARI) flood depth less than 500mm above the natural ground level at the building site;
- Have a minimum floor level at least 300mm above the 100 year ARI;
- Be aligned with their longitudinal axis parallel to the predicted predominant direction of flood flow. This requirement may override other alignment requirements;
- Include flood-proofing measures that minimise the effects of flooding on the building structure and its contents, for example, the use of water resistant building materials for foundations, footings and floors;
- Limit the size of building (fill) pads to as near as practical to the building exterior;
- Construct foundations compatible with the flood risk;
- Minimise site coverage and hard surface areas;
- Maximise permeable surfaces to minimise run-off;

Response:

The proposed development has been designed to incorporate a levee bank including a permanent earth bund and a temporary levee to minimise the flood risk to the site and surrounds, whilst still facilitating the upgrade and expansion of the buildings on the site for this important commercial business in the township of Jeparit.

Conditions are required to ensure the details recommended by Water Technology in the Memorandum Report dated 21 March 2020 are implemented and the conditions required by the WCMA are also carried out to address the detailed design of the levee bank with the necessary approvals in place. The proposal will comply with the relevant performance standards and measures and policy objectives in Clause 22.03 subject to the floodplain management conditions required on any permit issued.

The proposal will therefore comply with the PPF and LPPF subject to conditions.

Zoning Provisions

Clause 32.05 Township Zone

32.05-2 Table of uses

Retail Premises – includes Trade Supplies – existing Section 2 Permit required Use.

32.05-10 Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.05-2.

32.05-13 Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General (relevant)

- The Municipal Planning Strategy and the Planning Policy Framework.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Response:

The proposed development complies with the MPS and PPF as discussed above. The proposed development will protect the character of the town and the surrounding area. The existing building is connected to the utility services and the new building will be connected to these services.

The design, height, setbacks and appearance of the new building for this commercial use are appropriate. The construction of the levee bank along the property boundaries is unlikely to have any unreasonable visual impacts on the surrounding area. There will be adequate space on site for car parking and loading and unloading facilities. The scale and intensity of the existing use and proposed development is acceptable.

The proposal is unlikely to have any adverse traffic impacts to Tullyvea Street. However, the vehicle exit to Charles Street will not be accessible as a result of the levee bank required to be constructed around the property boundaries for floodplain management.

The proposal will therefore comply with the relevant decision guidelines of the Zone.

Overlay Provisions

Clause 44.03 Floodway Overlay (FO)

44.03-2 Buildings and works

A permit is required to construct a building or to construct or carry out works.

44.03-7 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.

Schedule to the FO

A permit is required as the buildings and works exempt as listed in the Schedule are not applicable.

Response:

The proposed development complies with the MPS and PPF as discussed above. The proposed development will be constructed in accordance with the recommendations of the Water Technology Memorandum Report dated 21 March 2020 and the conditions required by the WCMA. The proposed construction of the levee bank will minimise the risk and frequency of flooding of the site and the surrounding area.

The proposal will therefore comply with the relevant decision guidelines of this Overlay.

Clause 44.04 Land Subject to Inundation Overlay

44.04-2 Buildings and works

A permit is required to construct a building or to construct or carry out works.

44.04-8 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

Schedule to the LSIO

A permit is required as the buildings and works exempt as listed in the Schedule are not applicable.

Response:

The proposed development complies with the MPS and PPF as discussed above. The proposed development will be constructed in accordance with the recommendations of the Water Technology Memorandum Report dated 21 March 2020 and the conditions required by the WCMA as discussed above.

The majority of the area of the site used for the existing Trade Supplies business is within the LSIO, so there is no flood-free land or land with a lesser flood hazard available. The development will be reasonably protected from flooding and flood damage by the levee bank proposed, which will ensure the risk to life, health and safety is reduced to an acceptable level.

The construction of the levee bank for the development will result in the redirecting of floodwater across the floodplain, but the detailed design of the levee will be approved by the responsible flood authority being the WCMA. The proposal is unlikely to have an adverse effect on the river health values.

The proposal will therefore comply with the relevant decision guidelines of this Overlay.

Particular Provisions

Clause 52.06 Car Parking

52.06-5 Number of carparking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to the increase of the floor area of an existing use listed in the Table.

Table 1: Carparking requirement

Trade Supplies – 10 per cent of site area

Response:

The proposed building will have a floor area of 630m². There will be adequate space in front of the buildings on the site to ensure that 10 per cent of the site area is available for car parking, which is also not affected by the proposed levee bank.

Therefore, the provision of car parking for the additional floor area on the site will comply with this Clause.

General Provisions

Clause 65 - Decision Guidelines

Because a permit can be granted does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

Clause 65.01– Approval of an application or plan

Before deciding on an application or approval of a plan, the Responsible Authority must consider, as appropriate:

- The matters set out in Section 60 of the Act.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

Response:

The proposed development will include a permanent earth bund and temporary levee bank to around the boundaries of the site to minimise the potential flood hazard. The conditions required to address the potential flood risk will enable the amenity of the area to be protected and facilitate the orderly planning of the area.

The application complies with the relevant decision guidelines of this Clause.

Discussion:

The proposed canopy building will be sited at the rear of the existing buildings used for Rural Trade Supplies and Service Station. The proposed development will enhance the operation of this existing commercial business, which is an essential business and service for the Jeparit Township and surrounding farming areas.

The potential flooding of the site and surrounding area as a result of the proposed development will be managed by a number of conditions required by the Wimmera Catchment Management Authority (WCMA) for the construction of a permanent earth bund and a temporary levee in accordance with the report from Water Technology dated 21 March 2020. The construction of the levee will need to be in accordance with the relevant approvals in the conditions required by the WCMA.

Strategic, Statutory and Procedural Requirements:

The proposal is consistent with the Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies and Clause 32.05 Township Zone in the Hindmarsh Planning Scheme.

The proposal will also minimise flooding risk to the site and surrounding area by requiring a permanent earth bund and levee bank to meet with the WCMA's conditions to be consistent with Clause 44.03 Floodway Overlay and Clause 44.04 Land Subject to Inundation Overlay.

Report to Council:

The Manager Contracts and Development advises that all obligations of Council (strategic, statutory and procedural) have been addressed and discharged in this planning application.

Processing Times:

The application was received on 11 December 2018. The application fee was paid on 1 May 2020.

The report is being presented to Council at its meeting on the 15 July 2020 (54 statutory days). The statutory processing time requirements of the *Planning and Environment Act 1987* have been satisfied in this instance.

Conflict of Interest:

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible: Angela Hoy, Director Infrastructure Services.

In providing this advice as the Officer Responsible, I have no interests to disclose.

Author: Bernadine Pringle, Consultant Town Planner, on behalf of Janette Fritsch, Manager of Contracts and Development.

In providing this advice as the Author, I have no interests to disclose.

RECOMMENDATION:

That Council approves Planning Application PA1611-2018 for the Construction of an open canopy building adjacent to the existing building and associated works including the construction of a levee bank, on the subject land known as 2 Tullyvea Street Jeparit VIC 3423 (Lot 1 TP228795W), subject to the following conditions:

Endorsed Plans

1. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.

General Requirements

2. The buildings and the site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.

Levee Design

3. The approved levee design must be constructed in accordance with the Memorandum by Water Technology dated 21 March 2020 or approve alternative design to the satisfaction of the Responsible Authority.

Wimmera Catchment Management Authority Conditions

4. Prior to the construction of the open canopy shed, a permanent earthen bund with a minimum height of 81.69 m AHD must surround the building and facility, consistent with the memorandum report dated 21 March 2020 to Adrian King from Water Technology.

The earthen levee will be constructed and compliant with construction requirements as specified in the Victorian Levee Management Guidelines. As constructed survey of the levee is to be provided to the Wimmera CMA upon completion of construction.

5. Prior to the construction of the open canopy shed, a temporary levee to infill the section along Tullyvea St, with specifications to meet or exceed a minimum height of 81.69m AHD is to be purchased and onsite.

6. Prior to the construction of the open canopy shed, a Levee Management Plan in accordance with the Victorian Levee Management Guidelines must be submitted to Wimmera CMA for approval.

7. Any fencing within the floodplain shall be of an open style that will not obstruct the conveyance of flood water across the property, for example post and wire fencing or open pool style fencing.

Prior to the commencement of works, detailed plans of the proposed fencing within the floodplain area must be submitted to Wimmera CMA for approval.

Engineering

8. All stormwater and surface water discharging from the site must be conveyed to the Legal Point of Discharge drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type will be allowed to enter any Council drainage system.

Time Limit

9. The development approved by this permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit.**
- (b) The development is not completed within four years of the date of this permit.**

Notes

WCMA:

- The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.**
- Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2019-00005 in your correspondence with us.**

MOVED: CRS R Lowe/R Ismay

That Council approves Planning Application PA1611-2018 for the Construction of an open canopy building adjacent to the existing building and associated works including the construction of a levee bank, on the subject land known as 2 Tullyvea Street Jeparit VIC 3423 (Lot 1 TP228795W), subject to the following conditions:

Endorsed Plans

- 1. The location and design of the development as shown on the endorsed plans shall not be altered or modified, whether or not in order to comply with any statute or statutory rule or local law or any other reason without the written consent of the Responsible Authority.**

General Requirements

- 2. The buildings and the site must be kept in an ordered and tidy state and its appearance must not prejudicially affect the amenity of the area to the satisfaction of the Responsible Authority.**

Levee Design

3. The approved levee design must be constructed in accordance with the Memorandum by Water Technology dated 21 March 2020 or approved alternative design to the satisfaction of the Responsible Authority.

Wimmera Catchment Management Authority Conditions

4. Prior to the construction of the open canopy shed, a permanent earthen bund with a minimum height of 81.69 m AHD must surround the building and facility, consistent with the memorandum report dated 21 March 2020 to Adrian King from Water Technology.

The earthen levee will be constructed and compliant with construction requirements as specified in the Victorian Levee Management Guidelines. As constructed survey of the levee is to be provided to the Wimmera CMA upon completion of construction.

5. Prior to the construction of the open canopy shed, a temporary levee to infill the section along Tullyvea St, with specifications to meet or exceed a minimum height of 81.69m AHD is to be purchased and onsite.

6. Prior to the construction of the open canopy shed, a Levee Management Plan in accordance with the Victorian Levee Management Guidelines must be submitted to Wimmera CMA for approval.

7. Any fencing within the floodplain shall be of an open style that will not obstruct the conveyance of flood water across the property, for example post and wire fencing or open pool style fencing.

Prior to the commencement of works, detailed plans of the proposed fencing within the floodplain area must be submitted to Wimmera CMA for approval.

Engineering

8. All stormwater and surface water discharging from the site must be conveyed to the Legal Point of Discharge drains to the satisfaction of the Responsible Authority. No effluent or polluted water of any type will be allowed to enter any Council drainage system.

Time Limit

9. The development approved by this permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit.**
- (b) The development is not completed within four years of the date of this permit.**

Notes

WCMA:

- *The 1% AEP flood is not the maximum possible flood. A flood larger in height and extent, than the 1% AEP flood, may occur in the future.*
- *Should you require further information please contact Wimmera CMA Floodplain Officer, on (03) 5382 1544. To assist Wimmera CMA in handling any enquiries please quote WCMA-F-2019-00005 in your correspondence with us.*

CARRIED

Attachments: 7 – 9

9. REPORTS REQUIRING A DECISION

9.1 AUDIT AND RISK COMMITTEE CHARTER

Responsible Officer: Director Corporate and Community Services
Attachment Number: 14

Introduction:

This report presents the Audit and Risk Committee Charter for adoption by Council and recommends the establishment of the first Audit and Risk Committee under the Local Government Act 2020.

Discussion

Following the introduction of the Local Government Act 2020 (Act) a Council must approve the first Audit and Risk Committee Charter and establish the first Audit and Risk Committee (Committee) on or before 1 September 2020 pursuant to sections 53 and 54.

Despite the repeal of Section 139 of the Local Government Act 1989, the audit committee established by a Council under that section in existence before that repeal continues in operation until the first Audit and Risk Committee is established by Council under the Local Government Act 2020 Section 53.

The Committee is an independent advisory committee and assists to strengthen Council to ensure Council's commitment to good governance, public transparency and accountability.

The committee comprises up to six members (two Councillors and up to four independent and external members), appointed by Council. Membership of the Committee will be reviewed periodically and coincide with the term of the Council with the aim of ensuring and appropriate balance between continuity of members, the

contribution of fresh perspectives and a suitable mix of qualifications, knowledge, skills and experience. Councillor members will be appointed for a one-year term.

Pursuant to Section 53 of the Local Government Act 2020 it is recommended that the first Audit and Risk Committee be made up of the following Committee Members.

Mr Bernard Young – Chairperson

Mr Darren Welsh – Independent Member

Mr Ashley Roberts – Independent Member

Ms Krista Thiele – Independent Member

Cr Debra Nelson – Councillor Delegate

Cr Tony Schneider – Councillor Delegate

Section 54(2) of the Act specifies that the Audit and Risk Committee Charter must specify the function and responsibilities of the Audit and Risk Committee including the following:

- (a) Monitor the compliance of Council policies and procedures with –
 - (i) The overarching governance principles; and
 - (ii) This Act and the regulations and any Ministerial directions;
- (b) Monitor Council financial performance reporting;
- (c) Monitor and provide advice on risk management and fraud preventions systems and controls;
- (d) Oversee internal and external audit functions.

The Audit and Risk Committee Charter provides the framework to guide effective operations of the Committee and details the role of the Committee, Authority, Membership, Meetings, Reporting, Role of the Chairperson, Functions of the Committee, Engagement with the Victorian Auditor-General's Office (VAGO), and Evaluation of Performance.

Section 54(5)(a) details the requirements of the Audit and Risk Committee to prepare biannual audit and risk reports that describe the activities of the Committee and includes findings and recommendation;

Section 54(5)(b) details the requirements of the Audit and Risk Committee to provide a copy of the biannual audit and risk report to the CEO for tabling at the next Council meeting.

The draft Audit and Risk Committee Charter was presented to the Audit Committee meeting on 17 June 2020. The Committee resolved to recommend to Council that the Audit and Risk Committee Charter be adopted.

Options:

Council can:

1. Adopt the Audit and Risk Committee Charter and appoint the first Audit and Risk Committee.

2. Amend the Audit and Risk Committee Charter and appoint the first Audit and Risk Committee.

Link to Council Plan:

Strategic Objective 4.6: An organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation.

Financial Implications:

Council allocates money as part of the annual budget process for the Audit and Risk Committee independent member sitting fee.

Risk Management Implications:

An effective Audit and Risk Committee will assist with Council's risk management through independent advice and assurance on internal corporate governance, risk management, internal control and compliance.

Conflict of Interest:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Author and Officer Responsible: Monica Revell, Director Corporate Services

In providing this advice as the Author and Officer Responsible, I have no interests to disclose.

Communications Strategy:

A copy of Council's adopted Audit and Risk Committee Charter will be placed on Council's Website and forwarded to all Audit and Risk Committee members.

RECOMMENDATION:

That pursuant to Section 53 and 54 of the Local Government Act 2020 Council:

- 1 Adopt the Audit and Risk Committee Charter as presented;***
- 2 Establish the first Audit and Risk Committee for the term up until 1 November 2024, made up of the following independent members:***
 - Mr Bernard Young – Chairperson***
 - Mr Darren Welsh – Independent Member***
 - Mr Ashley Roberts – Independent Member***
 - Ms Krista Thiele – Independent Member***
- 3 Appoint the following Councillor delegates to the Audit and Risk Committee for the term up until 24 October 2020:***
 - Cr Debra Nelson***
 - Cr Tony Schneider.***

MOVED: CRS D Nelson/D Colbert

That pursuant to Section 53 and 54 of the Local Government Act 2020 Council:

- 1 Adopt the Audit and Risk Committee Charter as presented;**
- 2 Establish the first Audit and Risk Committee for the term up until 1 November 2024, made up of the following independent members:**
 - **Mr Bernard Young – Chairperson**
 - **Mr Darren Welsh – Independent Member**
 - **Mr Ashley Roberts – Independent Member**
 - **Ms Krista Thiele – Independent Member**
- 3 Appoint the following Councillor delegates to the Audit and Risk Committee for the term up until 24 October 2020:**
 - **Cr Debra Nelson**
 - **Cr Tony Schneider.**

CARRIED

Attachment: 14

9.2 PUBLIC TRANSPARENCY POLICY

Responsible Officer: Director Corporate & Community Services

Attachment Number: 10

Introduction:

This report seeks Council endorsement for the Draft Policy to be made available to the public for consultation for the period between 16 July and 6 August (3 weeks). A final report seeking to adopt the final Policy will be brought to the Council meeting on 20 August 2020.

Discussion:

Section 57 of the Local Government Act 2020 (**Act**) requires that a Council adopts and maintains a Public Transparency Policy (**Policy**). The deadline for adopting the Policy is 1 September 2020.

Section 57 of the Act provides the following:

- (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 made 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 public transparency principles listed in s58 of the Act are as follows:

- (1) Council decision making processes must be transparent except when the 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.

The Public Transparency Policy has been developed based on information provided by Local Government Victoria and the relevant provisions of the Local Government Act 2020. The senior management team and relevant Council staff have been consulted during the development of the Policy.

Conclusion

The Policy will ensure compliance with the Local Government Act 2020.

Options:

1. Council can choose to approve the draft Public Transparency Policy for release to the public for the specified consultation period for comment;
2. Council can choose to amend the draft Public Transparency Policy before releasing the draft to the public for the specified consultation period;

Link to Council Plan:

Strategic Objective 1.1	an actively engaged community.
Strategic Objective 4.6	an organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation
Strategic Objective 4.6.2	Develop a governance and compliance framework within Council

Financial Implications:

No financial implications.

Risk Management Implications:

The Policy will ensure Council is compliant with the public transparency obligations and principles as outlined by sections 57 and 58 of the Local Government Act 2020.

Conflict of Interest:

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible — Monica Revell, Director Corporate & Community Services
In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author — Helen Thomson, Manager Governance and Human Services
In providing this advice as the Author, I have no disclosable interests in this report.

Communications Strategy:

Council will publish the draft Policy on the Council website from 16 July 2020 to 06 August 2020. The public will be able to make submissions on the draft Policy until the close of the consultation period.

Council will run regular social media posts throughout the consultation period. Advertisements will be placed into the local newspaper advising the community that documents will be available for viewing.

RECOMMENDATION:

That Council endorses the draft Public Transparency Policy for public consultation and make the policy available to the public for consultation between 16 July 2020 and 6 August 2020.

MOVED: CRS T Schneider/R Lowe

That Council endorses the draft Public Transparency Policy for public consultation and make the policy available to the public for consultation between 16 July 2020 and 6 August 2020.

CARRIED

Attachment: 10

9.3 GOVERNANCE RULES

Responsible Officer: Director Corporate & Community Services

Attachment Number: 11 & 12

Introduction:

This report seeks Council endorsement for the draft Governance Rules and draft Election Period Policy to be made available to the public for consultation for the period between 16 July and 06 August 2020.

Discussion:

Under Section 60 of the Local Government Act 2020 (**Act**), Council is required to adopt and maintain Governance Rules by 1 September 2020. Under s60 (4) Council is

required to undertake a process of community consultation prior to adopting the Governance Rules.

Section 60 of the Act requires that a Council maintains Governance Rules with respect to the following:

- the conduct of Council meetings;
- the conduct of meetings of delegated committees;
- the form and availability of meeting records;
- the election of Mayor and Deputy Mayor;
- the appointment of an Acting Mayor;
- an election period policy in accordance with section 69 of the Act;
- the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee under section 130 of the Act;
- the procedure for the disclosure of a conflict of interest by a Councillor under section 131;
- 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 of the Act; and
- any other matter prescribed by the regulations.

Section 60 also provides that the Governance Rules are also required to provide for Council to consider and make decisions on any matter fairly and on the merits and institute decisions 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.

As the new Act is a principles-based act, much of the content of the Governance Rules is not prescribed by the legislation but is instead left to individual councils to determine. The draft Governance Rules are similar in form and content to the Hindmarsh Meeting Procedures and Common Seal Local Law, however they also reference the overarching governance principles and supporting principles of the Act (section 9), as must be the case of a council in the performance of its role.

The Governance Rules, once adopted in their final form, will replace much of the existing Hindmarsh Meeting Procedure and Common Seal Local Law, which was adopted by Council on 23 June 2014. As the Governance Rules will from 1 September 2020 determine the meeting procedures of Council and delegated committees, the majority of the content within the Hindmarsh Meeting Procedure and Common Seal Local Law will become irrelevant. Some provisions will still be required which cannot legally form part of the Governance Rules. Financial penalties for offences in the event of inappropriate conduct at Council meetings and meetings of delegated committees, and for offences in relation to the misuse of the Common Seal or any petition or joint letter, can only be applied as per a local law, not the Governance Rules.

Significant changes made to the Governance Rules are set out in the table below:

Rule	Comment	LGA 2020 requirement
2 – purpose	Provides the context for the Governance Rules	Section 60 – Governance rules
4 – role of Council		Section 8 – Role of a council
5 – overarching governance principles and supporting principles		Section 9 – overarching governance principles and supporting principles
6 – council decision making		Section 60(2) – Governance rules
17 – notice of meeting	(3) and (4) are new additions	
26 – inability to achieve or maintain a quorum due to conflicts of interest of Councillors	Taken directly from the Act.	Section 67 – Council decision making where quorum cannot be maintained
Part 3, Division 4 – disclosure of conflict of interest		Section 60(1)(f) – (h) - Governance rules
37 – availability of minutes		
38 – recording of meetings		
39 – the order of business	Removed ‘general business’ and replaced with ‘urgent business’	Section 46(2)(d) – CEO to consult with the Mayor when setting the Agenda for a Council meeting
42 – time limits for meetings		
Part 6 – voting at meetings	Removed provisions for voting by secret ballot as Act provides that voting must be public however if the meeting has been closed under the Act, a Councillor is not required to disclose their vote	Section 61(5)(b) – Council meetings
92 – urgent and other business	Limitation placed on what can become urgent business	
93 – public question time	Requirement for people to submit their questions in writing, requirement for the person to be at the meeting (subject to the chair’s discretion)	
96 – the chairperson’s duties and discretions	Expanded on to include: (a) presiding over and controlling the Meeting; (b) ascertaining that a quorum is present, and it a quorum is present formally declaring the meeting open;	

Rule	Comment	LGA 2020 requirement
	<p>(c) welcoming Councillors, Members and visitors;</p> <p>(d) calling for disclosure by Councillors of any conflicts of interest;</p> <p>(e) presenting any reports for which they are responsible;</p> <p>(f) ensuring debates are conducted in the correct manner; and</p> <p>(g) in the case of competition for the right to speak, will decide the order in which the Members concerned will be heard.</p> <p>(2) The Chairperson</p> <p>(c) must allow the Chief Executive Officer the opportunity to correct factual errors or incorrect assertions that arise;</p> <p>(d) must call a person to order if their behaviour is disruptive and interferes with the conduct of the meeting; and</p> <p>(e) must decide on all points of order and other questions and other questions of procedure.</p>	
Part 10 – delegated committees		Section 60 – Governance rules

Election Period Policy

The draft Election Period Policy (**Policy**), which is required to form part of the Governance Rules under section 60(1)(e) of the Act, is largely similar to Council’s current Election Period Policy. The main changes made to the Policy have been made in accordance with the relevant provisions of the Act are outlined in the following table:

Draft Policy	Comment	LGA Reference
Clause 6(1) – “commits council to expenditure exceeding one per cent of the Council’s income from general rates, municipal charges and	Current policy provides that: “\$100,000 or such higher amount as may be fixed by Order in Council under section 186(1) of the Act. (note:	Section 69 LGA

service rates and charges in the preceding financial year”.	Amounts fixed are \$150,000 for goods and services contracts and \$200,000 for works contracts); or b) 1% of Council’s revenue from rates and charges levied under section 158 in the preceding financial year”	
Clause 7 – election statement	Simplified current policy by providing one blanket election statement	Section 69 LGA
Clause 10 (8) – Council resources, events	Has been included	Section 69 LGA

Conclusion:

The draft Governance Rules (including the Election Period Policy) will enable Council to conduct its business in an effective, transparent and accountable way.

A report seeking to adopt the Governance Rules will be brought to the Council meeting on 20 August 2020.

Options:

1. Council can choose to approve the draft Governance Rules for release to the public for the specified consultation period for comment;
2. Council can choose to approve the draft Governance Rules – Election Period Policy for release to the public for the specified consultation period for comment;
3. Council can choose to amend the draft Governance Rules before releasing the draft to the public for the specified consultation period;
4. Council can choose to amend the draft Governance Rules – Election Period Policy before releasing the draft to the public for the specified consultation period;

Link to Council Plan:

Strategic Objective 1.1	an actively engaged community.
Strategic Objective 4.6	an organisation that takes its risk management responsibilities seriously and embeds a culture of risk management throughout the organisation
Strategic Objective 4.6.2	Develop a governance and compliance framework within Council

Financial Implications:

No financial implications.

Risk Management Implications:

The draft Governance Rules will ensure that Council maintains its governance and community engagement obligations under the Act.

Conflict of Interest:

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

Officer Responsible — Monica Revell, Director Corporate & Community Services
In providing this advice as the Officer Responsible, I have no disclosable interests in this report.

Author — Helen Thomson, Manager Governance and Human Services
In providing this advice as the Author, I have no disclosable interests in this report.

Communications Strategy:

Under section 60(4) Council is required to conduct a community engagement process when adopting or amending the Governance Rules. Council will publish the draft Governance Rules (including Election Period Policy) on the Council website from 16 July 2020 to 06 August 2020. The public will be able to make submissions on the Governance Rules until the close of the exhibition period.

Council will run regular social media posts throughout the exhibition period.

Advertisements will be placed into the local newspaper advising the community that documents will be available for viewing.

RECOMMENDATION:

That

- 1. Council endorses the draft Governance Rules and Governance Rules – Election Period Policy for public consultation;***
- 2. The draft Governance Rules and Governance Rules – Election Period Policy be made available to the public for consultation between 16 July 2020 and 6 August 2020.***

MOVED: CRS T Schneider/D Nelson

That

- 1. Council endorses the draft Governance Rules and Governance Rules – Election Period Policy for public consultation;***
- 2. The draft Governance Rules and Governance Rules – Election Period Policy***

be made available to the public for consultation between 16 July 2020 and 6 August 2020.

CARRIED

Attachment: 11 & 12

10. SPECIAL COMMITTEES

10.1 AUDIT COMMITTEE MINUTES

Responsible Officer: Director Corporate & Community Services

Attachment: 13

Introduction:

The Hindmarsh Shire Council Audit Committee held its meeting on 17 June 2020. The purpose of this report is to note the minutes from this meeting. A copy of the minutes is included as an attachment for the information of Council.

RECOMMENDATION:

That Council notes the minutes of the Hindmarsh Shire Council Audit Committee meeting held on 17 June 2020.

MOVED: CRS T Schneider/D Nelson

That Council notes the minutes of the Hindmarsh Shire Council Audit Committee meeting held on 17 June 2020.

CARRIED

Attachment: 13

11. LATE REPORTS

11.1 DAVIS PARK FACILITIES UPGRADE

Responsible Officer: Director Corporate & Community Services

Introduction:

This report provides Council with an update on the Davis Park Facilities Upgrade following an application to Sport and Recreation Victoria's, Community Sports Infrastructure Stimulus Program.

Discussion:

Council resolved at the meeting on 17 June 2020 to submit an application for funding through the Community Sports Infrastructure Stimulus Program for upgrades to Davis Park Nhill.

Council resolved to allocate \$300,000 in Council's 2020/2021 budget comprising \$200,000 from the Federal Government's Local Road and Community Infrastructure funding program, and \$100,000 from Council funds. Council also acknowledged Nhill and District Sporting Club's commitment of a minimum \$50,000 contribution to the project.

Infrastructure upgrades to Davis Park include a community pavilion, AFL and Netball Victoria compliant change rooms, and a new netball court.

A Cost Plan for the infrastructure upgrades anticipates the total project cost to be \$3,931,760 (excl GST).

Funding ratios for the Community Sports Infrastructure Stimulus Program require a co-contribution of 10%.

An additional \$50,000 of Council funds has been allocated to the project from the 2019/2020 Davis Park Grandstand budget (ledger 20794) which will be carried forward to 2020/2021 for the project. This will have no financial impact on Council's budget or cash position.

Applications for funding through the Community Sports Infrastructure Stimulus Program closed on Friday 19 June 2020 with successful funding announcements expected late July 2020.

Options:

This report is for information only; no decision is required.

Link to Council Plan:

Strategic Objective 1.2: A range of effective and accessible services to support the health and wellbeing of our community.

Strategic Objective 1.3: A community that is physically active with access to a wide range of leisure, sporting and recreation facilities.

Strategic Objective 2.1: Well-maintained physical assets and infrastructure to meet community and organisational needs.

Strategic Objective 3.2: A thriving tourism industry.

Financial Implications:

There are no financial implications. Council's contribution for the project has been included in the 2020/2021 budget, and carry forward from 2019/2020.

Risk Management Implications:

Upgrading the Infrastructure facilities at Davis Park will reduce risk through modern compliant facilities meeting AFL and Netball Victoria standards.

Conflict of Interest:

Under section 80C of the LGA officers providing advice to Council must disclose any interests, including the type of interest.

Author & Officer Responsible: Monica Revell, Director Corporate & Community Services.

In providing this advice as the Officer Responsible, I have no interests to disclose.

RECOMMENDATION:

That Council notes the report on the Davis Park Facilities Upgrade.

MOVED: CRS T Schneider/R Lowe

That Council notes the report on the Davis Park Facilities Upgrade.

CARRIED

12. URGENT BUSINESS

MOVED: CRS R Lowe/R Ismay

That Hindmarsh Shire Council write to the Federal Minister of Immigration, Citizenship, Migrant Services and Multicultural Affairs, the Hon David Coleman MP, and Local Member Anne Webster, to let them know that we want both medical and immigration examination tests to be conducted in the Wimmera.

CARRIED

MOVED: CRS R Lowe/R Ismay

That Council write to West Wimmera Health Service, Wimmera Health Care Group, Emma Kealy, Wimmera Development Association, Luv-A-Duck and Nhill Neighbourhood House asking for their support in medical and examinations to be conducted in the Wimmera.

CARRIED

MOVED: CRS T Schneider/D Nelson

That Council congratulate the Wimmera Mail Times on its upcoming planned articles on incumbent Councillors and their plans for the future, and also on candidates for the upcoming election.

CARRIED

13. CONFIDENTIAL REPORTS

In accordance with Section 89 (2) of the *Local Government Act* 1989, Council may close the meeting to the public if items to be discussed are deemed confidential, that is, if the items to be discussed relate to:

- a) Personnel matters;
- b) The personal hardship of any resident or ratepayer;
- c) Industrial matters;
- d) Contractual matters;
- e) Proposed developments;

- f) Legal advice;
- g) Matters affecting the security of Council property;
- h) Any other matter which the Council or Special Committee considers would prejudice the Council or any person;
- (i) a resolution to close the meeting to members of the public.

No reports.

14. MEETING CLOSE

There being no further business Cr R Gersch declared the meeting closed at 3:33pm.



Anne Webster MP

Federal Member for **Mallee**



23 July 2020

The Hon. Alan Tudge
Minister for Population, Cities and Urban Infrastructure
Acting Minister for Immigration
PO Box 6022
House of Representatives
Parliament House
Canberra ACT 2600

Dear Minister

Our office has been contacted by Cr Ron Lowe from Hindmarsh Shire Council regarding Medical Examinations required for Australian Citizenship and applicants having to travel to Mildura for these exams.

Ron is aware of people having to travel from Nhill and Rainbow to Mildura for Citizenship Medicals and these trips would in fact take 3hrs 24 minutes and 2hrs 45 minutes.

What is the reason behind having to travel to Mildura for this medical and can anything be done in these unusual times to stop applicants from having to travel so far during a pandemic?

Having the Medicals done in Horsham would halve the distance these people would have to travel.

If you could please consider these concerns and get back to me on your actions that would be greatly appreciated.

Kind regards,

Dr Anne Webster MP
Member for Mallee
ow



THE HON BEN MORTON MP
ASSISTANT MINISTER TO THE PRIME MINISTER AND CABINET

Reference: MC20-108181

Mr Greg Wood
Chief Executive Officer
Hindmarsh Shire Council
PO Box 250
NHILL VIC 3418

RECEIVED

- 6 AUG 2020

ASSESS #	
ACTION	
INFO	EA
X REF	

Dear Mr Wood

Thank you for your letter of 3 July 2020 to the Prime Minister, the Hon Scott Morrison MP, regarding the Australian Government's stimulus packages that have benefited your Hindmarsh Shire Council. The Prime Minister has asked me to respond on his behalf.

In responding to the COVID-19 pandemic, the Government's JobMaker Plan will restore and create jobs to protect people's livelihoods and support economic growth. It will achieve this by building the infrastructure to support a modern, innovative and competitive economy; skilling Australians; minimising red tape; and continuing to champion access to markets.

From the \$1.8 billion boost for local governments announced on 22 May 2020 the Hindmarsh Shire Council has received over \$2.5 million through the Financial Assistance Grant Program for immediate use towards locally determined priorities and projects. I am also pleased to hear that Hindmarsh Shire Council was able to increase capital expenditure by over \$1 million, through the Local Roads and Community Infrastructure Program. On 6 July 2020, we announced we are investing an additional \$525 million to deliver shovel-ready infrastructure projects and urgent road safety upgrades across Victoria with the Victorian Government. These funding injections mean we have brought forward, or provided additional, funding of more than \$830 million across Victoria over the past eight months.

Thank you for writing to the Prime Minister, and for your invitation to visit. Unfortunately, on this occasion the Prime Minister cannot accept your generous invitation to visit Hindmarsh Shire Council. I have copied your correspondence to the Minister for Regional Health, Regional Communications and Local Government, the Hon Mark Coulton MP.

Yours sincerely

BEN MORTON

30 / 7 / 2020

Emma KEALY

MEMBER FOR LOWAN

114 Firebrace St, Horsham VIC 3400
PO Box 41, Horsham VIC 3402
Horsham 5382 0097 Hamilton 5571 9800
emma.kealy@parliament.vic.gov.au
www.emmakealy.com.au



PROCESS #	
LOWAN	EA
DATE	
TIME	

Ref: RECEIVED

- 7 AUG 2020

4 August 2020

Dr Anne Webster
Federal Member for Mallee
1/146A Eighth Street
Mildura VIC 3500

COPY

Dear Dr Webster,

Medical and Immigration Examination Testing

I am writing to support the Hindmarsh Shire Council in their efforts to have Medical and Immigration Examination Testing available in the Wimmera Region.

There are a significant number of migrants and refugees in the Lowan electorate who currently have to travel outside of the Wimmera region to attend appointments.

This is time consuming, expensive, inconvenient and not practical, particularly given the current situation regarding COVID-19.

I am pleased to support the Council's request for your advocacy to establish the necessary services and facilities within the Wimmera Region for Medical and Immigration Examination Testing.

Yours sincerely,

Emma Kealy
Member for Lowan

Cc: Hon Alan Tudge, Acting Minister Immigration, Citizenship, Migrant Services & Multicultural Affairs
Greg Wood, CEO Hindmarsh Shire Council

10 August 2020

The Hon David Coleman MP
Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs
PO Box 564
REVESBY NSW 2212

Email: david.coleman.mp@aph.gov.au

Dear Hon David Coleman MP

Medical and Immigration Examination Testing in Victoria's Wimmera Region

I write in support of the proposal that a Medical and Immigration Testing Service be considered for establishment in the Wimmera Region of Victoria.

West Wimmera Health Service employs some 570 people and in recent years has benefited significantly from the influx of migrant workers to the communities in which it operates. Such benefits have also no doubt flowed to other employers and, given the ongoing difficulties associated with attracting and retaining suitably qualified employees, particularly in rural areas, it is expected this will continue for the foreseeable future.

As well as helping meet workforce needs, migrants continue to make material and enduring positive cultural and economic impacts on our communities generally.

Currently, migrants must travel to either Ballarat or Mildura to undertake the test required to obtain Australian citizenship. Both journeys are essentially a one day round trip from our area which is an onerous requirement and particularly so given the current restrictions relating to the COVID-19 pandemic.

Accordingly, we hereby respectfully request that consideration be given to the establishment of services and facilities required for the above processes to be accessible in the Wimmera Region, as soon as reasonably practicable.

Thank you for considering this request and should you require any further information please do not hesitate to contact me on 0427 918 210 or ritchie.dodds@wwhs.net.au.

Yours sincerely



Ritchie Dodds
Chief Executive Officer



WWHS

WEST WIMMERA HEALTH SERVICE

Incorporates
Nhill, Jeparit, Kaniva,
Rainbow and Rupanyup
Hospitals and Residential
Aged Care; Goroke, Minyip
and Murtoa Community
Health Centres; Coinda
Disability Services;
Dental Clinic

All Correspondence to:
Chief Executive Officer
PO Box 231
Nhill, Victoria 3418
E corporate@wwhs.net.au

Nhill
T (03) 5391 4222
F (03) 5391 4228

Coinda
T (03) 5391 1095
F (03) 5391 4228

Goroke
T (03) 5363 2200
F (03) 5363 2216

Jeparit
T (03) 5396 5500
F (03) 5397 2392

Kaniva
T (03) 5392 7000
F (03) 5392 2203

Minyip
T (03) 5363 1200
F (03) 5385 7238

Murtoa
T (03) 5363 0400
F (03) 5385 2740

Natimuk
T (03) 5363 4400
F (03) 5363 4492

Rainbow
T (03) 5396 3300
F (03) 5395 1411

Rupanyup
T (03) 5385 5700
F (03) 5385 5283

10 August 2020

Dr Anne Webster MP
Member for Mallee
PO Box 1133
Mildura, VIC, 3502

Email: Anne.Webster.MP@aph.gov.au

Dear Dr Webster

Medical and Immigration Examination Testing in Victoria's Wimmera Region

I write in support of the proposal that a Medical and Immigration Testing Service be considered for establishment in the Wimmera Region of Victoria.

West Wimmera Health Service employs some 570 people and in recent years has benefited significantly from the influx of migrant workers to the communities in which it operates. Such benefits have also no doubt flowed to other employers and, given the ongoing difficulties associated with attracting and retaining suitably qualified employees, particularly in rural areas, it is expected this will continue for the foreseeable future.

As well as helping meet workforce needs, migrants continue to make material and enduring positive cultural and economic impacts on our communities generally.

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Thank you for considering this request and should you require any further information please do not hesitate to contact me on 0427 918 210 or ritchie.dodds@wwhs.net.au.

Yours sincerely



Ritchie Dodds
Chief Executive Officer



WWHS

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Hindmarsh
Shire Council

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit
10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

Dimboola
101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

28 July 2020

Wimmera Health Care Group
82 Baillie Street
HORSHAM VIC 3400
Email: info@whcg.org.au

**Re: Medical and Immigration Examination Testing in Victoria's
Wimmera Region.**

At its meeting on 15 July 2020, Hindmarsh Shire Council resolved that I write to you and other leading businesses and organisations to seek your support in relation to Medical and Immigration Examination Testing in the Wimmera Region.

Council resolved that letters be written to The Hon David Coleman MP Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs and Dr Anne Webster MP, Member for Mallee requesting that consideration be given to the establishment and implementation of Medical and Immigration Testing to be made available within the Wimmera Region of Victoria.

Migrants and refugees currently have to travel outside of the Wimmera region to attend appointments which are time consuming, expensive, inconvenient and not practical in the current COVID 19 Pandemic.

As a leading regional employer and health care provider, Council seeks your support by also writing to The Hon David Coleman MP and Dr Anne Webster MP requesting that consideration be given to the establishment of services and facilities within the Wimmera Region for Medical and Immigration Examination Testings.

I would be pleased to discuss this matter with should you require any additional information. I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

Greg Wood
Chief Executive Officer



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Fax: (03) 5395 1436

28 July 2020

Wimmera Development Association
62 Darlot Street
HORSHAM VIC 3400
Email: info@wda.org.au

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As the regional peak economic development organisation, Council seeks your support by also writing to The Hon David Coleman MP and Dr Anne Webster MP requesting that consideration be given to the establishment of services and facilities within the Wimmera Region for Medical and Immigration Examination Testings.

I would be pleased to discuss this matter with should you require any additional information. I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

Greg Wood
Chief Executive Officer



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28 July 2020

West Wimmera Health Service
43-51 Nelson Street
NHILL VIC 3418
Email: corporate@wwhs.net.au

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Fax: (03) 5395 1436

28 July 2020

Nhill Neighbourhood House
80 MacPherson Street
NHILL VIC 3418

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Migrants and refugees currently have to travel outside of the Wimmera region to attend appointments which are time consuming, expensive, inconvenient and not practical in the current COVID 19 Pandemic.

As a leading local employer and provider of services to the migrant community, Council seeks your support by also writing to The Hon David Coleman MP and Dr Anne Webster MP requesting that consideration be given to the establishment of services and facilities within the Wimmera Region for Medical and Immigration Examination Testings.

I would be pleased to discuss this matter with should you require any additional information. I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

Greg Wood
Chief Executive Officer



Hindmarsh
Shire Council

**Administration
Centre**

PO Box 250
92 Nelson Street
Nhill VIC 3418
Ph: (03) 5391 4444
Fax: (03) 5391 1376

email:
info@hindmarsh.vic.gov.au

website:
www.hindmarsh.vic.gov.au

ABN 26 550 541 746

**Customer Service
Centres**

Jeparit
10 Roy Street
JEPARIT VIC 3423
Ph: (03) 5391 4450
Fax: (03) 5397 2263

Dimboola
101 Lloyd Street
DIMBOOLA VIC 3414
Ph: (03) 5391 4452
Fax: (03) 5389 1734

Rainbow
15 Federal Street
RAINBOW VIC 3424
Ph: (03) 5391 4451
Fax: (03) 5395 1436

28 July 2020

Daryl Bussell
Chief Executive Officer
Luv-A-Duck
PO Box 185
PORT MELBOURNE VIC 3207
Email: ladwebenquiry@gmail.com

Dear Daryl

**Re: Medical and Immigration Examination Testing in Victoria's
Wimmera Region**

At its meeting on 15 July 2020, Hindmarsh Shire Council resolved that I write to you and other leading businesses and organisations to seek your support in relation to Medical and Immigration Examination Testing in the Wimmera Region.

Council resolved that letters be written to The Hon David Coleman MP Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs and Dr Anne Webster MP, Member for Mallee requesting that consideration be given to the establishment and implementation of Medical and Immigration Testing to be made available within the Wimmera Region of Victoria.

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28 July 2020

The Hon David Coleman MP
Minister for Immigration, Citizenship,
Migrant Services and Multicultural Affairs
PO Box 6022
House of Representatives
Parliament House
CANBERRA ACT 2600
Email: david.coleman.mp@aph.gov.au

Dear Minister

**Re: Medical and Immigration Examination Testing in Victoria's
Wimmera Region.**

At its meeting on 15 July 2020, Hindmarsh Shire Council resolved that I write to you to request that consideration be given to the establishment and implementation of Medical and Immigration Testing to be made available within the Wimmera Region of Victoria.

Hindmarsh Shire is located midway between Melbourne and Adelaide and is home to over 30 different nationalities.

Over the past ten years more than 200 Karen refugees have chosen to reside in Nhill with many taking out Australian Citizenship.

In order to attend and undertake Medical and Immigration Examinations, new residents and migrants need to travel to larger centres such as Mildura, Ballarat and Warrnambool to complete these tests.

These involve round trips of more than five hours and sometimes have to be undertaken on more than one occasion if participants require follow-up appointments or examinations.

In addition to the time factor, there is a high cost incurred with the need to travel and in the current climate with COVID-19 pandemic it is not ideal for residents to have to attend appointments outside of the local region.

On behalf of Hindmarsh Shire Council and all residents of the shire and the broader region I respectfully request that consideration be given to

the establishment of services and facilities within the Wimmera Region for Medical and Immigration Examination Testings.

I would be pleased to discuss this matter with yourself or Ministerial staff should you require any additional information. I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'gwood', with a large, sweeping horizontal stroke underneath.

Greg Wood

Chief Executive Officer

CC: Dr Anne Webster MP
Member for Mallee



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Shire Council

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28 July 2020

Dr Anne Webster MP
Member for Mallee
PO Box 6022
House of Representatives
Parliament House
CANBERRA ACT 2600
Email: anne.webster.mp@aph.gov.au

Dear Anne

**Re: Medical and Immigration Examination Testing Victoria's
Wimmera Region.**

At its meeting on 15 July 2020, Hindmarsh Shire Council resolved that I write to you to request that consideration be given to the establishment and implementation of Medical and Immigration Testing to be made available within the Wimmera Region of Victoria.

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In addition to the time factor, there is a high cost incurred with the need to travel and in the current climate with COVID 19 it is not ideal for residents to have to attend appointments outside of the local region.

On behalf of Hindmarsh Shire Council and all residents of the shire and the broader region I respectfully request that consideration be given to

the establishment of services and facilities within the Wimmera Region for Medical and Immigration Examination Testings.

I would be pleased to discuss this matter with should you require any additional information. I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

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Greg Wood

Chief Executive Officer

CC: The Hon David Coleman MP
Minister for Immigration, Citizenship, Migrant Services and Multicultural
Affairs



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28 July 2020

Emma Kealy MP
Member for Lowan
114 Firebrace Street
HORSHAM VIC 3400
Email: emma.kealy@parliament.vic.gov.au

Dear Emma

**Re: Medical and Immigration Examination Testing in Victoria's
Wimmera Region**

At its meeting on 15 July 2020, Hindmarsh Shire Council resolved that I write to you and other leading businesses and organisations to seek your support in relation to Medical and Immigration Examination Testing in the Wimmera Region.

Council resolved that letters be written to The Hon David Coleman MP Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs and Dr Anne Webster MP, Member for Mallee requesting that consideration be given to the establishment and implementation of Medical and Immigration Testing to be made available within the Wimmera Region of Victoria.

Migrants and refugees currently have to travel outside of the Wimmera region to attend appointments which are time consuming, expensive, inconvenient and not practical in the current COVID 19 Pandemic.

As the Member for Lowan and an advocate for migration services in the region, Council seeks your support by also writing to The Hon David Coleman MP and Dr Anne Webster requesting that consideration be given to the establishment of services and facilities within the Wimmera Region for Medical and Immigration Examination Testings.

I would be pleased to discuss this matter with should you require any additional information. I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'gwood', with a stylized flourish extending from the end of the name.

Greg Wood
Chief Executive Officer



28 July 2020

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Fax: (03) 5395 1436

Juanita Greville
Acting Editor
The Wimmera Mail-Times
185 Baillie Street
HORSHAM VIC 3400
Email: juanita.greville@austcommunitymedia.com.au

Dear Juanita

Re: 2020 Council Elections

At its meeting on 15 July 2020, Hindmarsh Shire Council resolved that I write to you to extend Council's congratulations on the planned articles that the Wimmera Mail-Times intends to publish on incumbent Councillors and their future plans in the lead up to the 2020 Council Elections.

Council also acknowledges and congratulates the Wimmera Mail Times on the planned articles featuring candidates who will contest the upcoming Council elections.

Should you require any additional information regarding Hindmarsh Shire Council 2020 Elections, I can be contacted by mobile on 0417 153 749 or via email gwood@hindmarsh.vic.gov.au.

Yours sincerely

Greg Wood
Chief Executive Officer



ASSEMBLY OF COUNCILLORS RECORD

Assembly of Councillors means a planned or scheduled meeting of at least 3 councillors and one member of council staff which considers matters that are intended or likely to be:

- a) the subject of a decision of the Council; or*
- b) subject to the exercise of a function, duty of power of the council that has been delegated to a person or committee; but does not include a meeting of the Council, a special committee of the Council, a club, association, peak body, political party or other organisation.*

Requirements to be observed by an assembly of Councillors (Section 80A Local Government Act, 1989)

Title of Meeting: Council Briefing Session

Date: Wednesday 15 July 2020

Time: 1:00pm – 3:00pm

Assembly Location: Nhill Memorial Community Centre, 77-79 Nelson Street, Nhill VIC 3418

Present:

CRS. Robert Gersch (Mayor), David Colbert (Deputy Mayor), Debra Nelson, Ronald Ismay, Ronald Lowe, Tony Schneider.

Apologies:

In Attendance:

Mr Greg Wood (Chief Executive Officer) items 1 to 7, Ms Monica Revell (Director Corporate & Community Services) items 1 to 7, Ms Angela Hoy (Director Infrastructure Services) items 1 to 7, Ms Helen Thomson (Manager Governance & Human Services) items 1 to 7, Ms Shauna Johnson (Executive Assistant) items 1 & 7.

Conflict of Interest Disclosures

1. Direct; or
2. Indirect interest
 - (a) by close association;
 - (b) that is an indirect financial interest;
 - (c) because of conflicting duties;
 - (d) because of receipt of an applicable gift;
 - (e) as a consequence of becoming an interested party; or
 - (f) because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised by Councillors at the commencement of discussion of the specific item.

Councillors:

Nil

Officers:

Nil

Matters Discussed:

No.	Detail
1.	CHANGES TO S86 COMMITTEES
2.	GOVERNANCE RULES
3.	PUBLIC TRANSPARENCY POLICY
4.	COMMUNITY ACTION GRANTS AND BUSINESS ASSISTANCE GRANTS
5.	DAVIS PARK FACILITIES UPGRADE
6.	MEDICAL EXAMINATIONS FOR CITIZENSHIPS
7.	COUNCILLOR QUESTION TIME

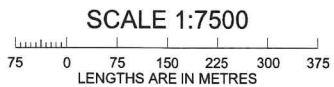
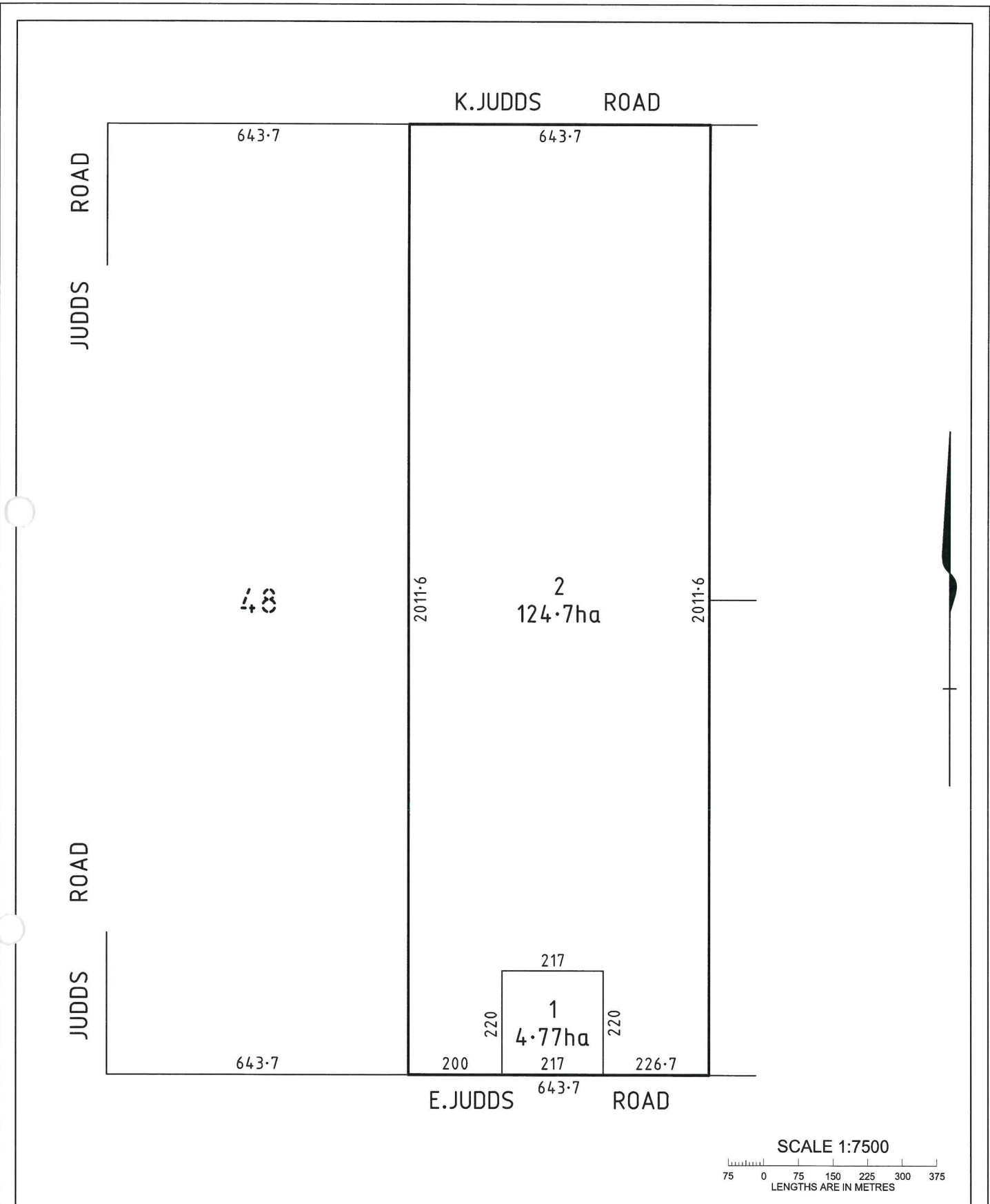
Completed by: Greg Wood

Signed:



Date: 15/07/2020

Must be kept for four years from date of the assembly. Available for public inspection at Council Offices for 12 months after date of assembly.



NOTATIONS

THE DIMENSIONS SHOWN HEREON ARE APPROXIMATE AND ARE SUBJECT TO SURVEY.

PLAN OF PROPOSED SUBDIVISION

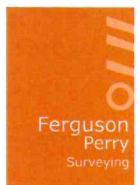
COUNTY OF LOWAN
PARISH OF YANAC-A-YANAC
CROWN ALLOTMENT 46 & 47 (PARTS)
200 E JUDDS ROAD, YANAC

Ferguson Perry Surveying Pty Ltd
62 McLachlan Street Horsham,
Victoria 3400
ABN 76126 194 483

T (03) 5382 2023
F (03) 5381 1544
E admin@fergusonperry.com.au

A member of Alexander Symonds Group

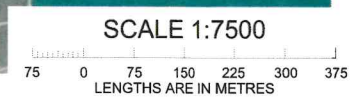
+ Property + Land Development +
+ Construction + Mining +
+ Spatial Information Management +



SURVEYORS REF.
H012220
30-06-20
DRAWN BY: B.F.

OFFICE USE ONLY

ORIGINAL SHEET SIZE **A3**



NOTATIONS

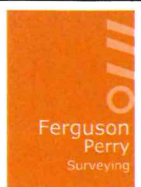
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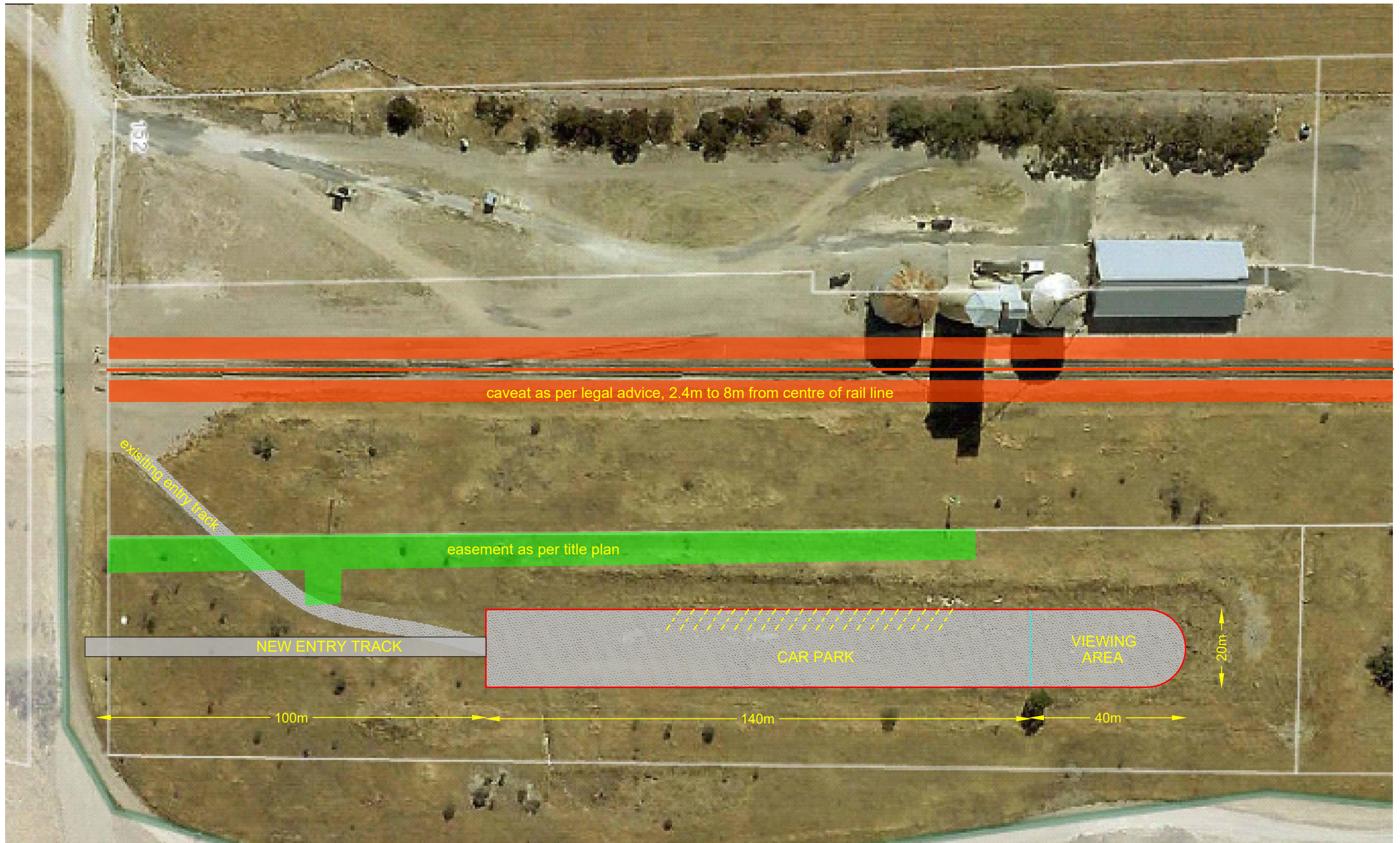
DRAWN BY: B.F.

OFFICE USE ONLY


ORIGINAL SHEET SIZE **A3**

**PLAN OF PROPOSED SUBDIVISION
SHOWING EXISTING FEATURES**

COUNTY OF LOWAN
PARISH OF YANAC-A-YANAC
CROWN ALLOTMENT 46 & 47 (PARTS)
200 E JUDDS ROAD, YANAC



E			GENERAL NOTES
D			Dimensions are in MM
C			Dimensions are for guide only
B			Proposed Layout is approximate only
A	21/07/20	Issued For Comments	
AMENDMENT	Approved	Date	AMENDMENTS



Hindmarsh
Shire Council

INFRASTRUCTURE SERVICES DEPARTMENT

DRAWN:	DATE: JUL 2020
CHECKED:	DATE: JUL 2020
APPROVED:	DATE:
SCALE:	1 : 1400

<u>PROJECT:</u>	SILO ART TRAIL ALBACUTYA
<u>DRAWING TITLE:</u>	GENERAL SITE LAYOUT
DRAWING No. 1.0	JOB No.



**Hindmarsh
Shire Council**

GOVERNANCE RULES

Hindmarsh Shire Council Governance Rules

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Hindmarsh Shire Council Governance Rules

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Hindmarsh Shire Council Governance Rules

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PART 1 PRELIMINARY

1 Title

Hindmarsh Shire Council Governance Rules.

2 Purpose

The purpose of the Governance Rules is to provide for:

- (1) the conduct of Council meetings;
- (2) the conduct of meetings of delegated committees;
- (3) the form and availability of meeting records;
- (4) the election of the Mayor and the Deputy Mayor;
- (5) the appointment of an Acting Mayor;
- (6) an election period policy;
- (7) the procedures for the disclosure of a conflict of interest by a Councillor or a member of a delegated committee at a meeting of the Council or a delegated committee;
- (8) the procedure for the disclosure of a conflict of interest by a Councillor at a meeting under the auspices of Council that is not a meeting of the Council or a delegated committee;
- (9) the disclosure of a conflict of interest by a member of Council staff when providing information in respect of a matter;
- (10) the consideration and making of decisions on any matter being considered by the Council fairly and on the merits;
- (11) the institution of 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; and
- (12) any other matters prescribed by the regulations made under the Act.

3 Objective

The objectives of this Procedure are to:

- (1) provide a mechanism to facilitate the good government of the Council through its formal meeting procedure to ensure effective and efficient Council decisions are made in a manner which acknowledges the role of local government within the Australian system of Government;
- (2) to promote and encourage community participation in the system of local government by providing mechanisms for the Council to ascertain the community's views and expectations;
- (3) to regulate and control the election of Mayor, any Deputy Mayor and the chairperson of any Delegated Committees;
- (4) to regulate and control the procedures governing the conduct of meetings including:

Hindmarsh Shire Council Governance Rules

- (a) the notice required for meetings; and
- (b) the keeping of minutes;
- (5) to regulate and control the use of the Council's common seal;
- (6) to provide for the administration of the Council's powers and functions; and
- (7) to provide generally for the peace, order and good government of the municipal district.

4 Role of Council

- (1) The role of Council is to provide good governance in its municipal district for the benefit and wellbeing of the Hindmarsh municipal community.
- (2) Council will provide good governance through –
 - (a) the performance of its role in accordance with the overarching governance principles and supporting principles of the Act; and
 - (b) the Councillors of the Council performing their roles in accordance with the requirements of the Act;
- (3) In performing its role, Council may –
 - (a) perform any duties or functions or exercise any powers conferred on Council by, or under, the Act or any other Act; and
 - (b) perform any other functions that Council determines are necessary to enable Council to perform its role.
- (4) If it is necessary to do so for the purpose of performing its role, Council may perform a function outside its municipal district.

5 Overarching governance principles and supporting principles

- (1) Council will in the performance of its role give effect to the overarching governance principles.
- (2) The following are the overarching governance principles –
 - (a) Council decisions are to be made and actions taken in accordance with the relevant law;
 - (b) priority is to be given to achieving the best outcomes for the municipal community, including future generations;
 - (c) the economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted;
 - (d) the municipal community is to be engaged in strategic planning and strategic decision making;
 - (e) innovation and continuous improvement is to be pursued;
 - (f) collaboration with other Councils and Governments and statutory bodies to be sought;
 - (g) the ongoing financial viability of the Council is to be ensured;

Hindmarsh Shire Council Governance Rules

- (h) regional, state and national plans and policies are to be taken into account in strategic planning and decision making; and
 - (i) the transparency of Council decisions, actions and information is to be ensured.
- (3) In giving effect to the overarching governance principles, Council will take into account the following supporting principles –
- (a) the community engagement principles;
 - (b) the public transparency principles;
 - (c) the strategic planning principles;
 - (d) the financial management principles; and
 - (e) the service performance principles.

6 Council decision making

- (1) Council must consider, and make decisions on, any matter being considered by Council fairly and on the merits.

7 Authorising provision

The Council's power to make the Governance Rules is contained in section 60 of the Act 2020.

8 Commencement

This Procedure comes into operation on 31 August 2020.

9 Definitions

Unless contrary intention appears in these Governance Rules –

- (1) words defined in section 3 of the Act have the same meaning in these Governance Rules;
- (2) words have the following meaning in these Rules:

Act	means the Local Government Act 2020.
Act 1989	means the Local Government Act 1989
Advisory Committee	means a committee established by Council, that provides advice to Council;
Agenda	means the notice of a meeting setting out the business to be transacted at the meeting;
Audit and Risk Committee	means the Audit and Risk Committee established under section 53 of the Act
Authorised Officer	means an Authorised Officer appointed under section 224(1) of the Act 1989.
Business Day	means a normal working day of the Council, usually Monday – Friday excluding declared Public Holidays

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Chair	Refers to the Chairperson.
Chairperson	Means the person who chairs a meeting of the Council or Delegated Committee of the Council and includes an acting, temporary and substitute Chairperson;
Chief Executive Officer	means the person occupying the office of Chief Executive Officer of Council, and includes their delegate;
Council	Means Hindmarsh Shire Council.
Councillor	Means a person who is an elected member of the Council.
Council meeting	means a meeting of the Council convened in accordance with these Governance Rules and includes Ordinary and Special meetings of the Council.
Delegated Committee	means a Delegated Committee established by Council under s63 of the Act;
Deputy Mayor	means the Deputy Mayor of Council and any person appointed by Council to act as Deputy Mayor;
division	Means a formal count of those for and those against a motion, generally called to remove any doubt as to whether the motion is supported or opposed.
procedural motion	means a motion dealing with the conduct of the meeting as referred in in clause 82.
Mayor	means the Mayor of Council and any person appointed by Council to be acting as Mayor;
Member	Refers to a person who is entitled to vote at a meeting of the Council or a Delegated Committee of the Council.
Minister	Means the Minister responsible for administering the Act.
Minutes	means the official record of the proceedings and decisions of a Meeting;
Point of Order	means a procedural point (about how the Meeting is being conducted), not involving the substance of a matter before a Meeting;
quorum	Means the minimum number of members of the Council or of a Delegated Committee of the Council required by this Procedure to be present in order to constitute a valid meeting of the Council or the Delegated Committee respectively.

replica	In relation to the common seal of the Council means any representation which purports to be, looks like or is capable of being mistaken for the common seal whether fixed to or printed on a document or advertisement or sign and includes any use of a symbol resembling the common seal which is capable of misleading a person into believing it is used with the authority of the Council.
Senior Officer	means— (a) the Chief Executive Officer; (b) a member of Council Staff who has management responsibilities and reports directly to the Chief Executive Officer; (c) any other member of Council staff whose total remuneration exceeds \$124 000

PART 2 THE MAYOR, DEPUTY MAYOR AND ACTING MAYOR

10 When is a Mayor to be elected

- (1) The meeting to fill the vacancy of Mayor will be held:
 - (a) as soon as practicable after the declaration of the result of the general election and no later than one month after the date of the general election; or
 - (b) where the position of Mayor becomes vacant other than as the result of a general election being held, as soon as practicable after the vacancy has occurred.
- (2) Before the election of the Mayor, Council must determine by resolution whether the Mayor is to be elected for a 1-year or a 2-year term.
- (3) If the Mayor is elected for a 1-year term, the next election of the Mayor must be held on a day to be determined by Council that is as close to the end of the 1-year term as is reasonably practicable.
- (4) If the Mayor is to be elected for a 2-year term, the next election of the Mayor must be held on a day to be determined by Council that is as close to the end of the 2-year term as is reasonably practicable.
- (5) The election of a Mayor after the period specified in this clause does not invalidate the election.
- (6) A Councillor elected to fill a vacancy in the office of Mayor caused other than by the expiration of a 1-year or 2-year term serves the remaining period of the previous Mayor's term.

11 Election of Mayor

- (1) At a Council meeting that is open to the public, the Councillors must elect a Councillor to be the Mayor of the Council.
- (2) Subject to section 167 of the Act, any Councillor is eligible for the election or re-election to the office of Mayor.

- (3) The election of the Mayor, Deputy Mayor or acting Mayor must be chaired by the Chief Executive Officer.
- (4) The Mayor must be elected by an absolute majority of the Councillors.
 - (a) If an absolute majority of the Councillors cannot be obtained at the meeting, the Council may resolve to conduct a new election at a later specified time and date.
 - (b) If only one Councillor is a candidate for Mayor, the meeting must declare that Councillor to be duly elected as Mayor.
- (5) In this clause, absolute majority means the number of Councillors which is greater than half the total number of Councillors of Council.
- (6) The Chief Executive Officer will invite nominations for the office of Mayor.
- (7) Every nomination shall require a seconder.
- (8) Any Councillor may refuse nomination.
- (9) The method of voting will be by show of hands.
- (10) In determining the election of Mayor, the following will apply:
 - (a) where two nominations are received, the Councillor with the majority of votes will be declared elected;
 - (b) where there are two or more nominations and all votes cast are equally divided between two or more nominees, the election must be determined by lot;
 - (c) where there are two or more nominations received and the result has not been determined under (4)(b) and (10)(a) of this clause, the nominee with the fewest number of votes cast must be eliminated (and if more than one of them, the nominee determined by lot) and the names of the remaining nominees must be put to the vote again;
 - (d) the procedure in paragraph (10)(c) must be repeated until the circumstances in paragraph (10)(b) apply or until there are only two nominees remaining in which case a further vote must be taken and the nominee with a majority will be declared elected or, if there is an equal division of votes, the election must be determined by lot.
- (11) If it is necessary to determine an election by lot, the Chief Executive Officer must place the names of the remaining candidates in a container and the candidate whose name is drawn first by the Chief Executive Officer will be declared elected as Mayor.
- (12) If the Mayor is unable to attend a Council meeting for any reason:
 - (a) any Deputy Mayor will be acting Chair; and
 - (b) if no Deputy Mayor has been elected, an acting Chair must be elected.
- (13) Any election of a Deputy Mayor or acting Chair of a Council meeting will follow the same procedure as that for an election of the Mayor.

12 Election of Deputy Mayor

- (1) Clause 10, other than subclause (2), applies to the election of a Deputy Mayor by the Councillors as if any reference in that clause to the Mayor was a reference to the Deputy Mayor.

- (2) Clause 11 applies to the election of a Deputy Mayor as if any reference in that section to the Mayor was a reference to the Deputy Mayor.

13 Acting Mayor

- (1) Council must elect a Councillor to be the Acting Mayor when –
- (a) neither the Mayor or any elected Deputy Mayor is unable for any reason to attend a Council meeting or part of a Council meeting; or
 - (b) the Mayor and any elected Deputy Mayor are both incapable of performing the duties of the office of Mayor and Deputy Mayor respectively for any reason including illness; or
 - (c) the office of Mayor and Deputy Mayor are vacant.
- (2) An appointment under subclause (1) must be for a period specified by Council.
- (3) If –
- (a) an appointment has not been made under subclause (1) or has expired; and
 - (b) any of the circumstances specified in subclause (1)(a), (b) or (c) apply –
- Council must elect a Councillor to be the Acting Mayor for a period specified by Council.
- (4) An Acting Mayor –
- (a) must perform the role of the Mayor; and
 - (b) may exercise any powers of the Mayor –
- until the circumstances specified in subclause (1) no longer apply or the period of the appointment expires, whichever first occurs.
- (5) If an Acting Mayor has been elected, unless inconsistent with the context or subject matter, a reference in the Act (except sections 20 and 23, Division 4 of Part 4 and sections 61(6) and 236(4)) to the Mayor includes a reference to the Acting Mayor.

PART 3 COUNCIL MEETINGS

Division 1 Notices and Agendas

14 Dates and times of Ordinary Meetings

The date, time and place of ordinary meetings of the Council are to be fixed by the Council from time to time and appropriate notice of such meetings must be provided to the public.

15 Council may alter meeting dates

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

16 Special meetings

- (1) The Chief Executive Officer must call a special meeting of Council when requested to do so by the Mayor, or two (2) councillors provided sufficient time to enable reasonable notice can be given to Councillors.

- (2) In giving such notice, Councillors should have regard to any need for preparatory investigations to enable the business to be undertaken.

17 Notice of meeting

- (1) A notice of meeting incorporating or accompanied by an agenda of the business to be dealt with must be served on every councillor:
 - (a) For an ordinary meeting, at least 48 hours before the meeting;
 - (b) For a special meeting, within a reasonable time before the meeting; and
 - (c) For a Delegated Committee meeting, within a reasonable time before the meeting.
- (2) The notice of agenda for any meeting must state the date, time and place of the meeting and the business to be dealt with and must be sent by email, post or be otherwise delivered to each councillor's place of residence or usual place of business (if applicable) or as otherwise specified by the councillor.
- (3) A notice may be handed personally to a councillor in any location within the time required, or may be delivered to another destination, provided a written authorisation of the relevant councillor is held by the chief executive officer.
- (4) To enable the processes of governance to be efficiently managed, Councillors should keep the Chief Executive Officer informed of their point(s) of contact from time to time.

18 Leave of absence

It will be unnecessary for a notice of meeting or agenda to be served on 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 to be held during the period of his or her absence.

19 Postponement of meeting for an Emergency

- (1) In the case of an emergency or unforeseen circumstances, the Chief Executive Officer, or in his or her absence, a senior officer, may, in consultation with the Mayor, postpone a meeting of the Council, without the necessity to comply with clauses 15 – 18 – (inclusive) provided reasonable attempts are made to notify every councillor.

Division 2 Open Meetings

20 Meetings open to the public

- (1) A meeting of Council, including Delegated Committee meetings, must be kept open to the public unless Council considers it necessary to close the meeting to the public because a circumstance specified in paragraph (2) applies.
- (2) The circumstances are –

- (a) the meeting is to consider confidential information; or
 - (b) security reasons; or
 - (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.
- (3) If the circumstance specified in paragraph (2)(b) or (2)(c) applies, the meeting can only be closed to the public if the Council or Delegated Committee has made arrangements to enable the proceedings of the meeting to be viewed by members of the public as the meeting is being held.
- (4) For the purposes of subclause 20(3), the arrangements may include provision to view the proceedings on the Internet or on close circuit television.
- (5) If Council or a Delegated Committee determines that a meeting is to be closed to the public to consider confidential information, the Council or Delegated Committee must record in the minutes of the meeting that are available for public inspection –
- (a) the ground or grounds for determining to close the meeting to the public by reference to the grounds specified in the definition of confidential information in clause 3 of the Act; and
 - (b) an explanation of why the specified ground or grounds applied.

21 Councillor code of conduct

During the course of any Council meeting, Councillors must comply with the Councillor Code of Conduct.

Division 3 Quorums

22 Council meetings

The quorum required for every Council meeting will be a majority of the Councillors capable of being elected to the Council.

23 Meetings of delegated committees

The quorum for a meeting of a Delegated Committee will be not less than a majority of members.

24 Inability to gain a quorum

- (1) If a quorum cannot be obtained within thirty (30) minutes of the scheduled starting time of any meeting those councillors present, or if there are no councillors present, the Chief Executive Officer, or in his or her absence, a Senior Officer, may adjourn the meeting for a period not exceeding seven (7) days from the date of the adjournment.
- (2) The Chief Executive Officer must give all Councillors notice of the meeting and every reasonable attempt shall be made to advise the public of the revised meeting date.

25 Inability to maintain a quorum

- (1) If, during any meeting, a quorum cannot be achieved and maintained, those councillors present, or if there are no Councillors present, the Chief Executive Officer, or in his or her absence, a Senior Officer, may adjourn the meeting for a period not exceeding seven (7) days from the date of the adjournment.

- (2) If a Council meeting lapses, the unresolved business may be included in the agenda for the next Ordinary Council meeting.

26 Inability to achieve or maintain a quorum due to conflicts of interests of Councillors

- (1) This clause applies if Council cannot maintain a quorum because of the number of Councillors who have a conflict of interest in a decision listed to be made at the Council meeting.
- (2) Council must consider whether the decision can be made by dealing with the matter in an alternative manner such as under delegation.
- (3) For the purposes of subclause (2), an alternative manner may include –
 - (a) resolving to split the matter into 2 or more separate parts, so that a quorum can be maintained for each separate part; or
 - (b) making prior decisions on component parts of the matter at a meeting for which a quorum can be maintained, before deciding the overall matter at a meeting for which a quorum can be maintained.
- (4) Subject to complying with any requirements under any other Act, if Council is unable to use an alternative manner, Council must decide to establish a Delegated Committee to make the decision in regard to the matter consisting of –
 - (a) all the Councillors who have not disclosed a conflict of interest in regard to the matter; and
 - (b) any other person or persons that Council considers suitable.
- (5) Section 63(2) of the Act applies to a Delegated Committee established under subclause (4) to the extent possible after excluding all the Councillors who have disclosed a conflict of interest in regard to the matter being decided.

27 Notice for adjourned meeting

The Chief Executive Officer may provide written notice of an adjourned meeting but where that is not practicable because time does not permit that to occur then, provided a reasonable attempt is made to contact each member, notice by telephone or facsimile, in person or by electronic means will be sufficient.

Division 4 Disclosure of conflict of interest

28 Council meetings and delegated committee meetings

- (1) If a Councillor or member of a Delegated Committee has a conflict of interest in a matter which is to be considered or discussed at a meeting of the Council or the Delegated Committee, the Councillor or member, must if they are attending the meeting, disclose the conflict of interest in accordance with this clause.
- (2) At the time indicated in the Agenda, a Councillor or Delegated Committee member with a conflict of interest in an item on that agenda must indicate they have a conflict of interest by clearly stating:

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- (a) The item for which they have a conflict of interest; and
 - (b) Whether their conflict of interest is general or material; and
 - (c) The circumstances that given rise to the conflict of interest.
- (3) Immediately prior to the consideration of the item in which they have a conflict of interest, a Councillor or member of a Delegated Committee must indicate to the meeting the existence of the conflict of interest and leave the meeting.
- (4) A Councillor or member of a Delegated Committee who is not present at the designated time in the agenda for disclosures of conflict of interest, must disclose their conflict of interest in the manner required for the declarations of conflicts of interest at clause 28(1) prior to leaving the meeting.
- (5) A Councillor or member of a Delegated Committee who discloses a conflict of interest and leaves a Council meeting or Delegated Committee meeting must not communicate with any participants in the meeting while the decision is being made.
- (6) If disclosing a conflict of interest would mean disclosure of confidential or private information, the Councillor or Delegated Committee member can make a full disclosure to the Chief Executive Officer (or Chair of the Delegated Committee) in writing before the meeting and then just disclose the class of interest in the meeting.
- (7) While the matter is being considered or any vote is taken in relation to the matter, the Councillor or member of a delegated committee must—
- (a) leave the meeting and notify the Mayor or the Chairperson of the delegated committee of their departure; and
 - (b) remain outside the room and any gallery or other area in view or hearing of the meeting.
- (8) The Mayor or the Chairperson of the delegated committee must cause the Councillor or member of a Delegated Committee to be notified that they may return to the meeting after—
- (a) consideration of the matter; and
 - (b) all votes have been cast on the matter.
- (9) If a Councillor or member of a Delegated Committee discloses a conflict of interest, the Chief Executive Officer or the Chairperson must record in the minutes of the meeting—
- (a) the declaration of the conflict of interest; and
 - (b) the classification of the interest that has given rise to the conflict; and
 - (c) if the Councillor or member has disclosed the nature of the interest to the meeting, the nature of the interest.
- (10) The Chief Executive Officer must—

- (a) keep written disclosures received under this clause in a secure place for 3 years after the date the Councillor or member of a delegated committee who made the disclosure ceases to be a Councillor or member of a committee; and
- (b) destroy the written disclosure when the 3-year period referred to in paragraph (a) has expired.

29 Other meetings conducted under auspices of Council

- (1) A Councillor who has a conflict of interest must not participate in discussion of matters that will come before Council for a decision, or if a decision will be made by a member of staff acting under delegation.
- (2) At the time indicated on the Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest and the matter in which the conflict of interest arises.
- (3) If there is no Agenda, a Councillor with a conflict of interest will indicate the existence of the conflict of interest as soon the matter arises.
- (4) At the time for discussion of that item, the Councillor will leave the discussion and not communicate with any members of the meeting for the duration of the discussion.
- (5) The existence of a conflict of interest will be recorded in the minutes of the meeting.
- (6) If there are no minutes kept of the meeting, the conflict of interest will be recorded in a meeting record and provided to the Governance team for recording in the register of Conflicts of Interest.
- (7) The meeting minutes or record will also record the duration of the discussion and whether the Councillor left the meeting.
- (8) Meeting records and reports will be presented to Council for noting and inclusion on the public record.
- (9) At a meeting under the auspices of Council that is not a meeting of the Council or delegated committee, the Chief Executive Officer must ensure that a written record is kept of –
 - (a) the names of all Councillors and members of Council staff attending;
 - (b) the matters considered;
 - (c) any conflict of interest disclosures made by a Councillor attending;
 - (d) whether a Councillor who disclosed a conflict of interest leaves the meeting.
- (10) Meetings under this clause include formal Council briefing sessions, and advisory committee meetings of Council.

30 Council staff

- (1) All council staff must act in accordance with the Employee Code of Conduct.
- (2) Council staff must not exercise a delegation or make a decision on any matter where they have a conflict of interest.
- (3) Council staff may be permitted to provide advice to a decision maker if a conflict of interest exists, subject to the procedure and disclosure provisions in this clause and the Employee Code of Conduct.

Procedure:

- (4) Council staff must disclose the existence of all conflicts of interest in writing and in the form determined by the Chief Executive Officer.
- (5) All conflicts of interest disclosed by Council staff will be provided to the Governance team for recording in the register of conflicts of interest.
- (6) A Council staff member who has disclosed a conflict of interest may provide advice to Council or another staff member acting under delegation if:
 - (a) the number and qualifications of other people providing advice regarding the same matter is equal or greater; or
 - (b) the staff member who has disclosed the conflict of interest is the only staff member with expertise in the area; and
 - (c) the staff member's manager determines that the conflict of interest has not influenced the advice provided; and
 - (d) the existence of the conflict of interest is documented in all advice provided by that staff member, and in the case of verbal advice, is documented by the decision maker.

PART 4 MINUTES

31 Keeping of minutes

The Chief Executive Officer is responsible for arranging the keeping of minutes for Council Meetings.

32 Confirmation of minutes

- (1) An appropriate motion to confirm the minutes would be:
"That the minutes of the (Type of Meeting) held on (Date of Meeting) be confirmed."
- (2) If some slight alterations required to the minutes, then the following words could be added:
"subject to the following alteration(s)"
- (3) If the Confirmation of the Minutes is to be postponed, an appropriate motion would be:
"That the Confirmation of Minutes be held over until:" OR
"That the Confirmation of Minutes be held over and relisted on the next Agenda."

33 No debate on confirmation of minutes

No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.

34 Objection to confirmation of minutes

If a Councillor is dissatisfied with the accuracy of the minutes, then he or she must:

- (1) state the item or items with which he or she is dissatisfied; and

- (2) propose a motion clearly outlining the alternative wording to amend the minutes.

35 Deferral of confirmation of minutes

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

36 Contents of minutes

- (1) In keeping the minutes of a meeting, the Chief Executive Officer must arrange the recording of minutes so as to show:
- (a) the date, place, time, duration and nature of the meeting;
 - (b) the names of councillors and whether they were PRESENT, an APOLOGY, on LEAVE OF ABSENCE, etc;
 - (c) the names of members of Council staff providing advice to Council with their organisational title;
 - (d) the name of any other person asking questions or making submissions at the meeting and the organisation they represented or the capacity in which they attended;
 - (e) the arrival and departure times of councillors and members of Council staff providing advice to Council during the course of the meeting (including any temporary departures or arrivals);
 - (f) every motion and amendment moved, including the mover (and seconder) of any motion or amendment;
 - (g) the outcome of every motion, that is, whether it was put to the vote and the result of either CARRIED, LOST, WITHDRAWN, LAPSED, AMENDED etc. and identification of those motions voted on by secret ballot;
 - (h) procedural motions (which might be highlighted);
 - (i) where a valid division was called, a table of the names of every councillor and the way their vote was cast; either FOR or AGAINST;
 - (j) details of a failure to achieve or maintain a quorum and any adjournment;
 - (k) details of any question directed or taken upon notice;
 - (l) details of any deputations made to the Council;
 - (m) the time and reason for any adjournment of the meeting or suspension of standing orders;
 - (n) any relevant reports or a summary of relevant reports considered by Council;
 - (o) any interests or conflicts of interest disclosed at the meeting, including the nature of any such interests or conflicts of interest which were disclosed; and
 - (p) any other matter which the Chief Executive Officer thinks should be recorded to clarify the intention of the meeting or the reading of the minutes.

- (2) In addition, the minutes should:
- (a) bear the date and time the meeting was commenced, adjourned, resumed and concluded;
 - (b) be consecutively page numbered; and
 - (c) contain consecutive item numbers which are clearly headed with subject titles and, where appropriate, sub titles and file references.

37 Availability of minutes

The Chief Executive Officer will make available confirmed minutes of open meetings of Council and Delegated Committees together with relevant reports on Council's website.

38 Recording of meetings

- (1) The Chief Executive Officer (or other person authorised by the Chief Executive Officer) may record with the appropriate recording equipment the proceedings of a Council meeting.
- (2) Subject to paragraph (1), a person must not operate any visual or sound recording equipment at any Council meeting without first obtaining the consent of Council or the Chairperson. Such consent may be, at any time during the course of such meeting, revoked by Council or the Chairperson.

PART 5 BUSINESS OF MEETINGS

39 The order of business

- (1) The order of business appearing on an agenda will be determined by the Chief Executive Officer to facilitate and maintain open, efficient and effective processes of government.
- (2) The order of business appearing on agendas should be consistent from meeting to meeting, however, the order of business can be altered according to the discretion of the Chief Executive Officer to enhance the fluent and open process of government of the Council, to meet identified needs of the Council or to take advantage of opportunities which may arise from time to time.
- (3) In determining the agenda, the Chief Executive Officer must consult with the Mayor.
- (4) As a guide, the Chief Executive Officer should list items, giving priority as follows:
 - (a) Opening prayer;
 - (b) Welcome to country;
 - (c) Apologies;
 - (d) Disclosure by Councillors of any interest or conflicts of interest in any item on the agenda;
 - (e) Confirmation of minutes;
 - (f) Public question and submission time;

- (g) Councillor activity reports;
- (h) Planning permit reports;
- (i) Reports requiring a decision;
- (j) Reports for noting;
- (k) Late reports;
- (l) Notices of Motion;
- (m) Urgent business; and
- (n) Confidential reports.

40 Change to order of business

Once an agenda has been sent to Councillors, the order of business for that meeting may only be altered by resolution of Council or the submission of late reports by Chief Executive Officer.

41 Chief Executive Officer may include items on an agenda

The Chief Executive Officer may include any matter on an agenda which they think should be considered by the meeting.

42 Time limits for meetings

- (1) No Council meeting will continue longer than three (3) hours unless a majority of the Councillors present vote in favour of an extension of time.
- (2) An extension of time shall not exceed 30 minutes.
- (3) No more than two (2) extensions of time will be permitted at a Council meeting.
- (4) In the absence of such continuance, the Council meeting must stand adjourned to a time, date and place to be determined by the Chairperson.
- (5) The Chief Executive Officer must give notice to each Councillor of the date, time and place to which the meeting stands adjourned, and of the business remaining to be considered, in accordance with clause 79.

PART 6 VOTING AT MEETINGS

43 How determined

Subject to clause 56, in determining a question before a meeting, the Chairperson will first call for those in favour of the motion and then those opposed to the motion and will declare the result to the meeting.

44 By show of hands

Voting on any matter will be by show of hands.

45 When a division permitted

- (1) A division may be requested by any councillor on any matter.

- (2) The request must be made to the Chairperson either immediately prior to or immediately after the vote has been taken but cannot be requested after the next item of business has commenced.

46 Procedure for a division

- (1) Once a division has been requested the Chairperson will call for a show of hands by those Councillors voting for the motion and then those Councillors opposed to the motion.
- (2) The Chairperson shall name those Councillors voting for the motion and those Councillors voting against the motion and the names shall be recorded in the Minutes of the Meeting.
- (3) Any Councillor abstaining from voting must state their reason for doing so to enable the reason to be recorded in the Minutes of the meeting.

47 Change between original vote and division

No Councillor is prevented from changing his or her original vote at the voting on the division, and the voting by division will determine the Council's resolution on the issue.

48 No discussion once declared

Once a vote on a motion has been taken, no further discussion relating to the motion will be allowed unless the discussion involves:

- (1) a councillor requesting that his or her opposition to the motion be recorded in the minutes or a register maintained for that purpose; or
- (2) a subsequent notice of motion following a rescission motion; or
- (3) for a Councillor to call for a division.

49 Application to delegated committee meetings

The provisions of Part 6 apply to meetings of Delegated Committees to the extent that they are relevant to the proceedings of any Delegated Committee and any reference to councillor in those clauses extends to any member of a Delegated Committee.

PART 7 ADDRESSING THE MEETING

50 Addressing the meeting

- (1) Except for the Chairperson, any Councillor or person who addresses the meeting must stand and direct all remarks through the Chair, however the Chairperson may permit at their discretion any Councillor or other person to remain seated while addressing the Chair.
- (2) Any person addressing the Chair should refer to the Chairperson as:

- (a) Ms Mayor;
- (b) Mr Mayor;
- (c) Ms Chairperson; or
- (d) Mr Chairperson.

as the case may be.

(3) All Councillors, other than the Mayor should be addressed as Cr [Surname].

(4) All members of Council staff, should be addressed as Ms or Mr [Surname].

51 Suspension of standing orders

- (1) These Rules may be suspended for a particular purpose by resolution of the Council.
- (2) The purpose of suspending standing orders is to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.
- (3) The suspension of standing orders should not be used purely to dispense with the processes and protocol of the government of the Council.
- (4) No motion can be accepted by the Chairperson or lawfully dealt with during any suspension of standing orders, except a motion to resume standing orders.

52 Interruption for point of order

A Councillor who is addressing the meeting must not be interrupted unless called to order. In that event, they must remain silent until the Councillor raising the point of order has been heard and the point of order determined by the Chairperson.

PART 8 OTHER MEETING PROCEDURES

Division 1 Matters not provided for

53 Matters not provided for

Where a situation has not been provided for under these Rules, the Council may determine the matter by resolution.

Division 2 Motions

54 Chairperson's duty

Any motion or amendment which:

- (1) is defamatory;
- (2) is objectionable in language or nature;
- (3) is outside the powers of the Council;
- (4) is not relevant to the item of business on the agenda and has not been admitted as urgent business; or
- (5) purports to be an amendment but is not -
must not be accepted by the Chairperson.

55 Moving a motion

The procedure for moving any motion is

- (1) the mover must state the motion without speaking to it;
- (2) the motion must be seconded by a Councillor other than the mover;
- (3) if a motion is not seconded the motion will lapse for want of a seconder;
- (4) if the motion is seconded, the Chairperson must ask: "Is the motion opposed?";
- (5) if no councillor indicates opposition, the Chairperson must ask:
 - (a) the mover to address Council on the motion;
 - (b) the seconder to address Council on the motion if additional points are to be made.
- (6) if a councillor indicates opposition, then the Chairperson must ask
 - (a) the mover to address the Council on the motion;
 - (b) the seconder of the motion may speak or reserve the right to speak later in the debate;
 - (c) any councillor opposed to debate the motion; and
 - (d) any other Councillors for and against the motion to debate, in turn.
- (7) Except for the purposes of a right of reply or for the purposes of raising a point of order no Councillor may speak more than once on any motion.
- (8) A Councillor may, with leave of the Chairperson, ask a question for the purpose of clarification. In asking such questions, Councillor's 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.
- (9) All addresses under (5) and (7) must be made in accordance with clause 69.

56 Agreed to alteration to a motion

- (1) With the leave of the meeting both the mover and the seconder of the motion may agree to an alteration proposed by another Councillor.
- (2) Any such alteration shall not be regarded as an amendment to the motion.

57 Right of reply

- (1) The mover of an original motion which has not been amended may, once debate has been exhausted, have a right of reply to matters raised during debate.
- (2) After the right of reply has been taken, the motion must be immediately put to the vote without any further discussion or debate.

58 No right of reply for amendments

No right of reply is available where an amendment is before the Council.

59 Moving an amendment

A motion having been moved and seconded may be amended by leaving out, inserting or adding words which must be relevant to the original motion and framed so as to complement it as an intelligible and consistent whole.

60 Who may propose an amendment

An amendment may be proposed or seconded by any councillor, other than the mover or seconder of the original motion.

61 Who may debate an amendment

A Councillor may address the meeting once on any amendment (whether or not he or she has spoken to the original motion) but debate must be confined to the terms of the amendment.

62 How many amendments may be proposed

- (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. No second or subsequent amendment, whether to the original motion or an amendment of it, can be taken into consideration until the previous amendment has been dealt with.
- (2) A Councillor cannot move more than one (1) amendment, unless the Chairperson determines that an amendment should be dealt with in part in succession.

63 An amendment once carried

If the amended motion is carried, it then becomes the question before the Chair.

64 Foreshadowing motions

- (1) At any time during debate a councillor may foreshadow a motion to inform the Council of his or her intention to move a motion at a later stage in the meeting, but this does not extend any special right to the foreshadowed motion.
- (2) A motion foreshadowed may be prefaced with a statement that, in the event that a particular motion before the Chair is resolved in a certain way, a councillor intends to move an alternative or additional motion.
- (3) A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the meeting.
- (4) The Chief Executive Officer is not required to have foreshadowed motions recorded in the minutes until the foreshadowed motion is formally moved, but may do if it is thought appropriate.

65 Withdrawal of motions

Before any motion is put to the vote, it may be withdrawn with leave of the Council.

66 Separation of motions

Where a motion or amendment contains more than one part, a Councillor may request the Chairperson to put the motion to the vote in separate parts.

67 Motions in writing

- (1) The Chairperson may require any motion to be submitted in writing where it is lengthy or unclear or for any other reason.
- (2) The Chairperson may suspend the meeting while the motion is being written or may request the Council to defer the matter until the motion has been written, allowing the meeting to proceed uninterrupted.

68 Debate must be relevant to the motion

- (1) Debate must always be relevant to the question before the Chair, and if not, the Chairperson may request the speaker to confine debate to the subject motion.
- (2) If, after being requested to confine debate to the motion before the Chair, the Councillor continues to debate irrelevant matters, the Chairperson may require the Councillor to be seated and not speak further in respect of the matter then before the Chair. In that event, the speaker must comply with the Chairperson's requirement.

Division 3 Speaking times

69 Speaking times

Unless a motion for an extension of time has been carried, the maximum speaking times will be:

- (1) the mover of a motion – three (3) minutes;
- (2) the mover of a motion when exercising their right of reply – three (3) minutes;
- (3) any other Councillor for or against the motion – three (3) minutes.

70 Extension of speaking times by resolution of the Council

- (1) An extension of speaking time may be granted by resolution of the Council but only one (1) extension is permitted for each speaker on any question.
- (2) The length of extension must not exceed two (2) minutes.

71 When an extension can be proposed

A motion for an extension of speaking time must be proposed at the point the allocated time has elapsed.

72 No extension after next speaking commenced

A motion for an extension of speaking time cannot be accepted by the Chair if another speaker has commenced his or her contribution to the debate.

Division 4 Points of order

73 Procedure for point of order

A councillor raising a point of order must:

- (1) state the point of order; and
- (2) the clause, paragraph or provision upon which the point of order is based.

74 Chairperson to decide

The Chairperson will decide all points of order by stating the provision, rule, practice or precedent which they consider applicable to the point raised without entering into any discussion or comment.

75 Chairperson may adjourn to consider

- (1) The Chairperson may seek advice from an Officer or adjourn the meeting to consider a point of order but must otherwise rule on it as soon as it is raised.
- (2) All other matters before the Council are to be suspended until the point of order is decided.

76 Final ruling on a point of order

- (1) The decision of the Chairperson in respect to a point of order raised will not be open for discussion and will be final and conclusive unless a motion of dissent is carried.
- (2) A motion of dissent on a point of order must contain the provision, rule, practice or precedent in substitution for the Chairperson's ruling.
- (3) A motion of dissent in relation to a point of order is a motion of dissent in the ruling of the Chair and the Chairperson must at all times remain in the Chair and maintain their rights as the Chairperson.
- (4) A motion of dissent on a point of order will take precedence over all other business and, if carried, must be acted on instead of the ruling given by the Chairperson.

77 Valid points of order

A point of order may be raised in relation to:

- (1) a procedural matter;
- (2) a Councillor who is or appears to be out of order;
- (3) debate that is irrelevant to the matter under consideration;
- (4) a matter that is outside the powers of Council; or
- (5) any act of disorder.

78 Contradiction of opinion

Rising to express a mere difference of opinion or to contradict a speaker will not be treated as a point of order.

79 Adjournment and resumption of meeting

- (1) The Chairperson or the Council may adjourn any meeting until a time and place to be determined at the time of the adjournment.
- (2) For the purpose of stating the time to which the meeting is adjourned, that time may be indicated as at the adjournment or conclusion of another meeting or event.

80 The closure

- (1) A motion may be moved “that the motion be now put” –
- (2) The motion in sub-clause (1):
 - (a) is a procedural motion which, if carried in respect to an original motion, requires that the original motion must be put to the vote immediately without further debate discussion or amendment;
 - (b) if carried in respect to an amendment, requires that the amendment be put to the vote immediately without any further debate or discussion and allows debate on the original motion to continue; and
 - (c) if lost, allows debate to continue unaffected.
- (3) The Chairperson has a discretion to reject such a motion if the original motion has not in their opinion been sufficiently debated.
- (4) Sufficient debate arises when those possessing different views have been given an opportunity to state them.

81 Adjourning the debate

- (1) A motion may be moved “That the motion and amendments now before the meeting be adjourned”
- (2) The motion in subclause (1):
 - (a) is a procedural motion which cannot be moved while any person is speaking or during the election of a Chairperson;
 - (b) may only be amended in relation to the time, date and place of the proposed adjournment;
 - (c) should provide a date or time to which the adjournment is sought (but if no date or time is included, it may be relisted at the discretion of the Chief Executive Officer or upon a subsequent resolution of the Council); and
 - (d) if lost, allows debate to continue unaffected.

82 Procedural motions

Notwithstanding anything else contained in this Procedure:

- (1) unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the Chairperson.
- (2) the mover of a procedural motion must not have moved, seconded or spoken to the question before the Chair or any amendment of it.

- (3) procedural motions may be seconded by a Councillor who has already spoken in the debate.
- (4) a procedural motion cannot be moved by the Chairperson.
- (5) debate on a procedural motion is not permitted and the mover does not have a right of reply.
- (6) a procedural motion cannot be amended.

Division 5 Notice of motion

83 Notice of motion

- (1) A Councillor may submit a Notice of Motion for inclusion in the Agenda of an Ordinary Meeting.
The Notice of Motion must include concise reference to a Council Plan objective and should demonstrate added value to Council.
- (2) A notice of motion must be in writing by the submitting Councillor, and one other Councillor, and lodged with the Chief Executive Officer no later than 10 days before the meeting to ensure it is listed on the Agenda of the Meeting.
- (3) Councillors are permitted to submit no more than one (1) Notice of Motion per Meeting.
- (4) The Chief Executive Officer may reject any Notice of Motion that is vague or unclear in intention or would be unlawful to implement, but must:
 - (a) give the Councillor who lodged it an opportunity to amend it prior to rejection, if it is practicable to do so; and
 - (b) notify the Councillor who lodged it of the rejection and the reasons for the rejection.

84 If lost

Unless the Council resolves to relist at a future meeting a notice of motion which has been lost, a similar motion must not be put before the Council for at least three (3) months from the date it was last lost.

Division 6 Notice of amendment or rescission

85 Procedure

- (1) A Councillor may propose a motion to amend or rescind a decision of the Council provided:
 - (a) the previous motion has not been acted upon; and
 - (b) a notice endorsed by two (2) Councillors is delivered to the Chief Executive Officer outlining:
 - (i) the decision proposed to be amended or rescinded; and
 - (ii) the meeting and date when the decision was made.
- (2) A decision will be acted upon once its details have been communicated to persons affected by or reliant on the resolution or where a statutory procedure has been carried out as a result of that decision.

86 Listing notice on agenda

Unless the notice specifies a particular meeting date, the Chief Executive Officer must list the notice of amendment or rescission, and if more than one, in the order they were received, on the next appropriate meeting agenda, together with a brief report outlining the criteria required for the motion to be amended or rescinded.

87 Criteria to amend or rescind a motion

For a decision of the Council to be amended or rescinded, the motion for amendment or rescission must be carried by a majority of the votes cast.

88 If lost

Unless the Council resolves to relist at a future meeting a notice to amend or rescind which has been lost, a similar motion must not be put before the Council for at least three (3) months from the date it was last considered.

89 If not moved

If a notice of amendment or rescission is not moved and seconded at the meeting for which it is listed, it will lapse.

90 May be moved by any Councillor

A notice of amendment or rescission listed on an agenda may be moved by any Councillor present but cannot be amended.

91 When not required

- (1) A notice of amendment or rescission is not required where the Council wishes to change a previous decision relating to a policy of the Council.
- (2) However, the following standards should apply:
 - (a) any intention to change a Council policy which may result in significant impact should be communicated to those affected and this may require publication and consultations, either formally or informally; and
 - (b) the Council may determine the extent to which these standards should be followed which will depend on the circumstances of each case.

92 Urgent business

- (1) Urgent Business may be admitted for consideration at an Ordinary Meeting by resolution of the meeting.
- (2) Prior to a vote being taken on whether to admit business as an item of Urgent Business, the Councillor proposing such admission must outline the subject of the business to the Meeting
- (3) The following matters are not capable of becoming items of Urgent Business:

- (a) the creation or abolition of any office;
- (b) the appointment of any person to any office or termination of that appointment;
- (c) employment issues;
- (d) the sale or lease of any asset;
- (e) the declaration of any rate or charge;
- (f) the creation, alteration or abolition of any strategy, policy or guideline;
- (g) any request for an investigation which will, in the opinion of the Chief Executive Officer unreasonably or substantially divert staff resources; and
- (h) any request for a report which will, in the opinion of the Chief Executive Officer unreasonably or substantially divert staff resources; and
- (i) the commitment of funds, or in kind contributions, for any purpose exceeding \$2,000.

Division 7 Public participation

93 Public Question or Submission Time

- (1) At an ordinary meeting, time may be allocated to enable any member of the community to provide the Council with a question or a general submission.
- (2) Sub-clause (1) does not apply during any period when the Council has resolved to close the meeting in respect of a matter under section 66 of the Act.
- (3) Any questions or general submissions must be submitted in writing to the Chief Executive Officer (or other person authorised for this purpose by the Chief Executive Officer) 24 hours prior to the commencement of the meeting.
- (4) Questions (maximum 100 words including any pre-amble) or general submissions (maximum 100 words) may be submitted by mail, email info@hindmarsh.vic.gov.au or delivered in person to a council customer centre but are limited to two questions and one general submission per person per meeting.
- (5) At the discretion of the Chairperson, the person submitting the question or general submission must be present at the Council meeting for the question to be answered or the general submission read.
- (6) The question or general submission should only be read to the meeting if the Chairperson has determined that the question or general submission:
 - (a) does not relate to a matter of the type described in section 66 of the Act;
 - (b) does not relate to a matter in respect of which the Council has no power;
 - (c) is not defamatory, indecent, abusive, or objectionable in language or substance;
 - (d) is not repetitive of a question already answered (whether at the same meeting or an earlier meeting); and
 - (e) is not asked to embarrass a Councillor or member of Council staff.
- (7) If the Chairperson has determined that the question or general submission shall not be read to the meeting:

- (a) the meeting must be advised accordingly; and
 - (b) the question or submission shall be available to Councillors upon request.
- (8) The Chief Executive Officer or delegate must read to the meeting the name and locality of the person who has submitted a question or a general submission.
- (9) The Chief Executive Officer or delegate must read the general submission or the question and the Chairperson may then direct that the question be answered by a nominated Councillor or member of Council staff.
- (10) No debate or discussion of a question or submission or an answer is permitted other than for the purpose of clarification.
- (11) A Councillor or member of staff nominated to answer a question or submission may:
- (a) seek clarification of the question or submission from the person who submitted it;
 - (b) seek assistance of another person in answering the question or submission; and
 - (c) defer answering the question or submission, so that the answer may be researched and a written response provided within 10 working days following the meeting.
- (12) If a person who asked a question or made a submission is not satisfied with the answer given, they may follow the question up with the relevant Council Officer by emailing info@hindmarsh.vic.gov.au.
- (13) Community consultation
- (a) Submissions may also be made where called for during community consultation.
 - (b) Submissions made in response to a public consultation must be made in writing before the time specified in the consultation process.
 - (c) A submission arising from public consultation is not limited in length but will not be read to the meeting as it will be included in the agenda (where practicable) and minutes.
 - (d) A person making a submission arising from a public consultation may be, at the discretion of the chair, permitted to speak to that submission for up to 3 minutes.

94 Conduct during Council Meetings

Any member of the public or community addressing the Council must extend due courtesy and respect to the Council and the processes under which it operates and must take direction from the Chairperson whenever called upon to do so.

95 Chairperson may remove

- (1) The Chairperson has the discretion to cause the removal of any person including a Councillor who disrupts any meeting or fails to comply with a direction.
- (2) At the request of the Chairperson, a member of Victoria Police may remove from the Council Chamber any person who acts in breach of these Governance Rules.

Division 8 Additional duties of the Chairperson

96 The Chairperson's duties and discretions

- (1) In addition to other duties and discretions provided in these Governance Rules, the Chairperson's duties include but are not limited to:
 - (a) presiding over and controlling the Meeting to ensure, to the best of their ability, that it is conducted in accordance with these Governance Rules and the Act;
 - (b) ascertaining that a quorum is present, and if a quorum is present formally declaring the meeting open;
 - (c) welcoming Councillors, Members and visitors;
 - (d) calling for disclosure by Councillors of any conflicts of interest in accordance with these Governance Rules and the Act;
 - (e) presenting any reports for which they are responsible;
 - (f) ensuring debates are conducted in the correct manner; and
 - (g) in the case of competition for the right to speak, will decide the order in which the Members concerned will be heard.
- (2) The Chairperson
 - (a) must not accept any motion, question or statement which appears to the Chairperson to be derogatory, defamatory or embarrassing to any Councillor, member of Council staff, ratepayer, resident or other member of the public;
 - (b) must call to order any person who is disruptive or unruly during any meeting;
 - (c) must allow the Chief Executive Officer the opportunity to correct factual errors or incorrect assertions that arise during the meeting;
 - (d) must call a person to order if their behaviour is disruptive and interferes with the conduct of the meeting; and
 - (e) must decide on all points of order and other questions and other questions of procedure.

PART 9 COMMON SEAL

97 The Council's Common Seal

- (1) The Chief Executive Officer must ensure the security of the Council's common seal at all times.
- (2) The Council's common seal may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by the Chief Executive Officer or other senior officer authorised by the Chief Executive Officer.

98 Authority for use of Common Seal

- (1) The Common Seal must be affixed to a document only for the purpose of giving effect to a decision which has been made by resolution at a Council meeting.

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- (2) To reduce the requirement for a Council resolution each time the use of the Common Seal is required the Chief Executive Officer has general authority to affix the Common Seal to any document as the Chief Executive Officer deems appropriate.

PART 10 DELEGATED COMMITTEE MEETINGS

99 Minutes

- (1) The Secretary is responsible for the keeping of minutes on behalf of the delegated committee.
- (2) No discussion or debate on the confirmation of minutes will be permitted except where their accuracy as a record of the proceedings of the meeting to which they relate is questioned.
- (3) If a committee member is dissatisfied with the accuracy of the minutes, then they must:
 - (a) state the item or items with which they are dissatisfied; and
 - (b) propose a motion clearly outlining the alternative wording to amend the minutes.

100 Business of the meeting

- (1) The order of business will be determined by the Secretary, after consultation with the Chair, to facilitate and maintain open, efficient and effective processes of governance and must include the opportunity for members to declare any conflict of interest on items on the agenda.
- (2) Once an agenda has been sent to committee members the order of business for that meeting may only be altered by resolution of the committee.
- (3) Items of urgent business may only be admitted by resolution of the committee.

101 Addressing the meeting

- (1) Except for the Chair, any committee member or person who addresses the meeting must address all remarks through the Chair.
- (2) A committee member who is speaking must not be interrupted unless called to order when they must sit down and remain silent until the committee member raising the point of order has been heard and the Chairperson has ruled on the point of order.

102 Motions and amendments

- (1) Any motion which is –
 - (a) defamatory; or
 - (b) objectionable in language or nature; or
 - (c) outside the powers of the committee; or
 - (d) stated to be an amendment but is notmust not be accepted by the Chairperson.
- (2) The procedure for any motion is –

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- (a) the mover must state the motion without speaking to it;
 - (b) it must be seconded by a committee member other than the mover;
 - (c) if a motion is not seconded, the motion will lapse for want of a seconder; and
 - (d) if the motion is seconded the Chair must ask if the mover wishes to address the committee on the motion and if the seconder wishes to address the committee on the motion or if they wish to reserve their address until later in the debate.
- (3) The Chair will then ask if any committee member is opposed to the motion and if they wish to speak. Other committee members for and against the motion can debate in turn.
 - (4) The mover of a motion shall have a right of reply after the debate, after which the motion shall be immediately put to the vote. No right of reply is available where an amendment is before the committee.
 - (5) An amendment may be proposed or seconded by a committee member, except the mover or seconder to the original motion. An amendment shall not be a direct negative of the motion.
 - (6) A committee member 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.
 - (7) Any number of amendments may be proposed to a motion but only one amendment may be accepted by the Chair at any one time. No second or subsequent amendment, whether to the original motion or an amendment of it, can be taken into consideration until the previous amendment has been dealt with.
 - (8) If the amendment motion is carried, it then becomes the final motion before the Chair.
 - (9) At any time during debate a committee member may foreshadow a motion to inform the committee of his or her intention to move a motion at a later stage in the meeting.
 - (10) Before any motion is put to the vote it may be withdrawn with leave of the mover and seconder.
 - (11) The Chairperson may require any complicated or lengthy motion to be submitted in writing.
 - (12) Debate must always be relevant to the question before the Chair and, if not, the Chairperson will request the speaker to confine debate to the subject motion.
 - (13) If after being requested to confine debate to the motion before the Chair, the speaker continues to debate irrelevant matters the Chairperson may require the speaker to be seated and not speak further in respect of the matter then before the Chair.
 - (14) Unless a motion for an extension of time has been carried, the maximum speaking times will be:

- (a) the mover of a motion – 3 minutes;
- (b) the mover of a motion when exercising their right of reply – 3 minutes
- (c) any other committee member – 3 minutes.

103 Notice of motion

- (1) Delegated Committee Members may submit a Notice of Motion for inclusion in the Agenda of a meeting. The notice of Motion must include concise reference to a current project and should demonstrate added value to the Delegated Committee.
- (2) A notice of motion must be in writing signed by the submitting member, and one other member, and lodged with the Chairperson no later than 10 days before the meeting to ensure it is listed on the Agenda of the Meeting
- (3) Committee members are permitted to submit no more than one (1) Notice of Motion per Meeting.
- (4) The Chairperson may reject any Notice of Motion that is vague or unclear in intention but must:
 - (a) give the Committee Member who lodged it an opportunity to amend it prior to rejection if practicable to do so; and
 - (b) notify the Committee Member who lodged it of the rejection and the reasons for the rejection.
- (5) The Chairperson 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.
- (6) Unless the Delegated Committee resolves to relist at a future meeting a notice of motion which has been lost, a similar motion must not be put before the Committee for at least three (3) months from the date it was last lost.

104 Other matters

If the committee is required to deal with:

- (1) divisions;
- (2) procedural motions;
- (3) separation of motions;
- (4) points of order;
- (5) adjournment of meetings;
- (6) suspension of standing orders;
- (7) a notice of rescission motion;
- (8) maintenance of order;
- (9) suspension; or
- (10) removal from the meeting –

these matters should be dealt with in accordance with the relevant Governance Rules applying to a meeting of Council

PART 11 CONFIDENTIAL INFORMATION

105 Confidential information

- (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 is confidential information within the meaning of the Act, they may designate the information as confidential and advise Councillors and/or members of Council staff accordingly.

PART 12 ELECTION PERIOD POLICY

106 Purpose

The purpose of this policy is to:

- ensure Council meets its obligations under Section 69 of the Local Government Act 2020 (**Act**) which requires that a Council must include an election period policy in its Governance Rules;
- ensure that the ordinary business of local government for Council continues throughout the election period in a reasonable, transparent and lawful manner;
- assure the community that Council elections are conducted in a manner that is ethical, fair and equitable and are publically perceived as such;
- avoid actions and decisions being made during the election period that may be interpreted as influencing voters or binding the incoming Council.

107 Scope

This policy applies to all employees and Councillors of Council, or a person or Delegated Committee acting under delegation given by Council.

108 Election period

The election period is defined in section 3 of the Act and means the period that starts at the time that nominations close on nomination day and ends at 6pm on election day.

109 Definitions

In this policy the following words and phrases have the following definitions:

Delegated Committee means a delegated committee established by Council under section 63 or 64 of the Act or a Committee exercising any power of Council under the Act.

Election period means the period that –

- (a) starts at the time that nominations close on the nomination day; and
- (b) ends at 6pm on election day.

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 the holding of a meeting.

Council decision means:

- (a) a resolution made at a Council meeting;
- (b) a resolution made at a meeting of a delegated committee; or
- (c) the exercise of a power of the performance of a duty or function of Council by a member of Council staff (which includes the CEO) or a Community Asset Committee under delegation.

MGHS means Manager Governance and Human Services

DCCS means Director Corporate and Community Services

110 Role of the Chief Executive Officer

In addition to the CEO's statutory responsibilities, they must ensure as far as possible that:

- all Councillors are informed of the requirement of this policy;
- guidelines are issued to staff on their role and responsibilities in the implementation of this policy; and
- matters of Council business requiring major 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.

111 Decision making

(1) Prohibited decisions

Section 69 of the Act prohibits Council from making a decision:

- during the election period for a general election that:
 - relates to the appointment or remuneration of the CEO but not to the appointment or remuneration of an Acting CEO;
 - 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;
 - the Council considers could be reasonably deferred until the next Council is in place; or
 - the Council considers should not be made during an election period; or
- 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.

(2) Significant decisions

Over and above the decisions specified in section 69 of the Act, Council will avoid making other decisions during the election period that are of a significant nature which would unnecessarily bind an incoming Council.

Significant decisions include:

- approval of contracts that require significant funding in future financial years of are regarded as politically sensitive matters;
- decisions that have significant impacts on Council's income or expenditure or that relate to expenditure on politically sensitive matters;
- decisions of a politically sensitive nature; and
- policy or strategy decisions.

(3) Scheduling of significant decisions

The CEO should as far as practicable avoid scheduling significant decisions during the election period and instead, ensure that significant decisions are either considered by the Council prior to the election period or scheduled for determination by the incoming Council.

112 Election statement

During the election period, the CEO will ensure that an election statement is included in every report submitted to Council or to a delegated committee of Council for a decision.

The election statement will state that:

The recommended decisions in all reports on this agenda are not prohibited decisions as defined in clause 111 of the Election Period Policy.

113 Council publications during the Election Period

Council publicity will not be used in any way which might influence the outcome of a Council election. Councillors and members of staff are required to comply with section 304(2) of the Act which states that:

A Councillor or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorise to be printed, published or distributed any electoral material during the election period on behalf of, or purporting to be on behalf of, the Council unless the electoral material only contains information about the election process or is otherwise required in accordance with, or under, any Act or regulation.

Penalty: 60 penalty units.

(1) Prohibition on publishing materials during the election period

Council will refrain from printing, publishing or distributing any materials during the Election Period which relate to issues that are the subject of election campaigns, except if the printing, publishing or distribution of a document or other material is essential for the conduct of Council operations. Where that is the case, the document or material must first be approved in writing by the CEO. This obligation also applies to any publications appearing via Council's social media platforms, including Facebook and Instagram.

(2) Considerations of the Chief Executive Officer in granting publication approval

Except as described more specifically elsewhere in this Policy, in considering whether to grant approval for the publication of material during the election period the CEO:

(a) must not permit any material to be published which include reference to the following:

- (i) a candidate in the election;
- (ii) a current Councillor;
- (iii) the strengths or weaknesses of a candidate;
- (iv) response to claims made by a candidate;
- (v) advocacy for, or criticism of, the policies of the Council or of a candidate;
- (vi) publicity for the achievements of the elected Council;
- (vii) an issue before the voters in connection with the election.

(b) may approve the publication of material which only contains information about:

- (i) the election process itself; or
- (ii) Council information that does not include any reference to a current Councillor otherwise precluded by this Policy.

(3) Council's website

During the election period the website will not contain material precluded by this Policy. Any references to the election will only relate to the election process. Information about Councillors will be restricted to names and contact details.

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.

(4) Council's social media

The social media outlets will continue to operate; however the ability for members of the public to post comments on Council's social media will be removed for the duration of the election period. Any material posted by the authorised social media manager and operators will be first approved by the CEO under the Election Period Certification Procedure.

(5) Annual report

If the publication of the Annual Report occurs during the election period, it is affected by the legislative restrictions on publications and therefore information about Councillors will be restricted to what is required by the Local Government (Planning and Reporting) Regulations 2014 and membership of delegated committees and other bodies to which they have been appointed by Council.

The annual report does not require approval by the CEO; however any publications of an extract or summary of the Annual Report will require approval.

(6) Council publications

Any Council publication which is potentially affected by this policy will be reviewed by the DCCS or DIS and then approved in writing by the CEO in accordance with the Election Period Certification Procedure prior to publication. This is to ensure that any circulated displayed, or otherwise publically available material during the election period does not contain material that may be construed as electoral matter.

Council publicity during the Election Period will be restricted to promoting normal Council activities. Where a publicity campaign is deemed necessary for Council service or function (eg, vaccinations), it must be approved by the CEO. Council funded publicity will not feature Councillors except the Mayor when representing Council in an official capacity.

(7) Council notice boards and buildings

During the election period Council noticeboards and buildings will only be used for display of material that contains information about:

- (a) the election process itself; or
- (b) information that would not reasonably be determined to be electoral material.

114 Misuse of position

Councillors must not misuse, or inappropriately make use of their position to gain an advantage or cause detriment to another person at any time, including during the Election Period. Without limitation if a Councillor chooses to stand as a candidate for the election, the Councillor must:

- (a) continue to act in accordance with their obligations under the Act and relevant codes of conduct;
- (b) take care to maintain the distinction between their position as a current Councillor and their role as a candidate for the election;
- (c) avoid any conflicts of interest between their position as a current Councillor and their role as a candidate for the election; and
- (d) maintain appropriate relationships with Council Officers, including by observing all relevant communication protocols between Councillors and Council Officers.

115 Council resources

Section 304 of the Act provides that a Councillor or member of Council staff must not use Council resources in a way that is intended to or is likely to affect the result of an election.

In any circumstances where the use of Council resources might be construed as being related to a candidate's election campaign, advice will be sought from the DCCS or the CEO.

(1) Council resources

Council resources including landlines and mobile telephones, computers and email accounts, offices, meeting rooms, secretarial support, equipment and stationary will be used exclusively for normal Council business and must not be used in connection with any candidate's election campaign.

Photographs or images taken by or on behalf of Council must not be used for the purposes of electioneering.

Where Councillors have Council funded services such as mobile phones, landlines, internet connections and where it is impractical to discontinue their use of these during the election, Councillors will reimburse Council for usage of those services during the election period that exceeds normal usage levels.

(2) Correspondence

Councillors will not sign any correspondence during the election period. Correspondence addressed to councillors that relates to operational matters will be referred to the relevant Director for response. The CEO should sign correspondence in respect to significant, sensitive or controversial matters, or to policy matters. All replies to letters must be free from the perception of political bias.

(3) Expenses Incurred by Councillors

Payment or reimbursement of costs relating to Councillors' out-of-pocket expenses incurred during the election period should only apply to necessary costs that have been incurred in the performance of normal Council duties— not campaigning, and not for expenses that could be perceived as supporting or being connected with a candidate's election campaign. In the case of Councillor claims that cover a combination of Council and electoral business,

the CEO may approve a partial reimbursement to cover Council activities. No reimbursement for personal internet services or personal mobiles will be made during election periods.

(4) Travel and Accommodation

Councillors shall not undertake any interstate or overseas travel in their capacity as a Councillor during the election period. In circumstances where it is imperative that the Mayor (or delegate) represent Council on a delegation or forum, Council may be resolution approve attendance. The CEO may determine if consideration by Council is impracticable.

(5) Council Branding and Stationery

No Council logos, letterheads, or other Hindmarsh Shire Council branding will be used for, or linked in any way, to a candidate's election campaign.

(6) Support to the Mayor and Councillors

No staff, including support staff for the Mayor and Councillors may be asked to undertake any tasks connected directly or indirectly with an election campaign.

(7) Community Forums and Meetings

No local community forums, ward meetings or any other forums of the type identified in the Community Engagement Framework will be held by Councillors during the election period.

(8) Events

During the election period, current Councillors may continue to attend functions and events. Only events essential to the operation of Council will be scheduled and run during the election period. Council officers will be responsible for speeches during events.

116 Access to council information

All candidates have equal rights to access public information relevant to their election campaigns from the Council administration. Neither Councillors nor candidates will be provided information or advice from Council staff that might be perceived to support and advise them during the election period.

Any enquiries by Councillors or candidates to staff regarding information requests or briefing material will be referred by staff in the first instance to the DCCS for a determination.

117 Media and media services

The Council's media services are intended to promote Council activities or initiatives and must not be used in any way that might favour a candidate.

(1) Media Advice

Any requests for media advice or assistance from Councillors during the election period will be channelled through the CEO or the CEO's delegate. No media advice or assistance will be provided in relation to election issues or in regard to publicity that involves specific Councillors.

(2) Media Releases/Spokespersons

Media releases will not refer to specific Councillors. Where it is necessary to identify a spokesperson in relation to an issue the CEO will determine the appropriate staff member to be the spokesperson.

Media releases will require approval by the CEO.

(3) Publicity Campaigns

During the election period, publicity campaigns, other than for the purpose of conducting the election will be avoided wherever possible. Where a publicity campaign is deemed necessary for a Council activity, it must be approved by the CEO. In any event, Council publicity during the election period will be restricted to communicating normal Council activities and initiatives.

(4) Councillors

Councillors will not use their position as an elected representative or their access to Council staff and other Council resources to gain media attention in support of an election campaign.

(5) Council Employees

During the election period no Council employee may make any public statement that relates to an election issue unless statements relate to the electoral process and have been approved by the CEO.

118 Equity in assistance to candidates

All candidates for the Council election will be treated equally.

(1) Candidate Assistance and Advice

Any assistance and advice to be provided to candidates as part of the conduct of the Council election will be provided equally to all candidates.

(2) Election Process Enquiries

All election process related enquiries from candidates, whether sitting Councillors or not, will be directed to the Returning Officer or, where the matter is outside the responsibilities of the Returning Officer, to the MGHS or DCCS.

119 Communication

A copy of this policy must be given to each Councillor as soon as practicable after it is adopted, be available for inspection by the public at the Council office and any district offices, and be published on Council's website.

120 References

Local Government Act 2020 (Vic)

Hindmarsh Shire Council Election Period Certification Procedure

Hindmarsh Shire Council Councillor Code of Conduct

POLICY



Public Transparency Policy (Council)

1 Purpose

The purpose of this Policy is to give effect to the Public Transparency Principles outlined in section 58 of the Act and to ensure that Council is meeting its obligation in having a Public Transparency Policy under section 57 of the Local Government Act 2020 (the Act).

2 Objectives

The objective of Council's Public Transparency Policy is to give effect to the public transparency principles outlined in section 58 of the Act.

The following are the public transparency principles –

- (a) 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;
- (b) Council information must be publicly available unless –
 - (i) the information is confidential by virtue of the Act or any other Act;
 - (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.

3 Scope

This policy applies to Councillors and Council staff of the Council.

4 Definitions

For the purposes of this policy, Council adopts the following definitions:

Community

Means the Municipal Community and includes –

- (a) people who live in the municipal district of the Council;
and
- (b) people and bodies who are ratepayers of the Council;
and
- (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.¹

Confidential information

has the same meaning under section 3 of the Act and is further described under clause 7(a) of this Policy

Council

means Hindmarsh Shire Council

Closed Meetings

when Council resolves to close the meeting to the general public under section 66(2)(a) of the Act.

Transparency

a lack of hidden agendas or conditions, and the availability of all information needed in order to collaborate, cooperate and make decisions effectively.

Contrary to Public Interest

Means where Council may refuse to release information if it determines that the harm likely to be created by releasing the information will exceed the public benefit in being transparent.

5 What will Council be transparent with?

(a) Council Decision Making

- will be undertaken in accordance with the Act and the Governance Rules.
- will be conducted in an open and transparent forum, unless in accordance with the provisions in the Act and Governance Rules.

(b) Council Information

This information includes but is not limited to:

TYPE	DESCRIPTION
Council records	Agendas, minutes, live stream and video recordings of Council Meetings
	Reporting from Committees to Council <ul style="list-style-type: none"> • Delegated committees • Community Asset Committees • Audit and Risk Committee
	Terms of Reference or Charter for Council committees
	Governance Rules
Local Laws	Hindmarsh Shire Municipal Local Law
	Hindmarsh Shire Meeting Procedure and Common Seal Local Law
Policies, strategies, reports	Council Plan, Annual Report, Strategies, Council Policies, Council Budget

¹Local Government Act 2020 s3

TYPE	DESCRIPTION
Organisation	Organisational chart
Councillors	Councillor payment summaries
	Councillor profiles
Council Elections	Election Campaign Donation Returns
	Candidate Information (during elections)
Donations and grants	Grant programs
Planning	Development plans, reference and incorporated documents
	Development contributions
	Current planning applications
Property	How rates are calculated
Businesses	Council's Terms and Conditions
	Awarded Tenders
Council operations	Events information
	Waste management and recycling information
	Information relating to families, positive aging, childcare and pets
	Tourism and local area – variety of information
	Parks and reserves – listing
Registers	Register of Building Occupancy Permits
	Register of Building Permits
	Register of Authorised Officers
	Register of Delegations
	Register of Personal Interests (Register of Interests until 24 October 2020)
	Register of Leases
	Register of Overseas or Interstate Travel
	Register of Gifts, Benefits and Hospitality (Councillors' and Council Staff)
Process/other information	Application processes for approvals, permits, grants, access to Council services
	Community engagement processes
	Complaints handling processes
	Online payments and applications
	Employment with Council
	Lodging a request/complaint

TYPE	DESCRIPTION
	Economic and population profiles
	Information relating to access (maps and guides)

6 Accessibility of information

(a) Access to information

- Information will be available in different ways, including in hard copy, soft copy, by inspection, on the Council website, at Council offices or by request.
- Members of the public can make different kinds of information requests to the Council by contacting the Customer Service team. These requests include informal requests for documents and information or formal FOI requests depending on the nature of the request.
- Council will respond to requests for information in alignment with the Act including the Public Transparency Principles, and this Policy.
- Access to information will be in accordance with the Part II statement made under the *Freedom of Information Act 1982*.

(b) Accessibility and cultural requirements

In assessing all information requests, Council will give consideration to accessibility and cultural requirements.

(c) Freedom of information (FOI) applications

The Freedom of Information Act 1982 gives you right of access to documents that Council hold. If you can't find the document you require, call us before you make an FOI application as we may be able to make it available.

7 Information not available

Some Council information may not be made publicly available. This will only occur if:

- the information is Confidential Information under section 3 of the Act; or
- if its release would be Contrary to the Public Interest; or
- not in compliance with the Privacy and Data Protection Act 2014.

(a) Confidential Information – section 3 of the Act

TYPE	DESCRIPTION
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of Council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if prematurely released.
Law enforcement	Information which would be reasonably likely to prejudice the

information	investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of a Council and delegated committee meetings that are closed to the public to consider confidential information
Internal arbitration information	Confidential information relating internal arbitration about an alleged breach of the councillor code of conduct.
Councillor Conduct Panel confidential information	Confidential information relating to a Councillor Conduct Panel matter
Confidential information under the 1989 Act	Information that was confidential information for the purposes of s77 of the <i>Local Government Act 1989</i>

(b) Contrary to the Public Interest

Council is not required to make publicly available information if the release would be Contrary to the Public Interest, in accordance with the Act. Council may refuse to release information if it is satisfied that the harm to the community likely to be created by releasing the information will exceed the public benefit in it being released.

Information that might be withheld because it is contrary to the public interest may include:

- internal working documents that have not been approved or submitted to Council, especially where their release may mislead the public;
- directions to Council staff regarding negotiations in contractual or civil liability matters, where release may damage the Council's capacity to negotiate the best outcome for the community;
- correspondence with members of the community, where release may inappropriately expose a person's private dealings.

8 Responsibilities

All Councillors and Council Officers are responsible for facilitating access to council information in accordance with this policy.

Party/parties	Roles and responsibilities
Council	Champion the commitment and principles for public transparency through leadership, modelling practice and decision-making.
Executive	Create a working environment where transparency is fostered.

Management Team	Monitor implementation of this policy.
Senior Management Team	Manage areas of responsibility to ensure Council is maintaining its obligations relating to public transparency under the Act and this Policy.
All Staff	Public transparency is the responsibility of all employees as appropriate to their role and function. All staff respond to requests for information and facilitate provision of information in consultation with their manager and in alignment with this Policy.
Manager Governance	To monitor implementation of this policy and conduct periodic reviews to drive continuous improvement.

9 Human rights charter

This policy has been reviewed against and complies with section 13 of the *Charter of Human Rights and Responsibilities Act 2006*, as this Policy aligns with and provides for the protection of an individual's right not to have their privacy unlawfully or arbitrarily interfered with.

10 Non-compliance with this policy

If a member of the community wishes to question a decision about the release of information, this should be raised directly with the officer handling the matter in the first instance. If still not satisfied and would like to contest the decision, this can be reported to the Manager Governance and Human Services.

If not satisfied with Council's response, the concerns can be raised directly with the Victorian Ombudsman's office on (03) 9613 6222, or via the website – www.ombudsman.vic.gov.au.

11 Monitoring, evaluation and review

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

A periodic review of this policy will be undertaken to ensure any changes required to strengthen or update the policy are made in a timely manner.

12 Communication

This Policy will be made available on Council's Website.

13 Supporting documents

Council Document	
Governance Rules Public Transparency Principles	Governance Framework Community Engagement Policy (to be developed)

Privacy and Data Protection Policy	
Legislation	
Charter of Human Rights and Responsibilities Act 2006 Freedom of Information Act 1982 Local Government Act 2020	Privacy and Data Protection Act 2014 Equal Opportunity Act 2010.

14 Document control

Hindmarsh Shire Council Public Transparency Policy		Policy Category	Council
Version Number	01	Policy Status	DRAFT
Approved/Adopted By		Approved/Adopted on:	
Responsible Officer	CEO	Review Date:	3 years after the date of adoption
Version History	Date	Version	Description
	25 May 2020	01	New policy required by Local Government Act 2020

FOR CONSULTATION

POLICY



Councillor Expense Entitlements Policy (Council)

1 Purpose

The purpose of this policy is to define the parameters for the reimbursement of necessary out of pocket expenses incurred while performing duties as a Councillor or a Delegated Committee member as provided by section 41 of the Local Government Act 2020.

2 Scope

This policy applies to all Councillors including the Mayor and all Delegated Committee Members.

3 Definitions

Act means *Local Government Act 2020*

Delegated Committee Member means a member of a delegated committee established under section 63 of the Act.

CEO means Chief Executive Officer of Hindmarsh Shire Council

Council means Hindmarsh Shire Council

4 Context

4.1 Section 40 – Reimbursement of expenses of Councillors and members of a delegated committee

Section 40 of the Act provides that a Council must reimburse a Councillor or a 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;
- are reasonably necessary for the Councillor or member of a delegated committee to perform that role.

Details of all expenses reimbursed under section 40 of the Act must be provided to the Audit and Risk Committee.

4.2 Section 41 – Council expenses policy

Section 41 of the Act provides that a Council must adopt and maintain an expenses policy in relation to the reimbursement of out-of-pocket expenses for Councillors and members of delegated committees.

A policy adopted under Section 41 of the Act must:

- specify the procedures to be followed in applying for reimbursement and in reimbursing expenses;
- comply with any requirements prescribed by the regulations in relation to the reimbursement of expenses; and
- provide for the reimbursement of child care costs where the provision of child care is reasonably required for a Councillor or a member of a delegated committee to perform their role; and
- have particular regard to expenses incurred by a Councillor who is a carer in a care relationship within the meaning of Section 4 of the *Carer's Recognition Act 2012*.

5 Travel

5.1 Mayor's vehicle

A fully maintained vehicle will be provided to assist the Mayor to carry out their duties and for private use during the Mayoral term.

The vehicle is to be operated and maintained in line with Council's Motor Vehicle Use (Including Private Use) Policy, as determined by the CEO from time to time.

5.2 Travelling expenses

Where practical, Councillors are to use a Council pool car for travel involved in performing their duties. Councillors are encouraged to travel together or with Council Officers.

Upon completion and forwarding of a Travel Claim Form to the CEO for approval, travel expenses will be paid to Councillors for out of pocket expenses related to travel to and from—

- Council meetings and Committee meetings;
- Meetings and civic or ceremonial functions held by Council;
- Meetings of an external body to which a Councillor has been appointed on behalf of Council;
- Meeting attended by a Councillor on the Mayor's behalf, as requested;
- Other meetings or functions, as approved by resolution of Council;
- Other meetings, functions or events as determined by the CEO, that Councillors are required to attend and may claim expenses.

Reimbursement will be paid on a per kilometre rate set in accordance with the Australian Tax Office cents per kilometre method. Councillors cannot claim a personal tax refund for kilometres travelled where Council has reimbursed for those kilometres.

Travel claim forms should contain the odometer at start and odometer at end of each claim for travel, and clearly state the purpose of travel. Councillors will be required to complete a log book, council staff may at random verify the odometer on the travel claim form against the log book.

All drivers of Council vehicles must comply with the conditions of use specified in the Motor Vehicle Use (Including Private Use) Policy, as determined by the CEO from time to time.

5.3 Remote area travel allowance

Where a Councillor normally resides more than 50 kilometres by the shortest possible practicable road distance from the location or locations specified for the conduct of ordinary, special or committee meetings or community functions, which have been authorised by Council resolution for the Councillor to attend, they are entitled to be paid an allowance of \$40 per day, up to a maximum of \$5,000 per annum.

5.4 Interstate and international travel

All international and interstate travel by Councillors performing official duties must be in accordance with the Council Plan and approved by a resolution of Council.

Air travel will be economy class with bookings and payments made by Council. In appropriate circumstances, charter flights may be approved by the CEO.

In line with Council's Public Transparency Policy, Council will maintain a register of travel undertaken by Councillors or Council Staff for public inspection of details and costs relating to all overseas and interstate travel (with the exception of travel by land for less than three days).

5.5 Partner travel

The costs of a partner accompanying a Councillor on a Council business trip must be borne by a Councillor, unless there is a bona fide business purpose or necessity for the presence of their partner.

Where a partner is travelling for bona fide business purposes or from necessity, the reasonable costs associated with travel, accommodation, incidentals for the partner must be approved in writing by the CEO prior to departure.

This will not apply to Delegated Committee Members.

5.6 Car parking / public transport / taxi charges

Council will reimburse the costs of car parking, public transport and taxi charges incurred while conducting Council business on the basis of original receipts and relevant details regarding the purpose, date and time of the meeting or function. Travel passes (such as Myki) may be provided to Councillors at the discretion of the CEO.

6 Conferences, seminars and personal development

Councillors are encouraged to attend conferences and seminars relevant to their role, to enhance their personal skills and knowledge.

6.1 Approval

Councillors must obtain approval from Council or the CEO to attend a conference or seminar where expenses are likely to be claimed or to use Council pool vehicles to/from conferences or seminars.

Councillors must obtain approval from Council or the CEO of any proposed expenditure of training funds, and provide details of the proposed course, estimate of costs and purpose of attendance.

6.2 Expenses

Where attendance at a conference or seminar is approved, Councillors shall have all reasonable expenses for travelling, transport, accommodation, registration fees, meals, and out of pocket expenses relating to the conference or seminar reimbursed or paid on their behalf, excluding alcohol (except where alcohol is provided as part of the conference/official dinner or meeting). Upon completing and forwarding of a Creditor Voucher to the CEO, as well as all relevant receipts, reimbursement will be paid to Councillors for out of pocket expenses related to conferences and seminars.

6.3 Types of training

As part of the annual budget process an amount will be allocated for attendance of Councillors at participate in personal development training. The allocated funds may be expended by Councillors on—

- seminars or conferences;
- undergraduate and post graduate studies;
- short courses;
- study tours;

provided these relate to local government activity, leadership, or governance in the context of the role of Councillor, or enhance the personal skills of the individual to undertake the role of Councillor (e.g. IT skills).

Training programs which are considered essential for performing the tasks of Councillor will be fully funded by Council. Programs only partly relevant to the position of Councillor may be jointly funded.

Where a Councillor forecasts expenditure beyond the allowance provided by the annual budget process, additional funds may be provided by resolution of Council.

6.4 Administrative matters

Tax invoices and receipts must be provided with the Creditor Voucher in all instances.

Councillors who attend funded training will prepare reports on areas of major learning when requested to do so by Council.

6.5 Delegated Committee Members

Delegated Committee members wanting to attend conferences, seminars or training will require committee approval and expenses will be paid by the delegated committee.

Interstate and overseas travel or conferences, seminars or training exceeding \$2,000 will require Council approval.

7 Civic support, facilities and equipment

7.1 Communications equipment

Councillors will be provided with appropriate communications equipment to ensure that they can adequately and efficiently perform their role as a Councillor, which may include—

- Mobile phone (smartphone with email and calendar);
- Tablet device (e.g. iPad) with 4G capability;
- Access to a copier/printer;
- Home internet connection where 4G is unavailable;
- Council email account;
- Other equipment as determined by Council resolution or by the CEO.

Where a Councillor wishes to retain his or her personal mobile phone for council use (instead of being provided a Council phone), Council will reimburse up to \$50 per month to cover the costs of telephone and data usage. If retaining a personal mobile phone, Councillors must make their personal mobile number available for publication. No reimbursement for personal mobile phones will be made during election periods.

Where a Councillor wishes to retain their personal home internet connection (instead of being provided an Internet connection by Council), Council will reimburse up to \$60 per month to cover the costs of Council related usage. No reimbursement for personal internet services will be made during election periods.

The make, model and specifications of any communications equipment, the associated contracts or plans and the replacement of any communications equipment shall be at the discretion of the CEO.

Council will meet the purchase, installation, maintenance and service, connection and disconnection, subscription, rental and usage costs for all Council provided communications equipment.

The equipment will remain the property of Council and must be returned at the end of a Councillor's term of office. The equipment must be kept in a secure place and away from any area where the build-up of dust, smoke, grease or other harmful materials is likely. Maintenance of the equipment will be carried out by a person approved by the CEO and be paid for by the Council.

Council provided communications equipment is to be used for Council related business activities however it is acknowledged that, on occasion, limited personal use may be made of communications equipment. Councillors are required to reimburse Council for the cost of their personal use of the equipment.

This will not apply to Delegated Committee Members.

7.2 Stationary

Councillors may access and use standard stationery held or obtained generally for the council's requirements.

The stationery includes items such as business cards, pens, diaries, notepads, USB sticks, paper, and envelopes.

7.3 Office space

Council will provide a suitably furnished and equipped office, in an appropriate location, for use by the Mayor.

7.4 Administrative support

Reasonable administrative support for work directly relating to the duties of the office will be provided through the Chief Executive's Office.

This will not apply to Delegated Committee Members.

7.5 Credit card

If a Councillor or the Mayor is issued with a credit card, the credit card is to be used strictly in accordance with Council's Credit Card Policy.

7.6 Meal/refreshments

At the discretion of the CEO, Council will provide meals or refreshments, which may include the limited serving of alcohol, in conjunction with meetings and events on Council business.

7.7 Insurance

Councillors are covered by the following Council insurance policies while discharging their duties—

- a) Public and Product Liability;
- b) Professional Indemnity;
- c) Personal Accident - Corporate Travel;
- d) Councillors and Officers Liability Insurance (Statutory Liability is incorporated into this policy);
- e) Motor Vehicle.

Council will pay any applicable policy excess in respect of claims made against a Councillor arising from Council business where any claim is accepted by Council insurers.

7.8 Legal costs

Council will only meet legal expenses incurred as a result of a Councillor performing official duties.

If a Councillor requires legal advice in connection with his or her functions as a Councillor, Council may facilitate and fund such legal advice by resolution. Council will evaluate any request of a Councillor for legal advice against the following criteria—

- a) The extent to which the subject matter of the advice required relates to the Councillor's functions as a Councillor
- b) The extent to which the subject matter of the advice required relates to a matter before Council
- c) The extent to which the subject matter of the required advice will or is likely to be of interest to all Councillors
- d) The public interest
- e) Any other relevant considerations

If the Councillor's need for legal advice cannot be deferred until consideration by Council, the CEO may facilitate such legal advice and confirm that Council will meet expenses, after taking into consideration of the same criteria used by Council, above.

In the event that legal advice relates to a writ, action or pending action against Council or Councillors, the Councillors must provide a copy of the writ or action or provide information which may lead to action to the CEO, who will advise Council's insurers as soon as possible, in accordance with Council's insurance policy conditions.

8 Dependent care expenses

Councillors when attending to legitimate Council business may be reimbursed for necessary dependent care incurred for children, frail aged or disabled persons.

Reasonable care expenses may comprise hourly fees, agency booking fees and/or reasonable travelling expenses and will only be reimbursed when paid to—

- a) a recognised dependent care provider
- b) a person who does not:
 - i. have a familial or like relationship with the Councillor or committee member;
 - ii. reside either permanently or temporarily with the Councillor or committee member;
 - iii. have a relationship with the Councillor or their partner such that it would be inappropriate for Council to reimburse monies paid to the care provider.

when the care is necessary to allow attendance at—

- a) Council meetings and Council business relating to Council meetings;

- b) Council functions;
- c) Meetings arising as a result of the Councillor being appointed by the Council to a committee or external body;
- d) Other Council business as approved by the CEO.

9 Exclusions

Any expenses arising from a breach of road, traffic, parking or other regulations or laws including Council Local Laws, will not be reimbursed or funded in anyway by Council.

10 Delegated Committee Members

This policy will apply to Delegated Committee Members in the same way as Councillors unless expressed otherwise.

11 Submission of claims

All claims are to be submitted on the Travel Claim Form or Creditor Voucher (as applicable). All claims should be accompanied by fully accredited receipts/tax invoices for any expenses claimed. If receipts cannot be produced, Councillors may be required to provide a statutory declaration.

All claims must include sufficient detail to demonstrate that, in accordance with the Act, the expense for which the reimbursement is claimed is a reasonable bona fide out of pocket expense incurred while performing the duties of a Councillor.

All claims for allowances or reimbursements including travelling should be made on a monthly basis. This is to ensure transparency and accountability. It is the responsibility of Councillor to make timely claims. Claims not made within 6 months of incurring the expense will not be reimbursed.

12 Administrative updates

It is recognised that from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

13 Communication

This Policy will be placed on Council's website and will be made available to Councillors via Docs on Tap. This policy will be circulated via email to all Delegated Committees Members.

14 Responsibility

Policy Owner: Director Corporate and Community Services

15 Supporting documents

Document	Location
Motor Vehicle Use (Including Private Use) Policy	User Workspace/Council Documents/Governance/Policies Council Versions/1.Current Policies – Reviewed and Approved
Travel Claims Form	Available from Council Executive Assistant
Creditor Voucher	Available from Council Executive Assistant
Credit Card Policy	User Workspace/Council Documents/Governance/Policies Council Versions/1.Current Policies – Reviewed and Approved
Accounting Policy and Procedures Manual	User Workspace/Council Documents/Governance/Policies Council Versions/1.Current Policies – Reviewed and Approved
<i>Local Government Act 2020</i>	https://www.legislation.vic.gov.au/as-made/acts/local-government-act-2020

16 Document control

Councillor Expense Entitlements Policy		Policy Category	COUNCIL
Version Number	1.3	Policy Status	DRAFT
Approved/Adopted By	COUNCIL	Approved/Adopted on:	19 August 2020
Responsible Officer	DCCS	Review Date:	4 YEARS AFTER APPROVAL
Version History	Date	Version	Description
	November 2009	1.0	New Policy
	6 December 2017	1.1	Update of policy
	15 July 2019	1.2	Update of policy
	14 May 2020	1.3	Update of policy – Local Government Act 2020

POLICY



Hindmarsh Shire Council Conflict of Interest Policy

1 Purpose

Council is committed to governing in the best interests of the Community and delivering services in a fair, transparent and accountable manner.

The purpose of this Policy is to:

- give the community confidence in the decisions that Council is making;
- guide Councillors, members of Committees and employees on what a conflict of interest is;
- ensure Council's organisational and decision making processes are transparent and free from prejudice; and
- ensure that Council is compliant with the *Local Government Act 2020*.

2 Scope

This policy applies to all Councillors, members of Committees and Council employees.

3 Definitions

CEO	means Chief Executive Officer of Hindmarsh Shire Council
Committees	include Delegated Committees established by the <i>Local Government Act 2020</i> , Community Asset Management Committees established under delegation by the CEO, and advisory committees.
Council	means Hindmarsh Shire Council
Act	means the <i>Local Government Act 2020</i>
Relevant person	means a person who is a Councillor; or member of a delegated committee who is not a Councillor; or a member of Council staff.
Family member	means <ol style="list-style-type: none">a spouse or domestic partner of the relevant person;a parent, grandparent, sibling, child, grandchild, step parent, step sibling or step child of the relevant person or of their spouse or domestic partner orany other relative that regularly resides with the relevant person.
Affected person	means <ol style="list-style-type: none">the relevant person;a family member of the relevant person

- c) a body corporate of which the relevant person or their spouse or domestic partner is a Director or a member of a governing body
- d) an employer of the relevant person unless the employer is a public body
- e) a business partner of the relevant person
- f) a person for whom the relevant person is a consultant, contractor or agent;
- g) a beneficiary under a trust or an object of a discretionary trust of which the relevant person is a trustee;
- h) a person from whom the relevant person has received a disclosable gift.

4 Legislative context

(a) Overarching governance principles

This policy is to be read in conjunction with the overarching governance principles outlined in s9 of the Act, with particular reference to the following principles:

Council decisions are to be made and actions taken in accordance with the relevant law;

The transparency of Council decisions and information is to be ensured.

(b) Conflict of interest provisions of the Act

The Act describes two classes of interests:

- S127 of the Act– General conflict of interest; and
- S128 of the Act – Material conflict of interest.
- S129 of the Act - Exemptions

(c) General conflict of interest

A general conflict of interest is defined by s127 of the Act as in the following way:

*“a relevant person has a general conflict of interest in a matter if an **impartial, fair minded person** would consider that the **person’s private interests** could result in that person **acting in a manner that is contrary to their public duty.**”*

(d) Material conflict of interest

A material conflict of interest is defined by s128 of the Act as in the following way:

*“a relevant person has a material conflict of interest in respect of a matter if an **affected person** would **gain a benefit or suffer a loss depending on the outcome of the matter.**”*

(e) Exemptions

S129 of the Act contains exemptions to the conflict of interest provisions:

A conflict of interest does not arise if any of the following arises:

- the conflict of interest is so remote or insignificant that it could not be reasonably regarded as capable of influencing the actions or decisions of the relevant person in relation to the matter;
- the interest that would give rise to a conflict of interest is held in common with a substantial proportion of the residents, ratepayers or electors of the municipal district and does not exceed the interests held by the other residents, ratepayers or electors.
- the relevant person does not know the circumstances that give rise to the conflict of interest, and could not be reasonably expected to know those circumstances;
- the interest only arises because the relevant person is the representative of the Council on a not-for-profit organisation that has an interest in the matter and the relevant person receives no personal advantage from the not-for-profit organisation;
- the interest only arises because a family member of the relevant person is a member but not an office-holder of a not-for-profit organisation;
- the interest only arises because the relevant person is a member of a not-for-profit organisation that has expressed an opinion or advocated for an outcome in regard to the matter;
- the interest arises in relation to a decision by a Councillor on a matter or in a circumstance that is prescribed to be exempt by the regulations.

5 Declaring a conflict of interest

Conflicts of interest are to be declared in accordance with the Governance Rules and the Employee Code of Conduct.

6 Declaring other relationships / associations

There may be some instances where a person has a relationship or association with a person or company or other entity which does not fall within the scope of *general conflict of interest* or *material conflict of interest*.

In these instances, employees and councillors are encouraged to declare the relationship or association with their manager or supervisor or with the CEO.

An example of this might be where someone is on an interview panel where they went to school with someone who is an applicant but with whom they no longer have a relationship with. In this instance it may simply be noted on the Recruitment Interest Declaration form that is completed prior to completing the interview.

7 Roles and responsibilities

Person/s responsible	Accountabilities
Councillors	<ul style="list-style-type: none"> • Being aware of their obligations to avoid conflicts of interest; • Disclosing any conflicts of interest in accordance with the Governance Rules; • Not being involved in decisions and actions that could reasonably be seen to be compromised by their private interests or affiliations; • Avoiding private action in which they could be seen to have an improper advantage from inside information from their position within Council;

	<ul style="list-style-type: none"> • Not using their position or Council resources for private gain; • Ensuring that there can be no reasonably perception that they have received an improper benefit that may influence the performance of their duties.
Employees	<ul style="list-style-type: none"> • Being aware of their obligations to avoid conflicts of interest; • Disclosing any conflicts of interest in accordance with the Governance Rules; • Not being involved in decisions and actions that could reasonably be seen to be compromised by their private interests or affiliations; • Avoiding private action in which they could be seen to have an improper advantage from inside information form their position within Council; • Not using their position or Council resources for private gain; • Ensuring that there can be no reasonably perception that they have received an improper benefit that may influence the performance of their duties.
CEO	<ul style="list-style-type: none"> • Implementing policy and procedure for identifying and managing conflicts of interest.

8 Compliance

(a) Audit and reporting

All declared conflicts of interest will be recorded in the Conflict of Interest Register by the Governance Unit and monitored as per Council Policy.

(b) Training and development

This Policy will be included in induction and ongoing governance training programs.

Training and development will be put in place for Councillors annually.

(c) Privacy

In accordance with the *Victorian Privacy and Data Protection Act 2014* any personal information or confidential information collected will be for the purpose of documenting any conflicts of interest.

Information relevant to conflict of interest will be disclosed to the CEO. Information will be used to the purpose of recording and evaluating conflicts of interest and may be disclosed as permitted by law.

Please refer to Council's Privacy Policy for further information.

9 Communication

This policy will be communicated via Council's website, Council's intranet, via email, at the Councillor induction.

10 Responsibility

Policy Owner: CEO

11 Supporting documents

Document
Hindmarsh Shire Council Councillor Code of Conduct Hindmarsh Shire Council Hospitality and Gifts Policy (Councillors) Hindmarsh Shire Council Privacy Policy
Local Government Act 2020 Local Government Victoria: Conflict of Interest – A Guide for Councillors

12 Document control

Hindmarsh Shire Council Conflict of Interest Policy		Policy Category	GOVERNANCE
Version Number	02	Policy Status	DRAFT
Approved/Adopted By	COUNCIL	Approved/Adopted on:	
Responsible Officer	Manager Governance and Human Services	Review Date:	3 years from date of approval
Version History	Date	Version	Description
	04 March 2020	01	New policy
	23 July 2020	02	Updated after introduction of Local Government Act 2020



TERMS OF REFERENCE

XX TOWN COMMITTEE

ADVISORY COMMITTEE TO HINDMARSH SHIRE COUNCIL

Contents

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1 Background

- 1.1 By this Terms of Reference document, Hindmarsh Shire Council (**Council**) establishes the XX Town Committee.
- 1.2 Council will establish from time to time various Advisory Committees. The purpose of such committees is to provide advice to Council with expertise in relevant matters to assist its decision making for the Hindmarsh Community.
- 1.3 The Committee has functions and responsibilities as set out in this Terms of Reference document. The Terms of Reference document sets out the structure and basis on which the Committee can make recommendations to Council.
- 1.4 This Terms of Reference document is authorised by a resolution of Council passed on 19 August 2020.

2 Purpose

- 2.1 The purpose of the XX Town Committee (**Committee**) is to:
 - 2.1.1 provide leadership in the promotion of XX and district, the improvement of the community's liveability and its economic development, liaising with sporting clubs, community organisations and businesses to identify and help coordinate any such opportunities
 - 2.1.2 advise Council of necessary service delivery and infrastructure improvements in its community, and to prioritise such requests and submit them in early December of each year for consideration in Council's budget
 - 2.1.3 provide a means of effective and efficient communication between Council and the community
 - 2.1.4 provide feedback and comments on matters referred by Council or other matters brought to the Committee's attention;
 - 2.1.5 facilitate local activities and events, including welcome functions for new residents;
 - 2.1.6 provide advice to Council as to how the funds of the XX Town Committee are expended.

3 Role of the Committee

- 3.1 The role of the Committee is to:
 - 3.1.1 to establish clearer lines of communication between Council and residents to support future development and operational activities in Nhill/Jeparit/Dimboola/Rainbow.

4 Town Committee Finances

- 4.1 Council will hold the funds of the XX Town Committee.
- 4.2 Decisions to spend the funds will be made by Council on the advice of the XX Town Committee.
- 4.3 Funds remaining in the XX Town Committee's ledger at the end of each financial year will rollover into the following financial year's accounts for the XX Town Committee.

5 Membership

- 5.1 The Committee will consist of a minimum of five up to nine members comprising of:
 - 5.1.1 One Councillor nominated by council;
 - 5.1.2 Up to eight members of the Nhill/Jeparit/Dimboola/Rainbow community appointed by council after seeking nominations from the community.
- 5.2 The Chief Executive Officer (CEO) shall appoint a Council Officer to provide governance advice and approve purchasing recommendations, within limits determined by the CEO.
- 5.3 A Council Officer appointed under 5.1.2 is not considered a member of the Committee and does not have voting rights.
- 5.4 Each member of the Committee has and may exercise one equal vote on any question before the Committee for determination.
- 5.5 Councillors, other than a Councillor appointed under clause 5.1.1, who attend a meeting are not to be classed as members of the Committee and do not have voting rights.
- 5.6 Membership is for a period of two (2) years.
- 5.7 Any Councillor can attend meetings of the Committee as an observer.

6 Executive

- 6.1 The executive composition of the Committee will be:
 - 6.1.1 Chairperson;
 - 6.1.2 Secretary
 - 6.1.3 up to 2 other office bearers as determined by the committee.

Explanatory note 5.1.3 The 2 other office bearers are up to the discretion of each Committee. For example, a Deputy Chairperson may be elected.

7 Election of Chairperson

- 7.1 The Committee must elect a Chairperson at the first meeting.
- 7.2 The election of a Chairperson must be chaired by the Councillor or a council officer.
- 7.3 The Councillor or Council Officer will invite nominations for Chairperson.
- 7.4 Every nomination for Chairperson will require a seconder.
- 7.5 Voting must be done by show of hands.
- 7.6 The Chairperson must be elected by an absolute majority of the Committee.

7.7 Role of the Chairperson

- 7.7.1 The Chairperson will chair all meetings.
 - 7.7.2 The Chairperson is the authorised spokesperson for the Committee.
- 7.8 If the Chairperson is absent from a Committee meeting, the Committee will elect a temporary Chairperson to chair the Committee meeting.

8 Election of secretary

- 8.1 The Committee must elect a Secretary at the first meeting.
- 8.2 The Councillor or Council Officer will invite nominations for Chairperson

- 8.3 Every nomination for Secretary will require a seconder.
- 8.4 Voting must be done by show of hands.
- 8.5 The Secretary must be elected by an absolute majority of the Committee.

8.6 Role of Secretary

- 8.6.1 The Secretary will be responsible for preparing the Agenda for the meetings and taking full and accurate minutes of the meetings.
- 8.6.2 The Secretary is responsible for distributing the minutes of the Committee Meeting within the required time frame.

9 Agenda

- 9.1 For an item to be listed on the Agenda, the Secretary must be notified seven days prior to the meeting.
- 9.2 The Agenda is to be circulated to all Committee members five days prior to the meeting.
- 9.3 The Committee will not discuss any matter which has not been listed on the Agenda.
- 9.4 The Agenda must follow the format outline in Schedule 1.
- 9.5 Urgent business
 - 9.5.1 Urgent Business may be admitted for consideration at a Committee Meeting by resolution of the Committee Meeting.
 - 9.5.2 Prior to a vote being taken on whether to admit business as an item of Urgent Business, the Committee Member proposing such admission must outline the subject of the business to the Meeting
 - 9.5.3 The following matters are not capable of becoming items of Urgent Business:
 - 9.5.3.1 the commitment of funds, or in kind contributions, for any purpose exceeding \$100.

10 Meetings

- 10.1 Unless Council resolves otherwise, Committee meetings must be conducted in accordance with these Terms of Reference.
- 10.2 The Committee will meet a minimum of 10 times per year.
- 10.3 A quorum of the Committee will be half the members plus one.
- 10.4 Voting will be by a majority of votes by a show of hands.
- 10.5 Only Committee members in attendance are entitled to vote.
- 10.6 The chairperson shall have the casting vote in the event of an equality of votes.
- 10.7 Sub Committees may be appointed by the Committee and may meet between general meetings and as authorised by the Committee.

11 Resolutions

- 11.1 Resolutions that are made by the Committee become advice to Council which can be approved or denied.
- 11.2 All Resolutions are to read as follows and as applicable to the resolution:

11.2.1 *The Committee recommends that Council take the decision to spend \$XX on XXX; OR*

11.2.2 *The Committee recommends that Council take the decision to approve the [event] as a Council event.*

12 Role of the Council Officer

12.1 The role of the Council Officer appointed under clause 5.1.2 includes:

12.1.1 maintaining a Register of Committee members, their date of appointment, reappointment and official positions (if any) held as a Committee member;

12.1.2 advising Committee members of term completion dates and their eligibility for reappointment as relevant;

12.1.3 acting as contact point between Council and the Committee;

12.1.4 assisting with meeting the Committee's reporting requirements;

12.1.5 making decisions on expenditure up to \$2,000.00 based on advice provided by the Committee;

12.1.6 making the decision, within the limits of their overall delegation, as a council officer, to hold an event based on advice from the Committee;

12.1.7 signing off on any applications made by the Committee

12.1.8 maintaining a finance report.

12.2 The Council Officer will only attend the Committee meeting for the first hour of a meeting.

13 Reporting

13.1 The Committee is responsible for taking proper minutes of all meetings and preparing reports for the Committee's consideration in accordance with:

13.1.1 Council's Governance Rules (as amended from time to time and adopted by Council).

13.2 Minutes are to be forwarded to s86@hindmarsh.vic.gov.au within one week of the meeting to be tabled at the following Council meeting.

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

14 Creation and dissolution

14.1 By the Terms of Reference, the Committee:

14.1.1 is established; and

14.1.2 has the responsibilities as set out in the Terms of Reference.

14.2 These Terms of Reference:

14.2.1 come into force immediately the resolution of Council adopting them is made; and

14.2.2 remain in force until Council determines to vary or revoke it.

14.3 The Committee may only be dissolved by Council.

SCHEDULE 1 AGENDA

1. Acknowledgement of the Indigenous Community;
2. Apologies;
3. Confirmation of minutes;
4. Disclosure by Committee members or Councillors or Council Officers of any interest or conflicts of interest in any item on the agenda;
5. Finance report;
6. Decisions to be made;
7. Correspondence;
8. General business as notified to the Chair;
9. Urgent business;
10. Meeting close.

S6 Instrument of Delegation – Members of Staff



**Hindmarsh
Shire Council**

Hindmarsh Shire Council

Instrument of Delegation

to

Members of Council Staff

Instrument of Delegation

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

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

DCCS means Director Corporate and Community Services

DIS means Director Infrastructure Services

MGHS Manager Governance and Human Services

CSC Customer Service Coordinator

RO means Revenue Officer

MFCS Manager Finance and Customer Service

EHO means Environmental Health Officer

MCD means Manager Contracts and Development

MO means Manager Operations

SAE means Senior Assets Engineer

MCW means Manager Capital Works

3. declares that:
 - 3.1 this Instrument of Delegation is authorised by **a resolution** of Council passed on 19 August 2020, and
 - 3.2 the delegation:
 - 3.2.1 comes into force immediately when the Resolution is passed;
 - 3.2.2 remains in force until varied or revoked;
 - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
 - 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 3.3 the delegate must not determine the issue, take the action or do the act or thing:
 - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;



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- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - (a) policy; or
 - (b) strategy adopted by Council;
- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
- 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Dated:

Councillor:
Cr Robert Gersch (Mayor)

Chief Executive Officer:
Mr Greg Wood



SCHEDULE



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CEMETERIES AND CREMATORIA ACT 2003			
##The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	Where Council is a Class B cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 14	Power to manage multiple public cemeteries as if they are one cemetery	DCCS; MFCS; RO; CSC	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	DCCS; MFCS; RO; CSC	
s 15(4)	Duty to keep records of delegations	DCCS; MFCS; RO; CSC	
s 17(1)	Power to employ any persons necessary	CEO	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(3)	Power to determine the terms and conditions of employment or engagement	DCCS; MFCS; RO; CSC	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	DCCS; MFCS; RO; CSC	
s 19	Power to carry out or permit the carrying out of works	DCCS; MFCS; RO; CSC	
s 20(1)	Duty to set aside areas for the interment of human remains	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DCCS; MFCS; RO; CSC	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	DCCS; MFCS; RO; CSC	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	Subject to the approval of the Minister

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	DCCS; MFCS; RO; CSC	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	DCCS; MFCS; RO; CSC	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	DCCS; MFCS; RO; CSC	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DCCS; MFCS; RO; CSC	Report must contain the particulars listed in s 57(2)

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 59	Duty to keep records for each public cemetery	DCCS; MFCS; RO; CSC	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DCCS; MFCS; RO; CSC	
s 60(2)	Power to charge fees for providing information	DCCS	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DCCS; MFCS; RO; CSC	
s 64B(d)	Power to permit interments at a reopened cemetery	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	DCCS; MFCS; RO; CSC	The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
s 70(2)	Duty to make plans of existing place of interment available to the public	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DCCS; MFCS; RO; CSC	
s 71(2)	Power to dispose of any memorial or other structure removed	DCCS; MFCS; RO; CSC	
s 72(2)	Duty to comply with request received under s 72	DCCS; MFCS; RO; CSC	
s 73(1)	Power to grant a right of interment	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 73(2)	Power to impose conditions on the right of interment	DCCS; MFCS; RO; CSC	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DCCS; MFCS; RO; CSC	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DCCS; MFCS; RO; CSC	
s 80(2)	Function of recording transfer of right of interment	DCCS; MFCS; RO; CSC	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DCCS; MFCS; RO; CSC	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DCCS; MFCS; RO; CSC	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DCCS; MFCS; RO; CSC	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	Does not apply where right of internment relates to remains of a deceased veteran.

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or; Remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	DCCS; MFCS; RO; CSC	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	DCCS; MFCS; RO; CSC	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DCCS; MFCS; RO; CSC	
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	DCCS; MFCS; RO; CSC	
s 86(5)	Duty to provide notification before taking action under s 86(4)	DCCS; MFCS; RO; CSC	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCCS; MFCS; RO; CSC	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DCCS; MFCS; RO; CSC	
s 91(1)	Power to cancel a right of interment in accordance with s 91	DCCS; MFCS; RO; CSC	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCCS; MFCS; RO; CSC	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DCCS; MFCS; RO; CSC	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 100(1)	Power to require a person to remove memorials or places of interment	DCCS; MFCS; RO; CSC	
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)	DCCS; MFCS; RO; CSC	
s 100(3)	Power to recover costs of taking action under s 100(2)	DCCS; MFCS; RO; CSC	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	DCCS; MFCS; RO; CSC	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DCCS; MFCS; RO; CSC	
s 103(1)	Power to require a person to remove a building for ceremonies	DCCS; MFCS; RO; CSC	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 103(3)	Power to recover costs of taking action under s 103(2)	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DCCS; MFCS; RO; CSC	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCCS; MFCS; RO; CSC	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
s 108	Power to recover costs and expenses	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 109(1)(a)	Power to open, examine and repair a place of interment	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DCCS; MFCS; RO; CSC	
s 112	Power to sell and supply memorials	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DCCS; MFCS; RO; CSC	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DCCS; MFCS; RO; CSC	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DCCS; MFCS; RO; CSC	
s 119	Power to set terms and conditions for interment authorisations	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 131	Function of receiving an application for cremation authorisation	DCCS; MFCS; RO; CSC	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	DCCS; MFCS; RO; CSC	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DCCS; MFCS; RO; CSC	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DCCS; MFCS; RO; CSC	Subject to the approval of the Secretary

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	DCCS; MFCS; RO; CSC	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
s 151	Function of receiving applications to inter or cremate body parts	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA ACT 2003

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
sch 1 cl 8(8)	Power to regulate own proceedings	DCCS; MFCS; RO; CSC	Subject to cl 8

DOMESTIC ANIMALS ACT 1994

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	DCCS	Council may delegate this power to a Council authorised officer

ENVIRONMENT PROTECTION ACT 1970

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 53M(3)	Power to require further information	DCCS; MGHS; EHO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	DCCS; MGHS; EHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	DCCS; MGHS; EHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	DCCS; MGHS; 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)	DCCS; MGHS; EHO	Refusal must be ratified by Council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DCCS; MGHS; 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	DCCS; MGHS; 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	DCCS; MGHS; 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	DCCS; MGHS; EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	DCCS; MGHS; EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	DCCS; MGHS; EHO	If s 19(1) applies

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DCCS; MGHS; 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	DCCS; MGHS; 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	DCCS; MGHS; EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	DCCS; MGHS; EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	DCCS; MGHS; EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DCCS; MGHS; EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DCCS; MGHS; EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	DCCS; MGHS; 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	DCCS	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	DCCS; MGHS; EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DCCS; MGHS; 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	DCCS; MGHS; EHO	Where Council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCCS; MGHS; EHO	Where Council is the registration authority
---	Power to register, renew or transfer registration	DCCS; MGHS; 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	DCCS; MGHS; 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)	DCCS; MGHS; EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	DCCS; MGHS; 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	DCCS; MGHS; EHO	Where Council is the registration authority

FOOD ACT 1984

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DCCS; MGHS; EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DCCS; MGHS; 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	DCCS; MGHS; EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DCCS; MGHS; EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	DCCS; MGHS; EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	DCCS; MGHS; EHO	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 38E(4)	Duty to register the food premises when conditions are satisfied	DCCS; MGHS; EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DCCS; MGHS; EHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	DCCS; MGHS; 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 <i>Public Health and Wellbeing Act 2008</i>	DCCS; MGHS; EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DCCS; MGHS; EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	DCCS	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	DCCS; MGHS; EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCCS; MGHS; 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	DCCS; MGHS; EHO	Where Council is the registration authority

HERITAGE ACT 2017

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	No Delegation	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

LOCAL GOVERNMENT ACT 1989

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO¹	
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO²	

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

² The only member of staff who can be a delegate in Column 3 is the CEO.

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DIS; MCD	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DIS; MCD	
s 4H	Duty to make amendment to Victorian Planning Provisions available	DIS; MCD	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	DIS; MCD	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DIS; MCD	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DIS; MCDV	
s 8A(5)	Function of receiving notice of the Minister's decision	DIS; MCD	
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	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DIS; MCD	
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	DIS; MCD	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	DIS; MCD	
s 12B(1)	Duty to review planning scheme	DIS; MCD	
s 12B(2)	Duty to review planning scheme at direction of Minister	DIS; MCD	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DIS; MCD	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	DIS; MCD	
s 17(1)	Duty of giving copy amendment to the planning scheme	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 17(2)	Duty of giving copy s 173 agreement	DIS; MCD	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DIS; MCD	
s 18	Duty to make amendment etc. available	DIS; MCD	
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	DIS; MCD	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DIS; MCD	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	DIS; MCD	
s 21(2)	Duty to make submissions available	DIS; MCD	
s 21A(4)	Duty to publish notice	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 22	Duty to consider all submissions	DIS; MCD	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	DIS; MCD	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DIS; MCD	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DIS; MCD	
s 26(1)	Power to make report available for inspection	DIS; MCD	
s 26(2)	Duty to keep report of panel available for inspection	DIS; MCD	
s 27(2)	Power to apply for exemption if panel's report not received	DIS; MCD	
s 28	Duty to notify the Minister if abandoning an amendment	DIS; MCD	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	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 30(4)(b)	Duty to provide information in writing upon request	DIS; MCD	
s 32(2)	Duty to give more notice if required	DIS; MCD	
s 33(1)	Duty to give more notice of changes to an amendment	DIS; MCD	
s 36(2)	Duty to give notice of approval of amendment	DIS; MCD	
s 38(5)	Duty to give notice of revocation of an amendment	DIS; MCD	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DIS; MCD	
s 40(1)	Function of lodging copy of approved amendment	DIS; MCD	
s 41	Duty to make approved amendment available	DIS; MCD	
s 42	Duty to make copy of planning scheme available	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	No Delegation	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	DIS; MCD	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	DIS; MCD	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	DIS; MCD	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	DIS; MCD	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	DIS; MCD	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	DIS; MCD	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	DIS; MCD	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	DIS; MCD	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	DIS; MCD	
s 46GP	Function of receiving a notice under s 46GO	DIS; MCD	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	DIS; MCD	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	DIS; MCD	
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	DIS; MCD	
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	DIS; MCD	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	DIS; MCD	
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	DIS; MCD	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	DIS; MCD	
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	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution Power to specify the manner in which the payment is to be made	DIS; MCD	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	DIS; MCD	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)	DIS; MCD	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)	DIS; MCD	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	DIS; MCD	
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	DIS; MCD	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	DIS; MCD	Where Council is the collecting agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	DIS; MCD	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	DIS; MCD	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	DCCS; MFCS	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	DIS; MCD	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	DIS; MCD	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	DIS; MCD	Where Council is the collecting agency under an approved infrastructure contributions plan This provision does not apply where Council is also the relevant development agency

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZ(2)(b)	Function of receiving the monetary component	DIS; MCD	Where Council is the development agency under an approved infrastructure contributions plan This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	DIS; MCD	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	DIS; MCD	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	DIS; MCD	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	DIS; MCD	Where Council is the collecting agency under an approved infrastructure contributions plan

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

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	DIS; MCD	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)	DIS; MCD	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)	DIS; MCD	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)	DIS; MCD	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	DIS; MCD	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			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	DIS; MCD	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)	DIS; MCD	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	DIS; MCD	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)	DIS; MCD	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	DIS; MCD	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)	DIS; MCD	Where Council is the collecting agency under an approved infrastructure contributions plan

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	DIS; MCD	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	DIS; MCD	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	DIS; MCD	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	DIS; MCD	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)	DIS; MCD	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DIS; MCD	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	DIS; MCD	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DIS; MCD	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	DIS; MCD	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	DIS; MCD	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	DIS; MCD	
s 46Q(1)	Duty to keep proper accounts of levies paid	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	DIS; MCD	Only applies when levy is paid to Council as a 'development agency'

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DIS; MCD	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	DIS; MCD	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	DIS; MCD	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	DIS; MCD	
s 46QD	Duty to prepare report and give a report to the Minister	DIS; MCD	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	DIS; MCD	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 47	Power to decide that an application for a planning permit does not comply with that Act	DIS; MCD	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DIS; MCD	
s 49(2)	Duty to make register available for inspection	DIS; MCD	
s 50(4)	Duty to amend application	DIS; MCD	
s 50(5)	Power to refuse to amend application	DIS; MCD	
s 50(6)	Duty to make note of amendment to application in register	DIS; MCD	
s 50A(1)	Power to make amendment to application	DIS; MCD	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DIS; MCD	
s 50A(4)	Duty to note amendment to application in register	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 51	Duty to make copy of application available for inspection	DIS; MCD	
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	DIS; MCD	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	DIS; MCD	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DIS; MCD	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 52(3)	Power to give any further notice of an application where appropriate	DIS; MCD	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DIS; MCD	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DIS; MCD	
s 54(1)	Power to require the applicant to provide more information	DIS; MCD	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DIS; MCD	
s 54(1B)	Duty to specify the lapse date for an application	DIS; MCD	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DIS; MCD	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DIS; MCD	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DIS; MCD	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DIS; MCD	
s 57(5)	Duty to make available for inspection copy of all objections	DIS; MCD	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DIS; MCD	
s 57A(5)	Power to refuse to amend application	DIS; MCD	
s 57A(6)	Duty to note amendments to application in register	DIS; MCD	
s 57B(1)	Duty to determine whether and to whom notice should be given	DIS; MCD	

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DIS; MCD	
s 57C(1)	Duty to give copy of amended application to referral authority	DIS; MCD	
s 58	Duty to consider every application for a permit	DIS; MCD	
s 58A	Power to request advice from the Planning Application Committee	DIS; MCD	
s 60	Duty to consider certain matters	DIS; MCD	
s 60(1A)	Duty to consider certain matters	DIS; MCD	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DIS; MCD	
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	DIS; MCD	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DIS; MCD	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DIS; MCD	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DIS; MCD	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	DIS; MCD	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DIS; MCD	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DIS; MCD	
s 62(2)	Power to include other conditions	DIS; MCD	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DIS; MCD	
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	DIS; MCD	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DIS; MCD	
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)	DIS; MCD	
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)	DIS; MCD	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DIS; MCD	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	DIS; MCD	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	DIS; MCD	This provision applies also to a decision to grant an amendment to a permit – see s 75

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64(5)	Duty to give each objector a copy of an exempt decision	DIS; MCD	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DIS; MCD	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	DIS; MCD	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DIS; MCD	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DIS; MCD	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	DIS; MCD	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DIS; MCD	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	DIS; MCD	
s 69(1A)	Function of receiving application for extension of time to complete development	DIS; MCD	
s 69(2)	Power to extend time	DIS; MCD	
s 70	Duty to make copy permit available for inspection	DIS; MCD	
s 71(1)	Power to correct certain mistakes	DIS; MCD	
s 71(2)	Duty to note corrections in register	DIS; MCD	
s 73	Power to decide to grant amendment subject to conditions	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 74	Duty to issue amended permit to applicant if no objectors	DIS; MCD	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DIS; MCD	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DIS; MCD	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DIS; MCD	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	DIS; MCD	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	DIS; MCD	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	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 83	Function of being respondent to an appeal	DIS; MCD	
s 83B	Duty to give or publish notice of application for review	DIS; MCD	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	DIS; MCD	
s 84AB	Power to agree to confining a review by the Tribunal	DIS; MCD	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DIS; MCD	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DIS; MCD	
s 91(2)	Duty to comply with the directions of VCAT	DIS; MCD	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DIS; MCD	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DIS; MCD	
s 93(2)	Duty to give notice of VCAT order to stop development	DIS; MCD	
s 95(3)	Function of referring certain applications to the Minister	DIS; MCD	
s 95(4)	Duty to comply with an order or direction	DIS; MCD	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DIS; MCD	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DIS; MCD	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DIS; MCD	
s 96F	Duty to consider the panel's report under s 96E	DIS; MCD	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i>)	DIS; MCD	
s 96H(3)	Power to give notice in compliance with Minister's direction	DIS; MCD	
s 96J	Power to issue permit as directed by the Minister	DIS; MCD	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DIS; MCD	
s 97C	Power to request Minister to decide the application	DIS; MCD	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DIS; MCD	
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	DIS; MCD	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	DIS; MCD	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DIS; MCD	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DIS; MCD	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DIS; MCD	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DIS; MCD	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DIS; MCD	
s 97Q(4)	Duty to comply with directions of VCAT	DIS; MCD	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DIS; MCD	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DIS; MCD	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DIS; MCD	
s 101	Function of receiving claim for expenses in conjunction with claim	DIS; MCD	
s 103	Power to reject a claim for compensation in certain circumstances	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 107(1)	Function of receiving claim for compensation	DIS; MCD	
s 107(3)	Power to agree to extend time for making claim	DIS; MCD	
s 114(1)	Power to apply to the VCAT for an enforcement order	DIS; MCD	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DIS; MCD	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DIS; MCD	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DIS; MCD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DIS; MCD	Except Crown Land
s 129	Function of recovering penalties	DIS; MCD	
s 130(5)	Power to allow person served with an infringement notice further time	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 149A(1)	Power to refer a matter to the VCAT for determination	DIS; MCD	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DIS; MCD	
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)	DIS; MCD	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DIS; MCD	
s 171(2)(g)	Power to grant and reserve easements	DIS; MCD	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	DIS; MCD	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)	DIS; MCD	Where Council is a collecting agency specified in an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DIS; MCD	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	DIS; MCD	
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	DIS; MCD	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DIS; MCD	
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178A(1)	Function of receiving application to amend or end an agreement	DIS; MCD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DIS; MCD	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DIS; MCD	
s 178A(5)	Power to propose to amend or end an agreement	DIS; MCD	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DIS; MCD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DIS; MCD	
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	DIS; MCD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DIS; MCD	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DIS; MCD	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	DIS; MCD	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	DIS; MCD	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	DIS; MCD	After considering objections, submissions and matters in s 178B

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	DIS; MCD	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	DIS; MCD	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DIS; MCD	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)	DIS; MCD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DIS; MCD	
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	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DIS; MCD	
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	DIS; MCD	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DIS; MCD	
s 179(2)	Duty to make available for inspection copy agreement	DIS; MCD	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DIS; MCD	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DIS; MCD	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DIS; MCD	
s 182	Power to enforce an agreement	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	
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	DIS; MCD	
s 184G(2)	Duty to comply with a direction of the Tribunal	DIS; MCD	
s 184G(3)	Duty to give notice as directed by the Tribunal	DIS; MCD	
s 198(1)	Function to receive application for planning certificate	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 199(1)	Duty to give planning certificate to applicant	DIS; MCD	
s 201(1)	Function of receiving application for declaration of underlying zoning	DIS; MCD	
s 201(3)	Duty to make declaration	DIS; MCD	
-	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	DIS; MCD	
	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	DIS; MCD	
	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	DIS; MCD	
-	Power to give written authorisation in accordance with a provision of a planning scheme	DIS; MCD	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DIS; MCD	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DIS; MCD	

RESIDENTIAL TENANCIES ACT 1997

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	No Delegate	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	No Delegate	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
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	No Delegate	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	No Delegate	Where Council is a public statutory authority engaged in the provision of housing Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier

RESIDENTIAL TENANCIES ACT 1997

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 142D	Function of receiving notice regarding an unregistered rooming house	DCCS; MGHS; EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	DCCS; MGHS; EHO	
s 142G(2)	Power to enter certain information in the Rooming House Register	DCCS; MGHS; 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	DCCS; MGHS; EHO	
s 206AZA(2)	Function of receiving written notification	DCCS; MGHS; EHO	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	DCCS; MGHS; EHO	Note: this power is not yet in force and will commence on 1 January 2021, unless proclaimed earlier

RESIDENTIAL TENANCIES ACT 1997

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 311A(2)	Function of receiving written notification	DCCS; MGHS; EHO	
s 317ZDA(2)	Function of receiving written notification	DCCS; MGHS; EHO	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DCCS; DIS; MO	
s 522(1)	Power to give a compliance notice to a person	DCCS; DIS; MO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	DCCS; DIS; MO	
s 525(4)	Duty to issue identity card to authorised officers	DCCS; DIS; MO	

RESIDENTIAL TENANCIES ACT 1997

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DCCS; DIS; MO	
s 526A(3)	Function of receiving report of inspection	DCCS; DIS; MO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DCCS; DIS; MO	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	DIS	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	DIS	
s 11(9)(b)	Duty to advise Registrar	DIS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DIS	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DIS	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	DIS	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	DIS	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	DIS	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	DIS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DIS	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	DIS	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	DIS	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	DIS	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	DIS	
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	DIS	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DIS	
s 15(2)	Duty to include details of arrangement in public roads register	DIS	
s 16(7)	Power to enter into an arrangement under s 15	DIS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 16(8)	Duty to enter details of determination in public roads register	DIS	
s 17(2)	Duty to register public road in public roads register	DIS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	DIS	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	DIS	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	DIS	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	DIS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	DIS	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	DIS	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	DIS	
s 19(4)	Duty to specify details of discontinuance in public roads register	DIS	
s 19(5)	Duty to ensure public roads register is available for public inspection	DIS	

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 21	Function of replying to request for information or advice	DIS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	DIS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	DIS	
s 22(5)	Duty to give effect to a direction under s 22	DIS	
s 40(1)	Duty to inspect, maintain and repair a public road.	DIS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DIS	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DIS MO	
s 42(1)	Power to declare a public road as a controlled access road	DIS	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	DIS	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	DIS	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	DIS	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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)	DIS	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	DIS	
s 49	Power to develop and publish a road management plan	DIS; SAE	
s 51	Power to determine standards by incorporating the standards in a road management plan	DIS; SAE	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DIS	
s 54(2)	Duty to give notice of proposal to make a road management plan	DIS; SAE	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	DIS; SAE	
s 54(6)	Power to amend road management plan	DIS; SAE	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 54(7)	Duty to incorporate the amendments into the road management plan	DIS; SAE	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DIS; SAE	
s 63(1)	Power to consent to conduct of works on road	DIS; MO; MCW	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	DIS; MO; MCW	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DIS; MO; MCW	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DIS	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	DIS	Where Council is the coordinating road authority
s 67(3)	Power to request information	DIS	Where Council is the coordinating road authority
s 68(2)	Power to request information	DIS	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	MGHS	
s 85	Function of receiving report from authorised officer	CEO DCCS; DIS	
s 86	Duty to keep register re s 85 matters	DCCS; DIS	
s 87(1)	Function of receiving complaints	DCCS; DIS; MGHS	
s 87(2)	Duty to investigate complaint and provide report	DCCS; DIS; MGHS	
s 112(2)	Power to recover damages in court	DCCS; DIS	
s 116	Power to cause or carry out inspection	DIS	
s 119(2)	Function of consulting with the Head, Transport for Victoria	DIS	

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	DIS	
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)	DIS	
s 121(1)	Power to enter into an agreement in respect of works	DIS	
s 122(1)	Power to charge and recover fees	DIS	
s 123(1)	Power to charge for any service	DIS	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	DIS	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	DIS	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	DIS	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	DIS	
sch 2 cl 5	Duty to publish notice of declaration	DIS	
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	DIS; MO; MCW	Where Council is the infrastructure manager or works manager

ROAD MANAGEMENT ACT 2004			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	DIS; MO; MCW	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	DIS; MO; MCW	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	DIS; MO; MCW	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	DIS; MO; MCW	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	DIS; MO; MCW	Where Council is the coordinating road authority

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DIS; MO; MCW	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DIS; MO; MCW	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DIS	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	DIS	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	DIS	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)	DIS	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DIS	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DIS	Where Council is the coordinating road authority, responsible authority or infrastructure manager

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7 cl 16(5)	Power to consent to proposed works	DIS	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DIS	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DIS	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	DIS	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DIS	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DIS	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	DIS	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	DIS	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	DIS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road

ROAD MANAGEMENT ACT 2004

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	DIS; MO; MCW	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	DIS; MO; MCW	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	DIS; MO; MCW	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DCCS; MFCS; RO; CSC	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DCCS; MFCS; RO; CSC	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	DCCS; MFCS; RO; CSC	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	DCCS; MFCS; RO; CSC	
r 30(2)	Power to release cremated human remains to certain persons	DCCS; MFCS; RO; CSC	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	DCCS; MFCS; RO; CSC	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	DCCS; MFCS;	

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	DCCS; MFCS; RO; CSC	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	DCCS; MFCS; RO; CSC	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DCCS; MFCS; RO; CSC	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DCCS; MFCS; RO; CSC	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DCCS; MFCS;	

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	DCCS; MFCS; RO; CSC	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	DCCS; MFCS; RO; CSC	
r 40	Power to approve a person to play sport within a public cemetery	DCCS; MFCS; RO; CSC	
r 41(1)	Power to approve fishing and bathing within a public cemetery	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 42(1)	Power to approve hunting within a public cemetery	DCCS; MFCS; RO; CSC	
r 43	Power to approve camping within a public cemetery	DCCS; MFCS; RO; CSC	
r 45(1)	Power to approve the removal of plants within a public cemetery	DCCS; MFCS; RO; CSC	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DCCS; MFCS; RO; CSC	

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 47(3)	Power to approve the use of fire in a public cemetery	DCCS; MFCS; RO; CSC	
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	DCCS; MFCS; RO; CSC	
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DCCS; MFCS; RO; CSC	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	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	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015

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

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DCCS; MFCS; RO; CSC	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DCCS; MFCS; RO; CSC	See note above regarding model rules

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

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DIS; MCD	
r 20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DIS; MCD	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	DIS; MCD	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Power to enter into a written agreement with a caravan park owner	DIS	
r 10	Function of receiving application for registration	DCCS; DIS; EHO	
r 11	Function of receiving application for renewal of registration	DCCS; DIS; EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	DCCS; DIS; EHO	
r 12(3)	Duty to have regard to matters in determining an application for registration or an application for renewal of registration	DCCS; DIS; EHO	
r 12(4) & (5)	Duty to issue certificate of registration	DCCS; DIS; EHO	
r 14(1)	Function of receiving notice of transfer of ownership	DCCS; DIS; EHO	
r 14(3)	Power to determine where notice of transfer is displayed	DCCS; DIS; EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	DCCS; DIS; EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15(2)	Duty to issue a certificate of transfer of registration	DCCS; DIS; EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	DCCS; DIS; EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	DCCS; DIS; EHO	
r 17	Duty to keep register of caravan parks	DCCS; DIS; EHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	DCCS; DIS; EHO	
r 18(6)	Power to determine where certain information is displayed	DCCS; DIS; EHO	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 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	DCCS; DIS; EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	DCCS; DIS	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	DCCS; DIS; EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	DCCS; DIS; EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	DIS	
r 26	Duty to have regard to any report of the relevant fire authority	DIS	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DIS; EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	DIS	
r 40(b)	Power to require notice of proposal to install unregistrable	DIS	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
	movable dwelling or rigid annexe		
r 41(4)	Function of receiving installation certificate	DIS	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DIS	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	DIS	

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DIS; SAE	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DIS; SAE	
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)	DIS; SAE	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	DIS; SAE	
r 13(1)	Duty to publish notice of amendments to road management plan	DIS; SAE	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	DIS; SAE	
r 16(3)	Power to issue permit	DIS	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DIS	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	DIS	Where Council is the coordinating road authority

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	DIS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DIS; MO	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))	DIS; MO	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DIS	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DIS	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	DIS	Where Council is the coordinating road authority



HINDMARSH SHIRE COUNCIL

INSTRUMENT OF DELEGATION

to

CHIEF EXECUTIVE OFFICER

Approved 19 August 2020

Instrument of Delegation

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

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on 19 August 2020;
2. the delegation
 - 2.1 comes into force immediately as the Resolution of Council is passed;
 - 2.2 is subject to any conditions and limitations set out in the Schedule;
 - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
 - 2.4 remains in force until Council resolves to vary or revoke it.

Dated:

Councillor:
Cr Robert Gersch (Mayor)

Chief Executive Officer:
Mr Greg Wood

SCHEDULE

The power to

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

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

Conditions and Limitations

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

1. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 1.1 entering into a contract exceeding the value of \$600,000 (including GST);
 - 1.2 for making any expenditure that exceeds \$600,000 (including GST) (unless it is expenditure made under a contract already entered into or is expenditure which Council is, by or under legislation, required to make in which case it must not exceed \$600,000) except that these limits shall not apply for the supply of fuel for plant and vehicles provided that:
 - 1.2.1 arrangements entered into must satisfy an approved Ministerial arrangement under s186(5)(c) of the Local Government Act 1989 which provides for exemption from other provisions of s186 fo the Act requirements for public tendering by a Council; and
 - 1.2.2 the Chief Executive Officer must consider prices and any potential detrimental effect on local businesses of any contract entered into, before entering into such a contract.
 - 1.3 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
 - 1.4 electing a Mayor or Deputy Mayor;
 - 1.5 granting a reasonable request for leave under s 35 of the Act;
 - 1.6 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
 - 1.7 approving or amending the Council Plan;
 - 1.8 adopting or amending any policy that Council is required to adopt under the Act;
 - 1.9 adopting or amending the Governance Rules;
 - 1.10 appointing the chair or the members to a delegated committee;
 - 1.11 making, amending or revoking a local law;
 - 1.12 approving the Budget or Revised Budget;
 - 1.13 approving the borrowing of money; or

- 1.14 subject to section 181H(1)(b) of the *Local Government Act 1989*, declaring general rates, municipal charges, service rates and charges and specified rates and charges;
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;
4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
 - 4.1 policy; or
 - 4.2 strategy adopted by Council;
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

The Chief Executive Officer is empowered to delegate his or her power to other Council Officers.

The background of the cover is a photograph of a modern building with a curved, metallic roofline and large glass windows. The building's interior is visible through the glass, showing office desks, chairs, and bookshelves. The text is overlaid on the central part of the image.

HINDMARSH SHIRE COUNCIL

FINANCIAL REPORT

**FOR THE PERIOD ENDING
30 JUNE 2020**

**Hindmarsh Shire Council
Management Financial Report
For the period ending 30 June 2020**

COMMENTARY

General

This report is for the period ending 30 June 2020 and provides draft financial information. Final information will be provided following end of year reconciliations and completion of VAGO audit.

The Financial report provides financial reporting and variances against budget. This report incorporates Year to Date actual and variance figures for the six months up to 30 June 2020.

Dashboard

The Dashboard provides Council with a set of graphs detailing of both financial and non-financial items. This will be available for distribution at the Council meeting.

Executive Summary

The Executive Summary provides Council with a summary of financial items comparing year to date actuals against year to date budget.

Financials

Attached to this report are a set of financial statements consisting of an Income Statement, Balance Sheet, Cash Flow Statement, Capital Works Schedule and Detailed Program Expenditure. These statements are prepared in line with Australian Accounting Standards and the relevant regulations under the Local Government Act 1989, and the Local Government (Planning and Reporting) Regulations 2014. The statements provide YTD Actual data with a comparison against YTD Budget figures.

A brief summary of the major budget variances is outlined on the following pages.

Comprehensive Income Statement

The Comprehensive Income Statement shows an operating surplus for the period 1 July 2019 to 30 June 2020 of \$5,482,086 compared to a budgeted surplus of \$238,190.

There are a number of items that make up the overall variances between actual and budget. Explanation of material variances have been detailed against the Comprehensive Income Statement report.

Balance Sheet and Cash Flow

Cash and cash equivalents at 30 June 2020 shows a balance of \$11,041,101.

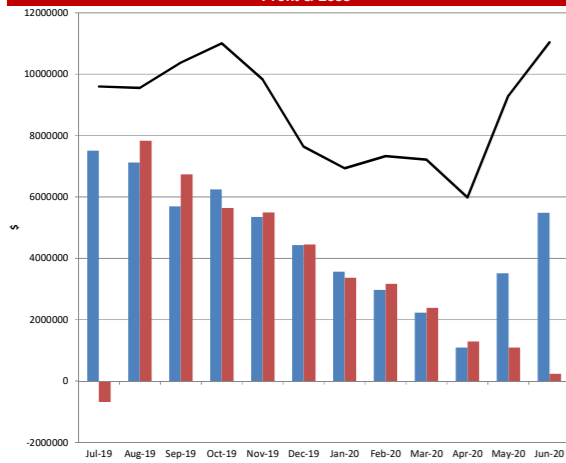
Capital Expenditure

This report shows Capital works expenditure for the period 1 July 2019 to 30 June 2020.



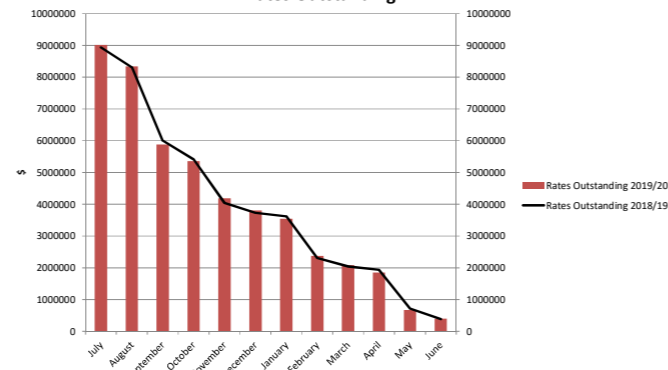
Hindmarsh Shire Council Performance Dashboard
For the period ending 30 June 2020

Profit & Loss

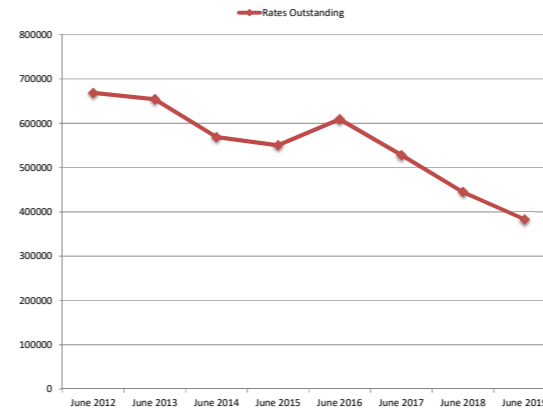


Outstanding Debtors, Rates & Infringements

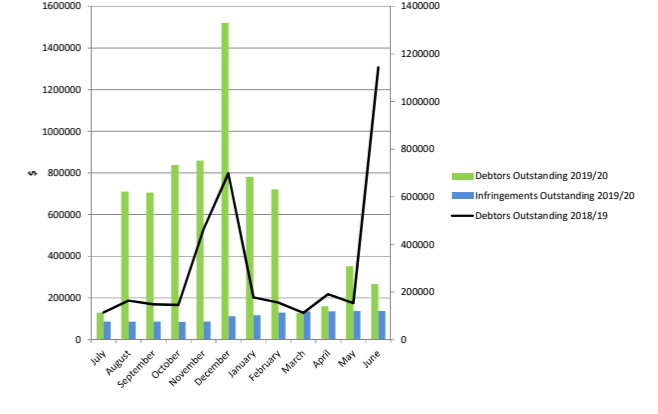
Rates Outstanding



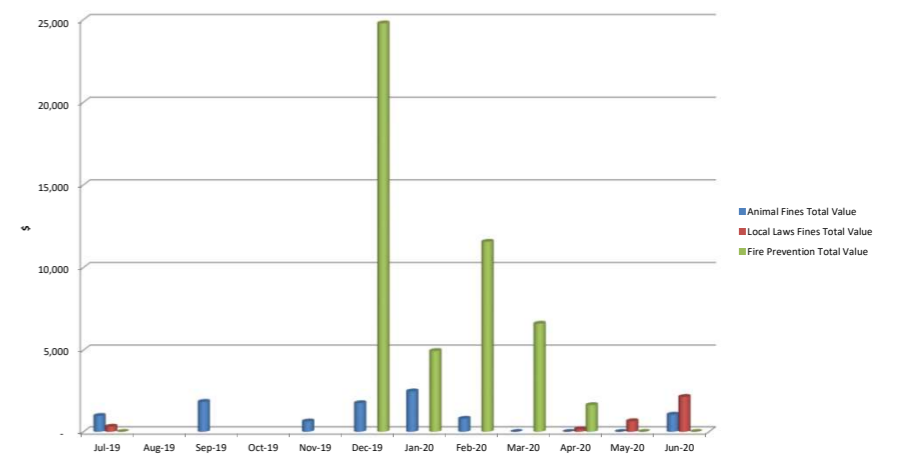
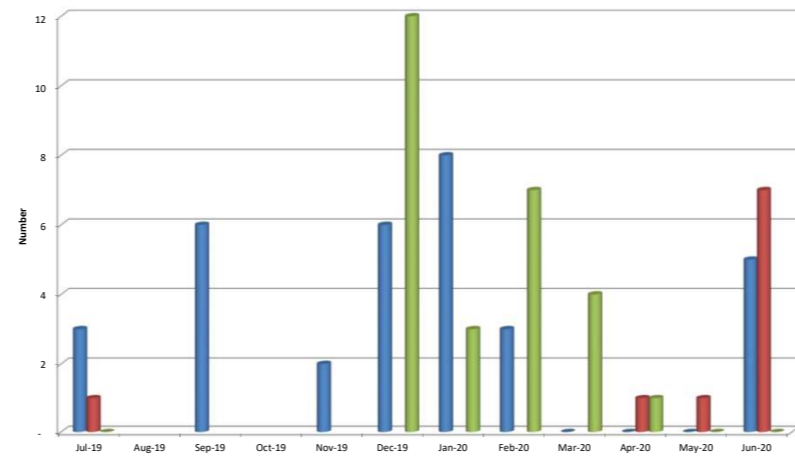
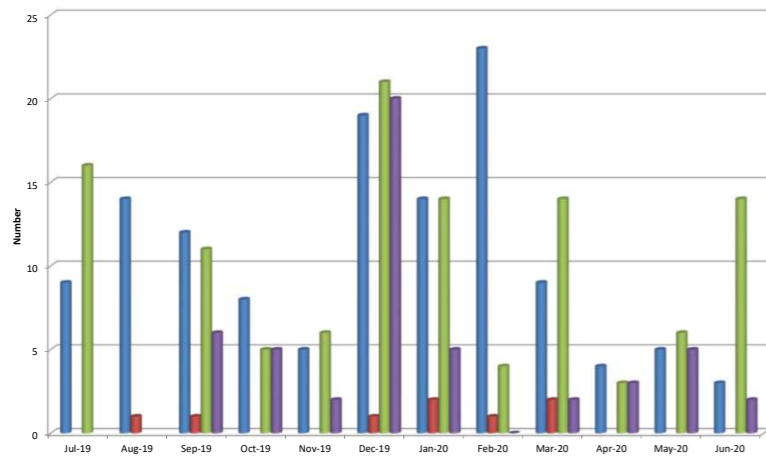
Rates Arrears



Debtors & Infringements

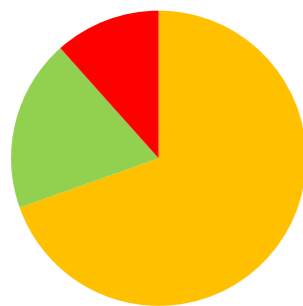


Local Laws



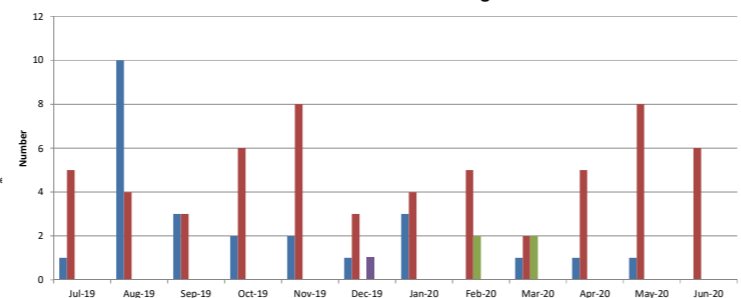
Capital Works

Capital Works



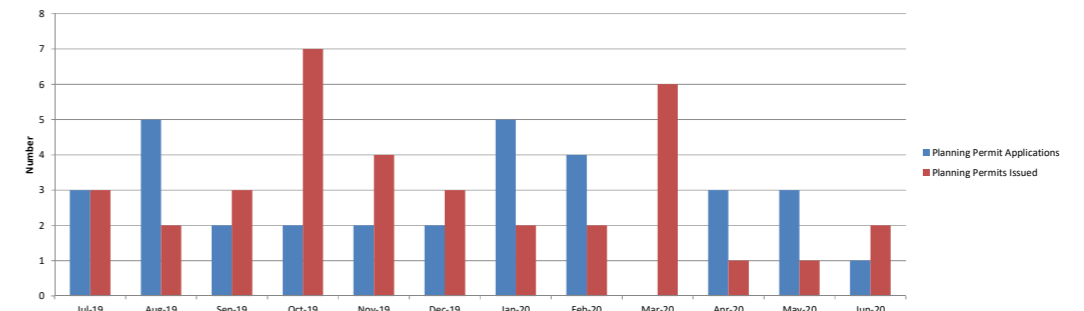
- Jobs Complete
- Jobs Started
- Not yet commenced
- Carry forward/Cancellation like

Building



Building & Planning

Planning

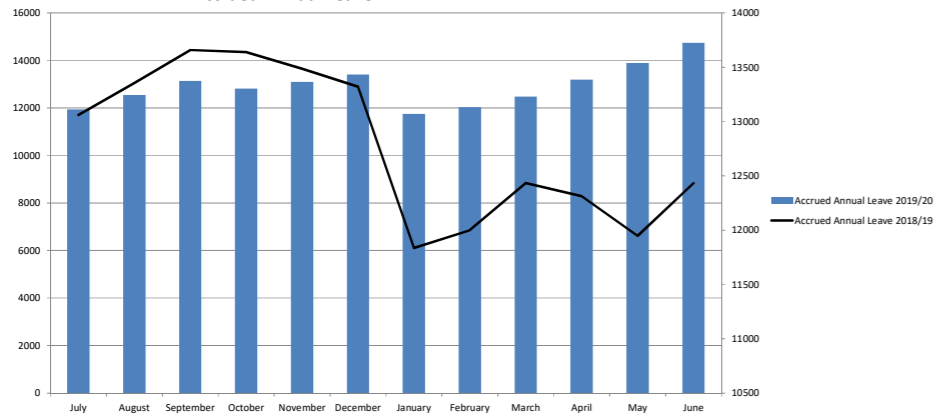




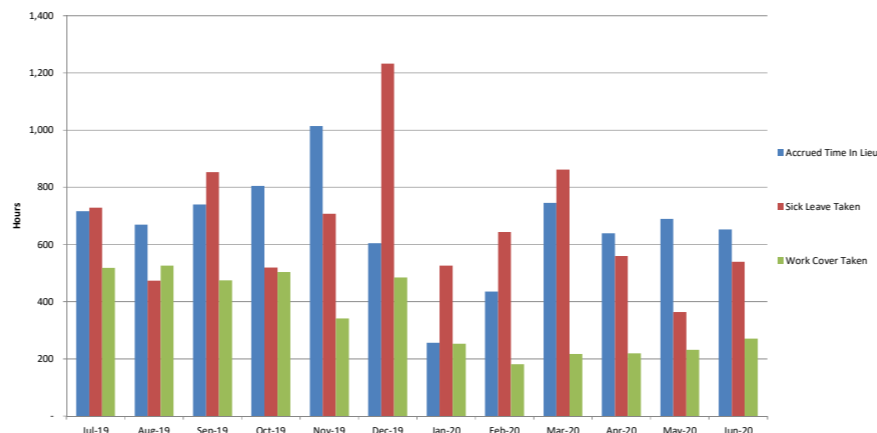
Hindmarsh Shire Council Performance Dashboard
For the period ending 30 June 2020
(Continued)

Human Resources

Accrued Annual Leave

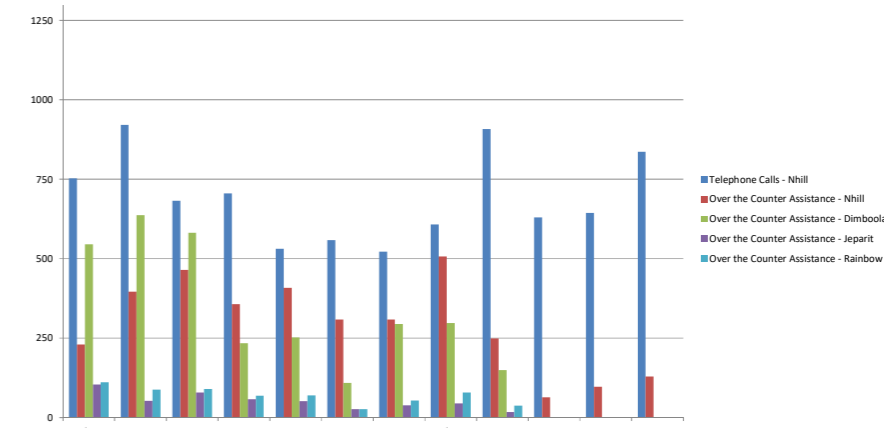


Accrued Time in Lieu



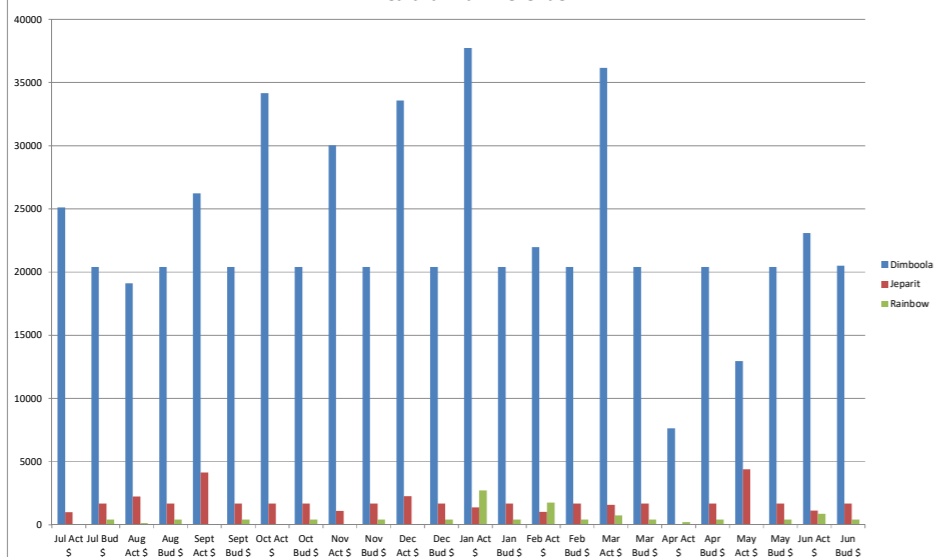
Customer Services

Customer Services

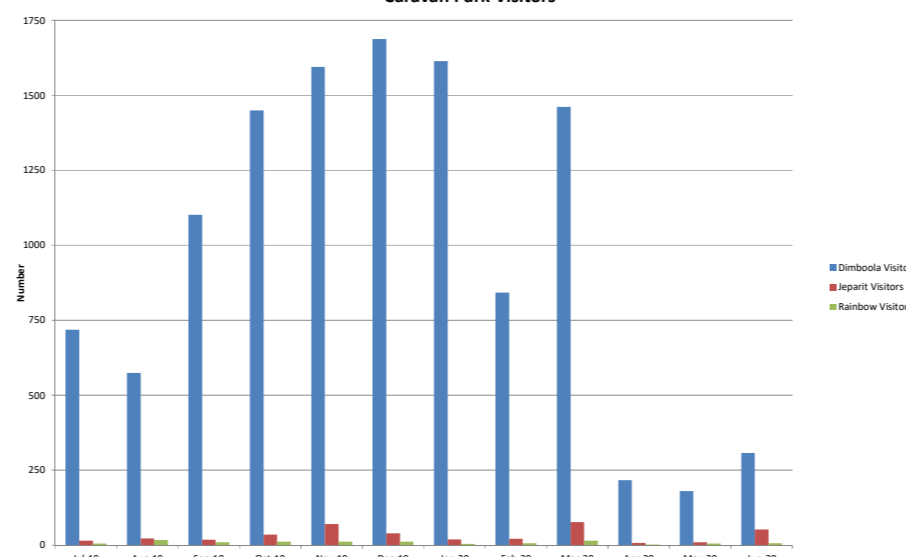


Caravan Parks

Caravan Park Revenue



Caravan Park Visitors

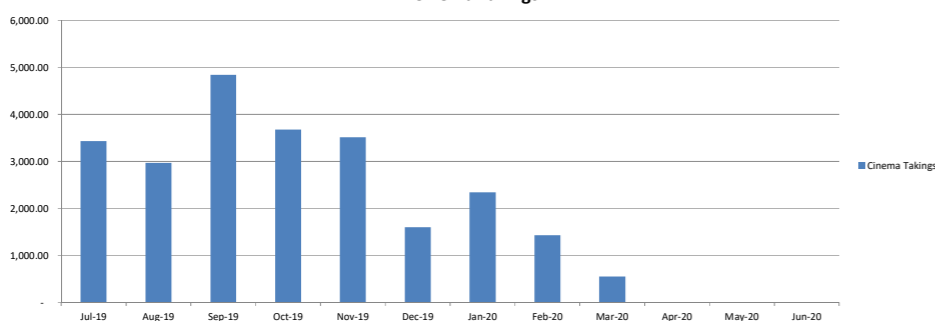


Aged & Disability Services

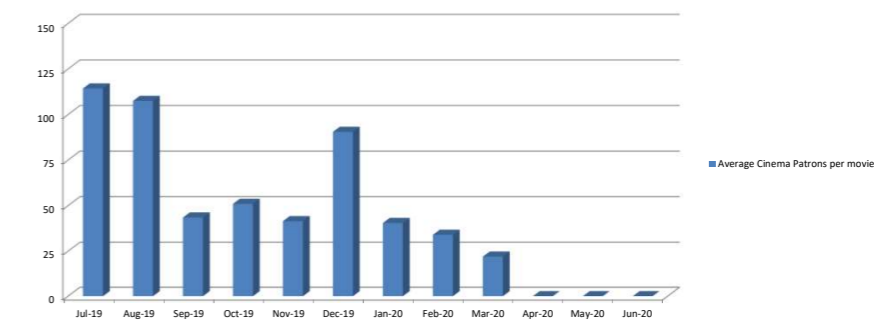
Data not available this quarter

Nhill Memorial Community Centre

Cinema Takings



Average Cinema Patrons per movie



**Hindmarsh Shire Council
Executive Summary
As at 30 June 2020**

	Actual YTD June 2020	Budget YTD June 2020	Indicator
Rates & Charges Collected	8,860,795	8,817,348	
Income Statement Operating Surplus/(Deficit)	5,482,086	238,190	
Adjusted Underlying Surplus/(Deficit)	3,320,632	(2,706,007)	
Cash & Investments	11,041,101		
Rates Debtors	395,115		
Sundry Debtors	276,484		
Infringement Debtors	137,060		
Balance Sheet Working Capital	10,216,952		
Total Operating Revenue	26,256,574	18,825,812	
Total Operating Expenditure	20,774,488	18,587,622	
Capital Works Expenditure	9,769,569	9,684,432	

Indicator Legend

	No action required
	Requires active monitoring
	Immediate action required

Hindmarsh Shire Council
Comprehensive Income Statement
For The Period Ended 30 June 2020

	YTD Actual \$	YTD Budget \$	YTD Variance \$	Ref
Income				
Rates and charges	8,889,290	8,817,348	71,942	1
Statutory fees and fines	65,417	10,997	54,420	2
User fees & Reimbursements	1,502,155	905,777	596,378	3
Contributions - cash	240,952	72,363	168,589	4
Grants - operating (recurrent)	5,817,435	3,280,049	2,537,386	5
Grants - operating (non-recurrent)	4,645,420	66,490	4,578,930	6
Grants - capital (recurrent)	1,080,798	1,080,798	0	
Grants - capital (non-recurrent)	2,012,156	2,541,197	(529,041)	7
Net gain/(loss) on disposal of property, infrastructure, plant and equipment	149,297	403,000	(253,703)	
Interest	89,133	125,006	(35,873)	
Other income	1,764,520	1,522,787	241,733	
Total Income	<u>26,256,574</u>	<u>18,825,812</u>	<u>7,430,762</u>	
Expenses				
Employee costs	7,135,784	6,942,475	193,309	8
Materials and services	7,461,969	4,753,252	2,708,717	9
Depreciation	4,720,824	5,198,725	(477,901)	10
Other expenses	1,455,911	1,693,170	(237,259)	
Total expenses	<u>20,774,488</u>	<u>18,587,622</u>	<u>2,186,866</u>	
Share of net profits/(losses) of associates and joint ventures accounted for by the equity method	-	-	-	
Surplus (deficit) for the year to date	<u>5,482,086</u>	<u>238,190</u>	<u>5,243,896</u>	
Net asset Revaluation increment / (decrement)		-	-	
Comprehensive result	<u><u>5,482,086</u></u>	<u><u>238,190</u></u>	<u><u>5,243,896</u></u>	

Comprehensive Income Statement
Explanation of material variations
For The Period Ended 30 June 2020

Variance Ref	Item	Explanation
1	Rates & Charges	Rates & Charges are slightly higher than budget.
2	Statutory fees & fines	Statutory fees and fines are higher than budgeted largely due to a number of fire prevention fines being issued.
3	User fees & Reimbursements	User fees & Reimbursements are higher than budgeted due to Income received from Private works (including the regional Roads Victoria contract), Caravan Parks, and meals on wheels being higher than budgeted.
4	Contributions - cash	Contributions are higher than budgeted due to receipt of final payment from the dimboola & district sporting club toward the female change rooms facility, monies from the Dimboola rowing club for the pontoon, and Rainbow MECCA lighting contribution.
5	Grants - operating (recurrent)	Recurrent operating grants are slightly higher than budgeted due to receiving the Roadside Weeds and Pests grant. Meals on Wheels, home care and personal care grants received are also higher than budgeted.
6	Grants - Operating (non-recurrent)	Non-recurrent operating grants are higher than budget due to Council receiving unbudgeted grant funds for for the 2016 Flood recovery works. We have also received small grants for 16 days of activism and the Rainbow desert enduro.
7	Grants - Capital (non-recurrent)	Non-recurrent capital grants is lower than budgeted as we have not yet received the Victorian Regional Partnership Funding. There is also further fixing country roads funding to come in.
8	Employee Costs	Employee costs are currently over budget due to an overall increase in Full Time Equivelant (FTE) number of employees.

**Comprehensive Income Statement
Explanation of material variations
For The Period Ended 30 June 2020**

9	Materials & Services	Materials and Services are over budget due to payments in relation to Flood recovery works.
10	Depreciation	A full reconciliation for Depreciation will occur with End of Year processes.

**Hindmarsh Shire Council
Balance Sheet
As at 30 June 2020**

	YTD Actual 2019/20 \$	Actual 2018/19 \$	Ref
Current assets			
Cash and cash equivalents	11,041,101	11,877,433	
Rates and other receivables	961,864	2,085,427	1
Other assets & Inventories	321,970	481,249	
Total current assets	<u>12,324,935</u>	<u>14,444,110</u>	
Non-current assets			
Investments in associates by equity method	483,848	483,848	
Infrastructure, Property and Plant and Equipment	153,341,032	158,061,856	
Capital Expenditure 2019/20	9,769,569	0	2
Trade and other receivables	2,207	2,207	
Total non-current assets	<u>163,596,656</u>	<u>158,547,911</u>	
Total assets	<u>175,921,591</u>	<u>172,992,020</u>	
Current liabilities			
Trade and other payables	158,696	2,876,959	
Trust Funds and Deposits	120,212	31,936	3
Provisions	1,829,075	1,751,603	
Total current liabilities	<u>2,107,983</u>	<u>4,660,498</u>	
Non current liabilities			
Provisions	268,351	268,351	
Total non-current liabilities	<u>268,351</u>	<u>268,351</u>	
Total liabilities	<u>2,376,334</u>	<u>4,928,849</u>	
Net assets	<u>173,545,257</u>	<u>168,063,171</u>	
Equity			
Accumulated surplus	65,410,848	64,217,574	
Surplus/(Deficit) for period	5,482,086	1,193,274	
Asset revaluation reserve	102,652,323	102,652,323	
Total equity	<u>173,545,257</u>	<u>168,063,171</u>	

Balance Sheet
Explanation of material variations
As at 30 June 2020

Variance Ref	Item	Explanation
1	Rates & Other Receivables	Rates and other receivables reflects the total rates outstanding as at 30 June 2020 for the 2019/20 financial year.
2	Capital Expenditure	Capital Expenditure as at 30 June 2020 was \$9,769,569. Refer to the Capital Works report for further information.
3	Trust Funds and Deposits	As at 30 June 2020 Council holds \$107,896 for the Fire Services Levy which will be remitted during the 2019/20 financial year and \$12,316 in refundable deposits.

**Hindmarsh Shire Council
Statement of Cash Flows
For The Period Ended 30 June 2020**

Cash Flows from Operating Activities

Receipts	Inflows/ (Outflows)
Rates & Charges	8,860,795
Statutory Fees and Fines	16,897
User Fees	2,368,967
Interest	89,133
Contributions - Cash	240,952
Grants - Recurrent	10,462,856
Net GST refund/(payment)	415,769
Grants - Non Recurrent	3,092,954
Trust	6,273
Other Revenue	1,764,520
Payments	
Employee Costs	(7,058,311)
Other Expenses	(1,486,754)
Suppliers	(9,990,111)
Net cash inflow/(outflow) from operating activities	<u>8,783,940</u>

Cash Flows from Investing Activities

Payments for Property Plant and Equipment and Infrastructure	(9,769,569)
Proceeds from sale of Property Plant and Equipment	149,297
Net cash inflow (outflow) from investing activities	<u>(9,620,272)</u>

Cash flows from Financing activities

Net cash inflow (outflow) from financing activities	<u>-</u>
--	----------

Net increase/(decrease) in cash held	(836,332)
Cash at beginning of the period	11,877,433
Cash at end of the period	<u><u>11,041,101</u></u>

Hindmarsh Shire Council
Capital Works
For The Period Ended 30 June 2020

	YTD Actual \$	YTD Budget \$	YTD Variance \$	Ref
Property				
Land	-	-	-	
Total Land	-	-	-	
Buildings	1,205,928	805,000	(400,928)	1
Total Buildings	1,205,928	805,000	400,928	
Total Property	1,205,928	805,000	400,928	
Plant and Equipment				
Plant, machinery and equipment	2,515,014	2,112,000	(403,014)	2
Fixtures, fittings and furniture	73,504	64,555	(8,949)	
Total Plant and Equipment	2,588,519	2,176,555	(411,964)	
Infrastructure				
Roads	4,469,009	5,162,126	693,117	3
Bridges	671,661	-	(671,661)	4
Footpaths and cycleways	368,667	1,070,110	701,443	5
Drainage	97,598	149,639	52,041	6
Other infrastructure	368,188	321,002	(47,186)	7
Total Infrastructure	5,975,123	6,702,877	(727,754)	
Total Capital Works Expenditure	9,769,569	9,684,432	(85,137)	
Represented by:				
New asset expenditure	535,537	1,085,000	549,463	
Asset renewal expenditure	6,995,404	7,410,869	415,466	
Asset expansion expenditure	-	-	-	
Asset upgrade expenditure	2,238,629	1,188,563	(1,050,066)	
Total Capital Works Expenditure	9,769,569	9,684,432	(85,137)	

Capital Works
Explanation of material variations
For The Period Ended 30 June 2020

Variance Ref	Item	Explanation
1	Buildings	The variance in actual expenditure to budgeted is due to the timing of the Dimboola library project and the value of carried forward money for this project not reflected in the current year budget.
2	Plant, machinery and equipment	The purchase of plant and machinery appears to exceed budget because of the carrying forward of monies to complete the purchases of plant allocated to the prior year budget.
3	Roads	The shortfall in actual expenditure to budgeted is due to the phasing of the budgeted projects.
4	Bridges	The expenditure is not in the current year budget due to being budgeted in prior year.
5	Footpaths and cycleways	This variance is mainly due to the phasing of the Wimmera River Discovery Trail.
6	Drainage	This variance is due to not all costs being allocated to the Broughton Road culvert project before end of April
7	Other	This variance is mainly due to the completion of the Dimboola boating pontoon falling in the 2019/20 financial year.

Detailed Income / Expenditure for the period ending 30 June 2020

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
101 Community Development				
Income				
Profit/Loss				
10115 Town Committee Recoupments	(\$29,820.57)	\$.00	\$.00	(\$24,519.00)
10120 16 Days of Activism Grant	(\$1,500.00)	\$.00	\$.00	\$.00
10174 Rainbow Desert Enduro - Grant	(\$5,000.00)	\$.00	\$.00	(\$5,000.00)
10176 Public Safety Infrastructure Grant	(\$22,000.00)	\$.00	\$.00	(\$22,000.00)
10178 Community Activation & Social Isolation Grant	(\$33,860.00)	\$.00	\$.00	\$.00
Income Total	(\$92,180.57)	\$.00	\$.00	(\$51,519.00)
Expenditure				
10100 Indoor Salaries	\$93,248.90	\$.00	\$83,736.00	\$83,736.00
10102 Contract and Materials	\$510.43	\$.00	\$2,500.00	\$2,500.00
10104 Town Committees - Council Contribution	\$30,000.00	\$.00	\$30,012.00	\$30,000.00
10106 16 Days of Activism	\$1,156.84	\$.00	\$.00	\$1,157.00
10107 Community Planning Workshops	\$.00	\$.00	\$504.00	\$.00
10108 Multi-cultural support	\$3,000.00	\$.00	\$3,505.00	\$3,500.00
10109 Memberships and Subscriptions	\$316.36	\$.00	\$5,000.00	\$5,000.00
10116 Software & Licence Fees	\$454.55	\$.00	\$1,000.00	\$1,000.00
10118 Reconciliation Activities	\$.00	\$.00	\$997.00	\$.00
10123 Rainbow Desert Enduro	\$9,117.76	\$.00	\$10,012.00	\$8,045.00
10124 Dimboola Ski Club Barefoot Championships	\$4,500.00	\$.00	\$5,000.00	\$4,500.00
10131 Town Committee Expenditure	\$6,123.91	\$.00	\$.00	\$6,124.00
10145 Telecommunication	\$2,023.77	\$.00	\$2,401.00	\$2,401.00
10146 This Girl Can	\$800.00	\$8,899.00	\$.00	\$800.00
Expenditure Total	\$151,252.52	\$8,899.00	\$144,667.00	\$148,763.00
Capital				
10131 Town Committee Expenditure	\$19,804.57	\$.00	\$.00	\$19,805.00
Capital Total	\$19,804.57	\$.00	\$.00	\$19,805.00
101 Community Development Total	\$78,876.52	\$8,899.00	\$144,667.00	\$117,049.00
102 Maternal and Child Health				
Expenditure				
10200 Indoor Salaries	\$8,950.89	\$.00	\$9,000.00	\$9,000.00
10204 Building Maintenance	\$1,519.94	\$.00	\$2,000.00	\$2,000.00
10244 Utilities	\$.00	\$.00	\$756.00	\$756.00
10245 Telecommunications	\$368.86	\$.00	\$480.00	\$480.00
10247 Depreciation on Buildings	\$3,657.50	\$.00	\$3,986.00	\$3,986.00
Expenditure Total	\$14,497.19	\$.00	\$16,222.00	\$16,222.00
102 Maternal and Child Health Total	\$14,497.19	\$.00	\$16,222.00	\$16,222.00
103 Kindergarten Services				
Income				
10372 Facilitated Playgroup Grant	(\$28,248.22)	\$.00	(\$56,490.00)	(\$42,730.00)
10376 Nhill early Learning Facility Upgrade Grant	(\$5,232.00)	\$.00	\$.00	\$.00
10377 Dimboola Early Learning Facility Upgrade Grant	(\$4,384.00)	\$.00	\$.00	(\$21,272.00)
10378 Local Planning and Change Management	(\$35,000.00)	\$.00	\$.00	\$.00
10379 Kindergarten Central Enrolment	(\$36,000.00)	\$.00	\$.00	\$.00
Income Total	(\$108,864.22)	\$.00	(\$56,490.00)	(\$64,002.00)
Expenditure				
10300 Indoor Salaries	\$8,951.00	\$.00	\$9,000.00	\$9,000.00
10304 Building Maintenance	\$12,353.42	\$.00	\$14,970.00	\$14,970.00
10305 Kindergarten Subsidy	\$49,896.10	\$.00	\$75,000.00	\$75,000.00
10344 Utilities	\$138.34	\$.00	\$504.00	\$.00
10345 Telecommunication	\$863.14	\$.00	\$3,841.00	\$.00
10347 Depreciation	\$52,041.66	\$.00	\$56,326.00	\$56,326.00
10352 Facilitated Playgroup Coordination	\$59,727.13	\$.00	\$56,546.00	\$56,546.00
Expenditure Total	\$183,970.79	\$.00	\$216,187.00	\$211,842.00
Capital				
10355 Nhill Early Learning Centre Upgrade	\$6,264.51	\$.00	\$.00	\$81.00
10356 Dimboola Early Learning Centre Upgrade	\$9,585.76	\$.00	\$.00	\$32,522.00
Capital Total	\$15,850.27	\$.00	\$.00	\$32,603.00
103 Kindergarten Services Total	\$90,956.84	\$.00	\$159,697.00	\$180,443.00
104 Youth Services				
Income				
10471 Freeza	(\$24,966.95)	\$.00	(\$24,500.00)	(\$24,967.00)
10472 ABC Heywire Back to Bush - Grant	(\$127.27)	\$.00	\$.00	(\$127.00)
10473 School Holiday Program - Fees	(\$272.73)	\$.00	\$.00	\$.00
10476 Walk to School - Grant	(\$700.00)	\$.00	(\$10,000.00)	(\$10,000.00)
Income Total	(\$26,066.95)	\$.00	(\$34,500.00)	(\$35,094.00)

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
Expenditure				
10400 Indoor Salaries	\$51,815.05	\$.00	\$60,347.00	\$60,347.00
10402 Contracts and Materials	\$1,187.58	\$.00	\$1,000.00	\$1,250.00
10403 Advertising	\$.00	\$.00	\$997.00	\$997.00
10405 Freeza	\$27,989.18	\$38,751.00	\$24,500.00	\$63,251.00
10407 Hindmarsh Youth Council	\$5,271.91	\$.00	\$10,012.00	\$10,000.00
10410 National Youth Week	\$1,379.69	\$1,362.00	\$.00	\$1,380.00
10411 Walk to School	\$13,461.37	\$.00	\$10,000.00	\$13,461.00
Expenditure Total	\$101,104.78	\$40,113.00	\$106,856.00	\$150,686.00
104 Youth Services Total	\$75,037.83	\$40,113.00	\$72,356.00	\$115,592.00
105 Aged and Disability Services				
Income				
10570 Meals on Wheels Grant	(\$67,282.84)	\$.00	(\$43,232.00)	(\$43,232.00)
10571 Meals on Wheels Fees	(\$79,882.30)	\$.00	(\$51,880.00)	(\$59,813.00)
10572 General Home Grant	(\$275,434.95)	\$.00	(\$248,605.00)	(\$248,605.00)
10573 General Home Care Fees	(\$42,793.67)	\$.00	(\$31,000.00)	(\$31,000.00)
10574 Case Assessment Grant	(\$93,133.84)	\$.00	(\$92,770.00)	(\$92,770.00)
10575 Personal Care Grant	(\$105,219.12)	\$.00	(\$75,108.00)	(\$104,596.00)
10576 Personal Care Fees	(\$4,055.02)	\$.00	(\$3,001.00)	(\$3,001.00)
10577 Respite Care Grant	(\$38,514.24)	\$.00	(\$37,815.00)	(\$37,815.00)
10578 Respite Care Fees	(\$713.46)	\$.00	(\$2,004.00)	(\$2,004.00)
10579 Home Care Property Maintenance Grant	(\$43,457.28)	\$.00	(\$42,566.00)	(\$42,566.00)
10580 Home Care Property Maintenance Fees	(\$11,223.39)	\$.00	(\$7,500.00)	(\$7,500.00)
10581 Agency Home Care Fees	(\$202,474.85)	\$.00	(\$130,000.00)	(\$142,554.00)
10582 Senior Citizen - Home Care - Grant	(\$18,521.89)	\$.00	(\$17,982.00)	(\$17,946.00)
10584 Volunteer Coordination Grant	(\$2,635.39)	\$.00	(\$2,596.00)	(\$2,956.00)
10585 Seniors Week Grant	(\$2,600.00)	\$.00	(\$2,605.00)	(\$2,605.00)
10586 Senior Week - User Fee	(\$434.82)	\$.00	\$.00	(\$435.00)
10588 Community Transport Fees	(\$1,924.21)	\$.00	(\$2,004.00)	(\$2,004.00)
Income Total	(\$990,301.27)	\$.00	(\$790,668.00)	(\$841,402.00)
Expenditure				
10500 Indoor Salaries	\$291,944.84	\$.00	\$267,125.00	\$267,125.00
10502 Contracts and Materials	\$5,487.51	\$.00	\$5,000.00	\$5,000.00
10503 Advertising	\$.00	\$.00	\$504.00	\$504.00
10504 Meals on Wheels - Contracts	\$141,912.17	\$71,163.00	\$65,000.00	\$137,962.00
10505 General Home Care Salaries	\$237,651.20	\$15,594.00	\$185,000.00	\$225,845.00
10506 Personal Care Salaries	\$71,727.26	\$29,624.00	\$46,000.00	\$76,125.00
10507 Respite Care Salaries	\$17,767.29	\$18,445.00	\$20,000.00	\$38,768.00
10508 Agency Home Care Salaries	\$172,227.55	\$.00	\$120,000.00	\$140,000.00
10509 Property Maintenance - Home Care - Salaries	\$71,662.61	\$18,643.00	\$30,012.00	\$47,600.00
10510 Software Maintenance Contract	\$9,129.32	\$.00	\$10,000.00	\$9,845.00
10513 Senior Citizens - General Expenditure	\$1,500.00	\$.00	\$2,005.00	\$2,005.00
10514 Seniors Week	\$2,616.20	\$520.00	\$2,604.00	\$2,616.00
10515 Insurance - Senior Citizens Club Rooms	\$1,938.48	\$.00	\$2,496.00	\$2,496.00
10516 Memberships and Subscriptions	\$80.00	\$.00	\$504.00	\$504.00
10517 Implement Ageing Strategy	\$.00	\$.00	\$2,004.00	\$2,004.00
10518 Home Care Staff - Training	\$10,884.97	\$.00	\$13,998.00	\$13,998.00
10519 Senior Citizens Building Maintenance	\$1,582.09	\$.00	\$10,204.00	\$10,183.00
10520 Senior Citizens Centre Cleaning	\$3,599.82	\$.00	\$7,437.00	\$7,437.00
10521 Aged Care Expo	(\$1,784.11)	\$.00	\$.00	\$.00
10523 Senior Citizens Utilities	\$3,876.81	\$.00	\$3,264.00	\$3,264.00
10525 Under 65's Underspent funds	\$9,165.94	\$.00	\$.00	\$6,284.00
10545 Telecommunications	\$8,720.91	\$.00	\$7,154.00	\$7,154.00
10547 Depreciation - Plant & Equipment	\$4,561.15	\$.00	\$13,689.00	\$13,689.00
Expenditure Total	\$1,066,252.01	\$153,989.00	\$814,000.00	\$1,020,408.00
Capital				
10525 Under 65's Underspent funds	\$15,931.34	\$.00	\$.00	\$.00
10550 HACC Minor Capital	\$12,898.18	\$50,275.00	\$.00	\$50,275.00
Capital Total	\$28,829.52	\$50,275.00	\$.00	\$50,275.00
105 Aged and Disability Services Total	\$104,780.26	\$204,264.00	\$23,332.00	\$229,281.00
106 Health Promotion				
Income				
10670 Health Registration Fees	(\$19,846.87)	\$.00	(\$23,001.00)	(\$23,001.00)
10671 Septic Tank Fees	(\$1,857.30)	\$.00	(\$997.00)	(\$1,547.00)
10672 Tobacco Activity	(\$12,098.02)	\$.00	(\$13,709.00)	(\$6,068.00)
10673 Immunisation Services Grant	(\$2,857.68)	\$.00	\$.00	\$.00
Income Total	(\$36,659.87)	\$.00	(\$37,707.00)	(\$30,616.00)
Expenditure				
10600 Indoor Salaries	\$101,960.11	\$.00	\$101,957.00	\$101,957.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
10601 Indoor Training	\$1,359.09	\$2,418.00	\$0.00	\$2,418.00
10602 Contracts and Materials	\$7,346.26	\$0.00	\$5,499.00	\$5,499.00
10603 Advertising	\$226.35	\$0.00	\$0.00	\$250.00
10604 Software Maintenance Contract	\$5,546.36	\$0.00	\$2,953.00	\$5,546.00
10606 Health & Wellbeing Plan Implementation	\$0.00	\$0.00	\$997.00	\$997.00
10610 COVID-19 Pandemic Expenses	\$68,382.46	\$0.00	\$0.00	\$0.00
Expenditure Total	\$184,820.63	\$2,418.00	\$111,406.00	\$116,667.00
Capital				
10610 COVID-19 Pandemic Expenses	\$3,616.98	\$0.00	\$0.00	\$0.00
Capital Total	\$3,616.98	\$0.00	\$0.00	\$0.00
106 Health Promotion Total	\$151,777.74	\$2,418.00	\$73,699.00	\$86,051.00
108 Libraries				
Income				
10870 Library Grant	(\$107,919.00)	\$0.00	(\$107,919.00)	(\$107,919.00)
10873 Living Libraries (Vic Gov)	(\$300,000.00)	\$0.00	\$0.00	(\$300,000.00)
10874 Library Coordination Contribution	(\$23,002.53)	\$0.00	\$0.00	(\$2,509.00)
Income Total	(\$430,921.53)	\$0.00	(\$107,919.00)	(\$410,428.00)
Expenditure				
10800 Indoor Salaries	\$103,405.96	\$0.00	\$45,560.00	\$78,000.00
10802 Contracts and Materials	\$1,454.50	\$0.00	\$2,000.00	\$2,000.00
10804 Council Contribution to WRLC	\$237,437.00	\$0.00	\$237,437.00	\$237,437.00
10805 Cleaning	\$6,394.38	\$0.00	\$9,212.00	\$9,212.00
10806 Building Maintenance	\$5,113.75	\$0.00	\$4,132.00	\$4,659.00
10843 Memberships and Subscriptions	\$4,872.64	\$0.00	\$0.00	\$0.00
10844 Utilities	\$2,527.44	\$0.00	\$4,202.00	\$4,202.00
10845 Telecommunications	\$1,920.06	\$0.00	\$2,089.00	\$2,089.00
Expenditure Total	\$363,125.73	\$0.00	\$304,632.00	\$337,599.00
Capital				
10852 Dimboola Library	\$875,118.19	\$733,915.00	\$460,000.00	\$1,193,915.00
10853 Living Libraries	\$56,848.76	\$0.00	\$230,000.00	\$530,000.00
10854 Dimboola Community Civic Hub	\$7,011.27	\$0.00	\$0.00	\$0.00
Capital Total	\$938,978.22	\$733,915.00	\$690,000.00	\$1,723,915.00
108 Libraries Total	\$871,182.42	\$733,915.00	\$886,713.00	\$1,651,086.00
109 Arts & Culture and Community Events				
Expenditure				
10900 Indoor Salaries	\$53,461.70	\$0.00	\$58,242.00	\$58,242.00
10904 Community Action Grant Program	\$25,644.79	\$0.00	\$30,000.00	\$30,000.00
10909 Meet & Greet Barbecue	\$0.00	\$0.00	\$1,994.00	\$1,994.00
10910 Regional Community Events (Arts & Culture)	\$4,533.41	\$0.00	\$6,000.00	\$6,000.00
10911 Youth & Volunteer Activities & Events	\$0.00	\$0.00	\$4,008.00	\$4,008.00
10915 IDOWP & Harmony Day	\$1,272.62	\$0.00	\$1,500.00	\$1,500.00
10944 Utilities	\$4,292.43	\$0.00	\$5,139.00	\$5,139.00
10945 Telecommunications	\$403.04	\$0.00	\$505.00	\$505.00
Expenditure Total	\$89,607.99	\$0.00	\$107,388.00	\$107,388.00
109 Arts & Culture and Community Events Total	\$89,607.99	\$0.00	\$107,388.00	\$107,388.00
110 Recreation Programs				
Expenditure				
11000 Indoor Salaries	\$12,475.94	\$0.00	\$12,513.00	\$12,513.00
Expenditure Total	\$12,475.94	\$0.00	\$12,513.00	\$12,513.00
110 Recreation Programs Total	\$12,475.94	\$0.00	\$12,513.00	\$12,513.00
111 Public Order and Safety				
Income				
11170 Animal Control Fines	(\$10,980.00)	\$0.00	(\$997.00)	(\$8,459.00)
11171 Animal Control Registration Fees	(\$60,544.20)	\$0.00	(\$70,000.00)	(\$70,000.00)
11172 Pound Fees	(\$5,685.68)	\$0.00	(\$1,501.00)	(\$3,350.00)
11173 Local Laws Fees	(\$2,136.34)	\$0.00	(\$997.00)	(\$1,049.00)
11174 Local Laws Fines	(\$3,700.00)	\$0.00	\$0.00	\$0.00
11175 School Crossing Grants	(\$6,174.00)	\$0.00	(\$6,039.00)	(\$6,174.00)
11176 Community Education Grant (Vicroads)	(\$3,200.00)	\$0.00	\$0.00	\$0.00
Income Total	(\$92,420.22)	\$0.00	(\$79,534.00)	(\$89,032.00)
Expenditure				
11100 Indoor Salaries	\$199,471.60	\$0.00	\$137,525.00	\$169,193.00
11102 Contracts and Materials	\$3,778.47	\$0.00	\$6,000.00	\$4,900.00
11103 Advertising	\$258.46	\$0.00	\$552.00	\$552.00
11104 Animal Registration- Department Fees	\$6,376.00	\$0.00	\$5,498.00	\$6,376.00
11105 Printing & Postage of Animal Notices	\$0.00	\$0.00	\$2,401.00	\$2,401.00
11145 Telecommunication	\$520.23	\$0.00	\$960.00	\$960.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
11147 Depreciation - Buildings	\$13,107.27	\$0.00	\$1,585.00	\$14,296.00
Profit/Loss Total	\$223,512.03	\$0.00	\$154,521.00	\$198,678.00
111 Public Order and Safety Total	\$131,091.81	\$0.00	\$74,987.00	\$109,646.00
112 Early Years				
Expenditure				
11200 Early Years	\$9,173.67	\$0.00	\$31,444.00	\$12,332.00
Expenditure Total	\$9,173.67	\$0.00	\$31,444.00	\$12,332.00
112 Early Years Total	\$9,173.67	\$0.00	\$31,444.00	\$12,332.00
201 Local Roads and Bridges				
Income				
20170 Roads to Recovery Grant	(\$1,080,798.00)	\$0.00	(\$1,080,798.00)	(\$1,080,798.00)
20171 Road Contributions	(\$105,222.00)	\$0.00	(\$58,654.00)	(\$58,654.00)
20174 Floods Recovery Grant	(\$4,405,496.99)	\$0.00	\$0.00	(\$4,409,337.00)
20178 Fixing Country Roads Program	(\$1,060,733.40)	\$0.00	(\$1,501,197.00)	(\$1,501,197.00)
20179 Local Roads to Market Program	(\$20,000.00)	\$0.00	\$0.00	(\$20,000.00)
20180 Heavy Vehicle Safety & Productivity Program	(\$150,000.00)	\$0.00	\$0.00	\$0.00
Income Total	(\$6,822,250.39)	\$0.00	(\$2,640,649.00)	(\$7,069,986.00)
Expenditure				
20100 Indoor Salaries	\$127,570.56	\$0.00	\$139,651.00	\$139,651.00
20101 Engineering Investigation & Design Indoor Salaries	\$55,782.00	\$0.00	\$75,649.00	\$75,649.00
20102 Contracts and Materials	\$1,975.00	\$0.00	\$0.00	\$0.00
20104 Sealed Road Team Leader Inspections	\$13,380.07	\$0.00	\$14,615.00	\$14,615.00
20105 Sealed Road Programmed Inspections	\$29,614.32	\$0.00	\$25,018.00	\$22,599.00
20106 Sealed Road Shoulder Maintenance	\$131,893.20	\$0.00	\$191,150.00	\$191,150.00
20107 Sealed Road Pavement Patching and Repair	\$134,155.45	\$0.00	\$101,000.00	\$115,627.00
20108 Sealed Road Crack Sealing	\$25,714.49	\$0.00	\$27,000.00	\$27,000.00
20109 Sealed Road Edge Repairs	\$231,186.12	\$0.00	\$193,000.00	\$193,000.00
20110 Sealed Road Line Marking	\$21,580.64	\$0.00	\$25,404.00	\$25,404.00
20111 Unsealed Road Team Leader Inspections	\$14,697.93	\$0.00	\$25,970.00	\$25,608.00
20112 Unsealed Road Programmed Inspections	\$10,856.25	\$0.00	\$7,170.00	\$9,226.00
20113 Unsealed Road - Gravel Road Maintenance	\$711,440.58	\$0.00	\$715,000.00	\$715,000.00
20117 Unsealed Road Earth Grading	\$278,345.28	\$0.00	\$283,400.00	\$283,354.00
20118 Road Signage	\$61,309.29	\$0.00	\$55,137.00	\$54,988.00
20119 Guide Post Maintenance	\$28,409.60	\$0.00	\$36,398.00	\$36,398.00
20120 Gypsum Road Maintenance	\$46,395.83	\$0.00	\$41,810.00	\$41,810.00
20121 Bridge Maintenance	\$5,441.32	\$0.00	\$5,689.00	\$5,689.00
20122 Street Lighting	\$37,007.32	\$0.00	\$39,832.00	\$39,832.00
20124 Catholic Protection - Antwerp Bridge	\$1,950.00	\$0.00	\$3,061.00	\$3,061.00
20125 Floods 2016	\$2,686,238.04	\$0.00	\$0.00	\$2,614,852.00
20126 Dimboola Laneway	\$3,490.36	\$0.00	\$0.00	\$3,490.00
20147 Depreciation - Roads & Bridges	\$2,718,629.54	\$0.00	\$3,004,056.00	\$3,004,056.00
Expenditure Total	\$7,377,063.19	\$0.00	\$5,010,010.00	\$7,642,059.00
Capital				
20100 Indoor Salaries	\$182,109.71	\$0.00	\$106,111.00	\$150,000.00
20152 Kerb & Channel	\$311,628.52	\$67,471.00	\$250,461.00	\$445,328.00
20154 Reseals and Final Seals	\$731,270.49	\$0.00	\$783,766.00	\$758,202.00
20156 Sealed Road Construction	\$2,864,803.17	\$563,509.00	\$3,387,884.00	\$4,913,748.00
20158 Shoulder Resheet	\$53,343.65	\$0.00	\$168,059.00	\$53,344.00
20160 Unsealed Road Construction	\$369,207.20	\$0.00	\$465,845.00	\$403,538.00
20164 Bridges	\$673,512.64	\$935,506.00	\$0.00	\$1,396,694.00
Capital Total	\$5,185,875.38	\$1,566,486.00	\$5,162,126.00	\$8,120,854.00
201 Local Roads and Bridges Total	\$5,740,688.18	\$1,566,486.00	\$7,531,487.00	\$8,692,927.00
202 Drainage Management				
Expenditure				
20200 Indoor Salaries	\$40,063.69	\$0.00	\$45,130.00	\$45,130.00
20204 Sealed Road Drainage and Culvert Maintenance	\$59,581.21	\$0.00	\$74,995.00	\$74,995.00
20205 Unsealed Road Drainage and Culvert Maintenance	\$94,014.06	\$0.00	\$121,765.00	\$121,765.00
20206 Underground Drainage Maintenance - Pits	\$18,284.87	\$0.00	\$15,293.00	\$15,293.00
20207 Drainage Maintenance - Pipework	\$0.00	\$0.00	\$7,107.00	\$7,107.00
20208 Earth Gutter Maintenance	\$16,510.17	\$0.00	\$30,852.00	\$30,852.00
20209 Kerb and Channel Maintenance	\$2,476.76	\$0.00	\$6,050.00	\$6,050.00
20210 Urban Drainage Inspections	\$10,564.46	\$0.00	\$5,197.00	\$5,197.00
20247 Depreciation - Drainage & Kerb and Channel	\$294,519.17	\$0.00	\$319,225.00	\$319,225.00
Expenditure Total	\$536,014.39	\$0.00	\$625,614.00	\$625,614.00
Capital				
20200 Indoor Salaries	\$24,373.25	\$0.00	\$17,685.00	\$17,685.00
20251 Major Culverts	\$74,341.72	\$114,959.00	\$131,954.00	\$145,775.00
Capital Total	\$98,714.97	\$114,959.00	\$149,639.00	\$163,460.00
202 Drainage Management Total	\$634,729.36	\$114,959.00	\$775,253.00	\$789,074.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
203 Paths and Trails				
Income				
20371 Building Better Regions Funding	\$.00	\$.00	(\$600,000.00)	(\$40,000.00)
20372 Victorian Regional Partnership Funding	(\$100,000.00)	\$.00	(\$400,000.00)	(\$100,000.00)
20373 Community Climate Change Adaptation Funding	(\$5,000.00)	\$.00	\$.00	(\$5,000.00)
Income Total	(\$105,000.00)	\$.00	(\$1,000,000.00)	(\$145,000.00)
Expenditure				
20300 Indoor Salaries	\$61,221.87	\$.00	\$64,964.00	\$64,964.00
20304 Footpath Maintenance	\$31,876.80	\$.00	\$34,333.00	\$34,333.00
20305 Footpath Inspections	\$.00	\$.00	\$1,729.00	\$1,729.00
20306 Footpath Programmed Inspections	\$7,425.46	\$.00	\$7,022.00	\$7,022.00
20347 Depreciation - Footpaths	\$144,202.30	\$.00	\$160,131.00	\$160,131.00
Expenditure Total	\$244,726.43	\$.00	\$268,179.00	\$268,179.00
Capital				
20300 Indoor Salaries	\$35,405.12	\$.00	\$26,559.00	\$26,559.00
20353 Footpaths	\$213,316.89	\$165,084.00	\$43,551.00	\$235,430.00
20354 Wimmera River Discovery Trail	\$8,767.99	\$200,000.00	\$1,000,000.00	\$1,200,000.00
20355 Wimmera River Discovery Trail Nodes	\$111,485.00	\$.00	\$.00	\$.00
20356 Community Climate Change Adaptation (WRDT)	\$.00	\$.00	\$.00	\$.00
Capital Total	\$368,975.00	\$365,084.00	\$1,070,110.00	\$1,461,989.00
203 Paths and Trails Total	\$508,701.43	\$365,084.00	\$338,289.00	\$1,585,168.00
204 Tree Management				
Expenditure				
20400 Indoor Salaries	\$18,189.41	\$.00	\$21,999.00	\$21,999.00
20404 Rural Tree Trimming and Removal	\$194,282.37	\$.00	\$212,714.00	\$212,714.00
20405 Urban Trees Lopping & Pruning and Removal	\$79,261.06	\$.00	\$90,768.00	\$90,768.00
20406 Urban Trees Replacement Program	\$15,685.26	\$43,233.00	\$30,697.00	\$73,930.00
Expenditure Total	\$307,418.10	\$43,233.00	\$356,178.00	\$399,411.00
204 Tree Management Total	\$307,418.10	\$43,233.00	\$356,178.00	\$399,411.00
205 Town Beautification				
Income				
20561 Western Highway Median Maintenance	(\$7,544.00)	\$.00	(\$7,539.00)	(\$7,544.00)
20562 Nhill Truck Trailer Exchange (A&P Location)	(\$12,000.00)	\$.00	(\$12,004.00)	(\$12,004.00)
20567 Horsham Sports & Community Club Community Fund	(\$10,000.00)	\$.00	\$.00	\$.00
Income Total	(\$29,544.00)	\$.00	(\$19,543.00)	(\$19,548.00)
Expenditure				
20500 Indoor Salaries	\$51,501.10	\$.00	\$55,585.00	\$55,585.00
20502 Contracts and Materials	\$29.54	\$.00	\$500.00	\$500.00
20504 Urban Streets - Mechanical Street Sweeping	\$38,412.07	\$.00	\$43,183.00	\$47,226.00
20505 Commercial Area - Mechanical Street Sweeping	\$214.09	\$.00	\$16,723.00	\$16,723.00
20506 Commercial Area Manual Street Sweeping	\$41,665.62	\$.00	\$36,591.00	\$36,530.00
20507 Urban Area Litter Removal	\$1,101.02	\$.00	\$.00	\$.00
20508 Commercial Area Litter Removal	\$2,713.40	\$.00	\$.00	\$.00
20509 Public Toilet Building Maintenance	\$8,464.02	\$.00	\$20,219.00	\$19,921.00
20510 Public Toilet Cleaning	\$133,524.25	\$.00	\$114,814.00	\$114,814.00
20511 Parks and Gardens - Lawn Mowing and Maintenance	\$70,223.58	\$.00	\$68,945.00	\$72,238.00
20512 Parks and Gardens - Watering	\$9,394.70	\$.00	\$7,275.00	\$10,296.00
20513 Parks and Gardens - Infrastructure Maintenance	\$42,046.13	\$.00	\$41,745.00	\$45,577.00
20514 Parks and Gardens - Garden Beds	\$32,007.10	\$.00	\$46,433.00	\$46,433.00
20515 Parks and Gardens - Grass Maintenance	\$56,174.80	\$.00	\$62,652.00	\$65,652.00
20516 Parks and Gardens - Playground Inspections	\$4,661.91	\$.00	\$10,636.00	\$10,636.00
20517 Parks and Gardens - Playground Maintenance	\$43,059.76	\$.00	\$39,440.00	\$52,721.00
20522 Western Highway Median Maintenance	\$3,361.45	\$.00	\$10,936.00	\$10,936.00
20523 Nhill Truck Trailer Exchange (A&P Location)	\$3,556.96	\$.00	\$6,253.00	\$6,253.00
20544 Utilities	\$52,951.77	\$.00	\$55,487.00	\$55,487.00
20547 Depreciation	\$93,694.48	\$.00	\$101,136.00	\$101,136.00
Expenditure Total	\$688,757.75	\$.00	\$738,553.00	\$768,664.00
Capital				
20554 Town Entry Signs	\$.00	\$20,000.00	\$.00	\$20,000.00
20556 Street Furniture	\$13,023.22	\$.00	\$16,002.00	\$16,002.00
20557 Jaypex Park Upgrade	\$49,904.00	\$10,150.00	\$20,000.00	\$31,576.00
Capital Total	\$62,927.22	\$30,150.00	\$36,002.00	\$67,578.00
205 Town Beautification Total	\$722,140.97	\$30,150.00	\$755,012.00	\$816,694.00
206 Community Centres and Public Halls				
Income				
20670 Sustainability Victoria	(\$22,500.00)	\$.00	\$.00	(\$22,500.00)
20671 Hall Hire - Jeparit Hall & Community Building	(\$90.92)	\$.00	\$.00	(\$73.00)

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
20672 Nhill Memorial Community Centre	(\$23,587.03)	\$.00	(\$30,000.00)	(\$24,000.00)
20674 Rainbow MECC Lighting Contribution	(\$17,300.00)	\$.00	\$.00	(\$17,300.00)
Income Total	(\$63,477.95)	\$.00	(\$30,000.00)	(\$63,873.00)
Expenditure				
20600 Indoor Salaries	\$69,646.69	\$.00	\$85,104.00	\$85,104.00
20603 Advertising	\$1,497.02	\$.00	\$2,004.00	\$2,004.00
20604 Nhill Community Centre Maintenance	\$14,919.66	\$.00	\$16,603.00	\$16,603.00
20605 Public Halls Building Maintenance	\$29,665.00	\$.00	\$58,596.00	\$58,501.00
20606 Public Halls Inspections	\$1,617.17	\$.00	\$1,738.00	\$1,738.00
20611 Buildings - Condition Assessment	\$.00	\$.00	\$10,000.00	\$10,000.00
20612 Nhill Community Centre - Film Hire	\$9,228.81	\$.00	\$15,006.00	\$9,908.00
20613 Nhill Community Centre Materials	\$3,052.65	\$.00	\$4,502.00	\$4,052.00
20614 Dim Com Centre & Rainbow Hist Society Contribution	\$.00	\$.00	\$997.00	\$997.00
20615 Nhill Community Centre - Friends of Funds	\$.00	\$9,636.00	\$.00	\$9,636.00
20616 Public Halls Assistance Grants	\$.00	\$.00	\$5,006.00	\$5,006.00
20644 Utilities	\$15,126.85	\$.00	\$27,228.00	\$27,228.00
20645 Telecommunications	\$381.35	\$.00	\$600.00	\$600.00
20647 Depreciation	\$108,029.02	\$.00	\$113,783.00	\$113,783.00
Expenditure Total	\$253,164.22	\$9,636.00	\$341,167.00	\$345,160.00
Capital				
20615 Nhill Community Centre - Friends of Funds	\$1,137.36	\$.00	\$.00	\$.00
20650 Rainbow MECCA	\$22,300.00	\$.00	\$5,000.00	\$22,300.00
20659 Energy Audit Optimisation Project	\$29,432.00	\$.00	\$17,703.00	\$29,432.00
Capital Total	\$52,869.36	\$.00	\$22,703.00	\$51,732.00
206 Community Centres and Public Halls Total	\$242,555.63	\$9,636.00	\$333,870.00	\$333,019.00
207 Recreation Facilities				
Income				
20770 Recreation Reserve Recoupments	(\$12,257.35)	\$.00	(\$3,002.00)	(\$9,617.00)
20773 Dimboola Boating Pontoon - Grant	(\$46,000.00)	\$.00	\$.00	(\$46,000.00)
20774 Skate Park - Grant	(\$10,000.00)	\$.00	\$.00	(\$10,000.00)
20776 Dimboola Football Club Netball Facilities - Grant	(\$17,136.50)	\$.00	\$.00	(\$17,137.00)
20784 WMCA Grant	\$.00	\$.00	(\$40,000.00)	\$.00
Income Total	(\$85,393.85)	\$.00	(\$43,002.00)	(\$82,754.00)
Expenditure				
20700 Indoor Salaries	\$73,666.62	\$.00	\$77,318.00	\$77,318.00
20702 Contracts and Materials	\$.00	\$.00	\$396.00	\$396.00
20704 Swimming Pool Management	\$250,587.49	\$.00	\$264,512.00	\$264,512.00
20705 Swimming Pool Maintenance	\$19,168.57	\$.00	\$40,446.00	\$30,000.00
20706 Swimming Pool Building Maintenance	\$9,397.69	\$.00	\$16,638.00	\$10,000.00
20708 Swimming Pool Preparation and Painting	\$1,508.06	\$.00	\$7,299.00	\$1,365.00
20709 Swimming Area Ground Maintenance	\$9,431.03	\$.00	\$8,118.00	\$13,379.00
20710 Recreation Reserve Building Maintenance	\$10,121.49	\$2,025.00	\$27,694.00	\$27,694.00
20711 Jeparit Riverbank Precinct Minor Works	\$7,880.00	\$8,100.00	\$.00	\$8,100.00
20712 Recreation Reserve Oval Mowing and Maintenance	\$28,680.11	\$.00	\$33,938.00	\$33,938.00
20713 Recreation Reserve Surrounds Maintenance	\$81,964.55	\$.00	\$35,280.00	\$96,525.00
20714 Recreation Reserve Loose Litter Removal	\$1,229.65	\$.00	\$3,590.00	\$1,907.00
20718 Service of Pool Filters	\$11,756.77	\$.00	\$14,285.00	\$11,757.00
20719 Nhill Community Pavilion Design Work	\$7,090.00	\$11,514.00	\$.00	\$11,514.00
20720 Precinct & Recreation Plan Projects Funding	\$24,581.25	\$.00	\$.00	\$24,581.00
20744 Utilities	\$73,938.16	\$.00	\$63,550.00	\$63,550.00
20745 Telecommunications	\$367.26	\$.00	\$504.00	\$504.00
20747 Depreciation - Other Structures	\$302,622.43	\$.00	\$315,748.00	\$315,748.00
20797 Skate Park Facilities	\$19.91	\$.00	\$.00	\$20.00
Expenditure Total	\$914,011.04	\$21,639.00	\$909,316.00	\$992,808.00
Capital				
20730 Dimboola Rec Reserve Walking Track	\$.00	\$5,474.00	\$.00	\$5,474.00
20752 Dimboola Soundshell Project	\$1,800.00	\$8,500.00	\$.00	\$8,500.00
20755 Dimboola Recreation Reserve Netball Facilities	\$7,156.03	\$4,449.00	\$.00	\$7,156.00
20761 Dimboola Boating Pontoon	\$129,730.54	\$81,010.00	\$.00	\$130,000.00
20762 Jeparit Swimming Hole Upgrade	\$11,090.00	\$.00	\$80,000.00	\$80,000.00
20768 Rainbow Rec Reserve Change Rooms	\$1,540.00	\$.00	\$.00	\$.00
20794 Davis Park Renewal	\$32,784.50	\$.00	\$100,000.00	\$100,000.00
20797 Skate Park Facilities	\$1,125.18	\$8,274.00	\$.00	\$9,399.00
Capital Total	\$185,226.25	\$107,707.00	\$180,000.00	\$340,529.00
207 Recreation Facilities Total	\$1,013,843.44	\$129,346.00	\$1,046,314.00	\$1,250,583.00
208 Waste Management				
Income				
20870 Garbage Charge	(\$939,028.95)	\$.00	(\$933,710.00)	(\$938,860.00)
20871 Commercial Garbage Collection Fees	(\$39,176.21)	\$.00	(\$40,804.00)	(\$40,804.00)

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
20872 Commercial Recycle Collection Fees	(\$3,789.83)	\$0.00	(\$3,061.00)	(\$3,023.00)
20873 Transfer Station Sales including Scrap Metal	(\$20,333.91)	\$0.00	(\$10,000.00)	(\$11,511.00)
20874 Transfer Station Fees	(\$90,205.70)	\$0.00	(\$58,000.00)	(\$66,985.00)
20875 Drum Disposal Cost Recovery Grant	(\$410.55)	\$0.00	\$0.00	\$0.00
20876 Garbage Bin & Parts Sales	(\$2,984.40)	\$0.00	(\$504.00)	(\$3,505.00)
20877 Waste Management Sales	(\$354.54)	\$0.00	(\$156.00)	(\$355.00)
20878 General Waste Charge	(\$33,578.46)	\$0.00	(\$33,588.00)	(\$33,579.00)
20879 WMCA e-waste grant	(\$140,000.00)	\$0.00	\$0.00	(\$140,000.00)
Income Total	(\$1,269,862.55)	\$0.00	(\$1,079,823.00)	(\$1,238,622.00)
Expenditure				
20800 Indoor Salaries	\$170,630.60	\$0.00	\$160,322.00	\$160,322.00
20802 Contracts and Materials	\$21,604.40	\$0.00	\$6,500.00	\$19,992.00
20803 Advertising	\$172.73	\$0.00	\$204.00	\$204.00
20804 Kerbside Garbage Collection	\$249,932.54	\$0.00	\$270,300.00	\$249,621.00
20805 Kerbside Recycle Collection	\$175,800.88	\$0.00	\$210,817.00	\$188,787.00
20806 Transportation of Garbage to Dooen Landfill	\$82,093.85	\$0.00	\$71,000.00	\$79,965.00
20807 Dooen Landfill Charges	\$206,695.53	\$0.00	\$191,000.00	\$227,667.00
20808 Delivery of Recycle	\$34,889.22	\$0.00	\$32,000.00	\$30,185.00
20810 Transfer Station Recycle Collection	\$216.66	\$0.00	\$7,000.00	\$7,000.00
20811 Transfer Station Push in Waste and Cover	\$46,034.93	\$0.00	\$19,448.00	\$44,147.00
20812 Transfer Station Chemical Drum Disposal	\$0.00	\$0.00	\$2,137.00	\$2,137.00
20813 Transfer Station Maintenance	\$17,098.89	\$0.00	\$16,492.00	\$16,492.00
20815 Transfer Station Greenwaste Processing	\$343.01	\$0.00	\$5,199.00	\$5,199.00
20818 Hard Plastic Disposal	\$0.00	\$0.00	\$30,000.00	\$30,000.00
20820 Urban Area Litter Removal	\$40,841.27	\$0.00	\$51,245.00	\$51,245.00
20821 Commercial Area Litter Removal	\$35,586.06	\$0.00	\$53,769.00	\$53,769.00
20847 Depreciation	\$29,906.25	\$0.00	\$32,629.00	\$32,629.00
Expenditure Total	\$1,111,846.82	\$0.00	\$1,160,062.00	\$1,199,361.00
Capital				
20850 Ewaste shed Dimboola	\$69,383.95	\$0.00	\$0.00	\$69,227.00
20851 Ewaste Shed Nhill	\$70,824.93	\$0.00	\$0.00	\$70,825.00
Capital Total	\$140,208.88	\$0.00	\$0.00	\$140,052.00
208 Waste Management Total	(\$17,806.85)	\$0.00	\$80,239.00	\$100,791.00
209 Quarry Operations				
Income				
20970 Quarry Sales	(\$2,450.00)	\$0.00	\$0.00	(\$1,125.00)
20971 Quarry Material Used on Jobs	(\$601,164.00)	\$0.00	(\$537,500.00)	(\$420,000.00)
Income Total	(\$603,614.00)	\$0.00	(\$537,500.00)	(\$421,125.00)
Expenditure				
20900 Indoor Salaries	\$13,032.32	\$0.00	\$16,504.00	\$16,504.00
20904 Quarry Raising	\$65,547.85	\$0.00	\$86,000.00	\$65,372.00
20905 Quarry Material Crushing	\$244,463.51	\$0.00	\$215,000.00	\$235,773.00
20906 Quarry Material Loading	\$11,523.47	\$0.00	\$43,000.00	\$20,000.00
20907 Quarry Rehabilitation	\$66,302.63	\$0.00	\$111,800.00	\$66,303.00
20908 Quarry Compensation Payment	\$69,837.58	\$0.00	\$86,000.00	\$86,000.00
20909 Quarry Restoration	\$35,652.70	\$0.00	\$100,012.00	\$100,000.00
20911 Quarry General Maintenance	\$3,393.11	\$0.00	\$11,000.00	\$5,000.00
20947 Depreciation	\$9,474.96	\$0.00	\$10,336.00	\$10,336.00
Expenditure Total	\$519,228.13	\$0.00	\$679,652.00	\$605,288.00
209 Quarry Operations Total	(\$84,385.87)	\$0.00	\$142,152.00	\$184,163.00
210 Waterway Management				
Expenditure				
21000 Indoor Salaries	\$40,100.57	\$0.00	\$41,860.00	\$41,860.00
21002 Contracts and Materials	\$544.71	\$0.00	\$2,497.00	\$2,497.00
21006 Weir Operations	\$1,471.00	\$0.00	\$6,098.00	\$6,098.00
21007 Nhill Lake Water Allocation	\$0.00	\$0.00	\$3,121.00	\$3,121.00
21044 Utilities	\$1,069.63	\$0.00	\$7,251.00	\$7,251.00
21045 Depreciation	\$30,757.87	\$0.00	\$35,530.00	\$35,530.00
Expenditure Total	\$73,943.78	\$0.00	\$96,357.00	\$96,357.00
Capital				
21090 Weirs - Dimboola & Jeparit	\$10,880.00	\$30,100.00	\$0.00	\$30,100.00
Capital Total	\$10,880.00	\$30,100.00	\$0.00	\$30,100.00
210 Waterway Management Total	\$84,823.78	\$30,100.00	\$96,357.00	\$126,457.00
211 Environment Management				
Income				
21170 Roadside Weeds and Pests (DPI)	(\$75,000.00)	\$0.00	(\$75,006.00)	(\$75,000.00)
Income Total	(\$75,000.00)	\$0.00	(\$75,006.00)	(\$75,000.00)

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
Expenditure				
21100 Indoor Salaries	\$36,816.74	\$0.00	\$38,104.00	\$38,104.00
21104 Hindmarsh Landcare Network Contribution	\$10,000.00	\$0.00	\$10,000.00	\$10,000.00
21105 Vermin and Noxious Weeds	\$12,650.72	\$0.00	\$8,700.00	\$8,700.00
21106 Lanes and Drains Herbicide Spraying	\$29,998.21	\$0.00	\$35,005.00	\$35,005.00
21109 Roadside Weeds and Pests (DPI)	\$103,151.80	\$63,791.00	\$75,018.00	\$138,809.00
21170 Roadside Weeds and Pests (DPI)	\$0.00	\$0.00	\$24,922.00	\$0.00
Expenditure Total	\$192,617.47	\$63,791.00	\$191,749.00	\$230,618.00
211 Environment Management Total	\$117,617.47	\$63,791.00	\$116,743.00	\$155,618.00
212 Fire Prevention				
Income				
21270 Recoupment of Clean-up Costs at Private Property	(\$3,483.06)	\$0.00	\$0.00	(\$3,483.00)
21271 Fire Prevention Fines	(\$51,092.00)	\$0.00	(\$10,000.00)	(\$46,096.00)
Income Total	(\$54,575.06)	\$0.00	(\$10,000.00)	(\$49,579.00)
Expenditure				
21200 Indoor Salaries	\$31,287.81	\$0.00	\$0.00	\$27,531.00
21204 Fire Plug Post Maintenance	\$4,402.70	\$0.00	\$9,796.00	\$9,796.00
21205 Rural Roadside Spraying/Slashing	\$28,081.57	\$0.00	\$36,160.00	\$36,160.00
21206 Town Boundary Spraying/Slashing	\$2,064.76	\$0.00	\$3,709.00	\$3,709.00
21207 Private Property Clean-up for Fire Prevention	\$3,334.33	\$0.00	\$504.00	\$3,335.00
Expenditure Total	\$69,171.17	\$0.00	\$50,169.00	\$80,531.00
212 Fire Prevention Total	\$14,596.11	\$0.00	\$40,169.00	\$30,952.00
301 Economic Development				
Income				
30170 Saleyard Fees - Nhill	(\$5,362.06)	\$0.00	(\$5,006.00)	(\$5,362.00)
30171 Saleyard Truckwash Fees - Nhill	(\$47.73)	\$0.00	\$0.00	(\$42.00)
Income Total	(\$5,409.79)	\$0.00	(\$5,006.00)	(\$5,404.00)
Expenditure				
30100 Indoor Salaries	\$27,450.31	\$0.00	\$27,312.00	\$27,312.00
30102 Contracts and Materials	\$292.74	\$0.00	\$4,995.00	\$4,995.00
30103 Advertising	\$1,688.75	\$0.00	\$2,004.00	\$2,004.00
30104 Council Contribution For Grant Funded Projects	\$6,475.45	\$0.00	\$45,000.00	\$45,000.00
30105 Saleyard Membership - Nhill	\$0.00	\$0.00	\$804.00	\$804.00
30106 Saleyard Maintenance Nhill - Yard and Pen	\$957.04	\$0.00	\$1,994.00	\$1,994.00
30107 Saleyard Ground Maintenance Nhill	\$1,645.29	\$0.00	\$4,609.00	\$4,609.00
30108 Saleyard Utilities Nhill	\$3,413.35	\$0.00	\$3,734.00	\$3,734.00
30109 Community Enterprise Centre Dimboola	\$375.50	\$0.00	\$0.00	\$375.00
30110 Economic Development Strategy Review	\$0.00	\$0.00	\$10,000.00	\$0.00
30113 Nhill Air Show	\$16,348.30	\$0.00	\$10,000.00	\$6,997.00
30120 Business Assistance Grant Program	\$10,690.92	\$0.00	\$20,000.00	\$20,000.00
30143 Memberships and Subscriptions - Saleyard	\$343.00	\$0.00	\$0.00	\$0.00
30144 Utilities	\$0.00	\$0.00	\$2,197.00	\$2,197.00
30147 Depreciation - Buildings	\$51,418.07	\$0.00	\$38,394.00	\$38,394.00
Expenditure Total	\$121,098.72	\$0.00	\$171,043.00	\$158,415.00
Capital				
30104 Council Contribution For Grant Funded Projects	\$0.00	\$45,000.00	\$55,000.00	\$77,500.00
Capital Total	\$0.00	\$45,000.00	\$55,000.00	\$77,500.00
301 Economic Development Total	\$115,688.93	\$45,000.00	\$221,037.00	\$230,511.00
302 Tourism				
Income				
30208 Information Centre Nhill - S86 Funds	(\$140.65)	\$0.00	\$0.00	(\$116.00)
30279 Hindmarsh Tourism Contribution	(\$567.27)	\$0.00	\$0.00	\$0.00
30280 Yarunga Homestead Veranda Heritage Vic Grant	(\$32,500.00)	\$0.00	\$0.00	(\$32,500.00)
Income Total	(\$33,207.92)	\$0.00	\$0.00	(\$32,616.00)
Expenditure				
30200 Indoor Salaries	\$124,098.57	\$0.00	\$124,423.00	\$124,423.00
30202 Contracts and Materials	\$857.89	\$0.00	\$2,000.00	\$2,000.00
30203 Advertising & Market Promotions	\$7,129.09	\$0.00	\$10,000.00	\$10,000.00
30205 Regional Tourism Association Contribution	\$7,243.86	\$0.00	\$6,147.00	\$6,334.00
30206 Information Centre Building Maintenance	\$14.43	\$0.00	\$1,717.00	\$1,717.00
30207 Information Centre Nhill - Cleaning	\$723.49	\$0.00	\$1,500.00	\$1,500.00
30208 Information Centre Nhill - S86 Funds	\$505.08	\$1,740.00	\$0.00	\$1,740.00
30211 Building Maintenance - Yuranga and Pioneer Museum	\$29,334.52	\$0.00	\$39,220.00	\$39,220.00
30212 RV Dump Point Maintenance	\$0.00	\$0.00	\$2,004.00	\$2,004.00
30213 Dimboola HPV Event	\$4,678.00	\$0.00	\$3,000.00	\$4,678.00
30216 Website Maintenance & Subscription	\$7,522.35	\$0.00	\$7,503.00	\$7,503.00
30244 Utilities	\$3,151.31	\$0.00	\$1,309.00	\$2,018.00
30245 Telecommunications	\$824.01	\$0.00	\$1,742.00	\$1,742.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
30247 Depreciation - Buildings	\$50,567.22	\$.00	\$53,739.00	\$53,739.00
Expenditure Total	\$236,649.82	\$1,740.00	\$254,304.00	\$258,618.00
Capital				
30251 Tourism Signage	\$10,791.81	\$.00	\$20,000.00	\$20,000.00
30255 Yuranga Homestead - Restoration Works	\$.00	\$35,833.00	\$.00	\$.00
30259 Heritage Vic funded Yarunga Veranda Repair	\$58,309.71	\$.00	\$.00	\$68,333.00
Capital Total	\$69,101.52	\$35,833.00	\$20,000.00	\$88,333.00
302 Tourism Total	\$272,543.42	\$37,573.00	\$274,304.00	\$314,335.00
303 Private Works				
Income				
30372 Private Works Fees	(\$92,086.12)	\$.00	(\$55,000.00)	(\$60,454.00)
30380 RRV Inspections	(\$66,307.29)	\$.00	\$.00	(\$43,291.00)
30381 RRV Routine Maintenance	(\$61,511.07)	\$.00	\$.00	(\$41,136.00)
30383 RRV Grass Mowing	(\$21,700.00)	\$.00	\$.00	(\$21,700.00)
30384 RRV Provisional Items	(\$142,559.90)	\$.00	\$.00	(\$72,000.00)
Income Total	(\$384,164.38)	\$.00	(\$55,000.00)	(\$238,581.00)
Expenditure				
30300 Indoor Salaries	\$13,045.72	\$.00	\$16,504.00	\$16,504.00
30304 Private Works	\$63,192.24	\$.00	\$50,000.00	\$50,000.00
30310 RRV Inspections Exp	\$11,405.80	\$.00	\$.00	\$22,031.00
30311 RRV Routine Maintenance Exp	\$13,002.55	\$.00	\$.00	\$20,000.00
30312 RRV Unsealed Shoulder and Verge Grading Exp	\$5,383.07	\$.00	\$.00	\$.00
30313 RRV Grass Mowing Exp	\$9,870.00	\$.00	\$.00	\$11,000.00
30314 RRV Provisional Items Exp	\$142,919.18	\$.00	\$.00	\$62,117.00
30344 Utilities	\$544.10	\$.00	\$1,321.00	\$1,321.00
Expenditure Total	\$259,362.66	\$.00	\$67,825.00	\$182,973.00
303 Private Works Total	(\$124,801.72)	\$.00	\$12,825.00	(\$55,608.00)
304 Caravan Parks and Camping Grounds				
Income				
30470 Caravan Park Lease Fees	(\$9,090.92)	\$.00	(\$10,000.00)	(\$10,000.00)
30471 Caravan Park Fees	(\$336,143.30)	\$.00	(\$270,000.00)	(\$290,000.00)
30472 Camping Ground Fees	(\$1,596.88)	\$.00	(\$1,501.00)	(\$1,534.00)
30473 Riverside Holiday Park All Abilities Amen - Grant	(\$143,007.00)	\$.00	\$.00	\$.00
Income Total	(\$489,838.10)	\$.00	(\$281,501.00)	(\$301,534.00)
Expenditure				
30400 Indoor Salaries	\$247,435.92	\$.00	\$219,190.00	\$219,190.00
30402 Contracts and Materials	\$4,861.92	\$.00	\$12,000.00	\$12,000.00
30404 Caravan Park Building Maintenance	\$31,334.82	\$.00	\$20,085.00	\$33,753.00
30405 Caravan Parks Ground Maintenance	\$35,872.77	\$.00	\$22,642.00	\$38,000.00
30406 Camping Grounds Building Maintenance	\$3,228.88	\$.00	\$4,046.00	\$4,046.00
30407 Camping Grounds Infrastructure Maintenance	\$1,145.65	\$.00	\$1,561.00	\$1,561.00
30408 Camping Ground Beach Cleaning	\$1,273.06	\$.00	\$1,008.00	\$1,008.00
30409 Caravan Parks Marketing & Promotion	\$1,535.91	\$.00	\$5,006.00	\$5,006.00
30410 Online Booking System and Payment Gateway	\$4,188.00	\$.00	\$6,254.00	\$6,254.00
30411 Memberships & Subscriptions	\$4,944.98	\$.00	\$3,505.00	\$3,505.00
30412 Caravan Park Linen	\$1,544.54	\$.00	\$3,998.00	\$3,998.00
30444 Utilities	\$37,774.06	\$.00	\$44,261.00	\$44,261.00
30445 Telecommunications	\$516.56	\$.00	\$1,260.00	\$1,260.00
Expenditure Total	\$375,657.07	\$.00	\$344,816.00	\$373,842.00
Capital				
30450 Riverside Holiday Park All Abilities Amenities	\$.00	\$.00	\$.00	\$.00
30452 Fire Services Provision at Caravan Parks	\$18,570.00	\$.00	\$30,000.00	\$30,000.00
Capital Total	\$18,570.00	\$.00	\$30,000.00	\$30,000.00
304 Caravan Parks and Camping Grounds Total	(\$95,611.03)	\$.00	\$93,315.00	\$102,308.00
305 Land Use Planning				
Income				
30570 Land Use Planning Permit Fees	(\$41,667.87)	\$.00	(\$30,000.00)	(\$37,766.00)
30571 Land Use Planning Certificate Fees	(\$908.27)	\$.00	(\$504.00)	(\$504.00)
30572 Land Use Planning Enforcement Fees	(\$4,396.05)	\$.00	(\$1,000.00)	(\$2,728.00)
Income Total	(\$46,972.19)	\$.00	(\$31,504.00)	(\$40,998.00)
Expenditure				
30500 Indoor Salaries	\$150,353.77	\$.00	\$197,270.00	\$140,000.00
30502 Contracts and Materials	\$43,265.89	\$.00	\$997.00	\$40,000.00
30503 Advertising	\$619.89	\$.00	\$504.00	\$504.00
30508 Planning Scheme Amendments	\$.00	\$.00	\$10,000.00	\$10,000.00
Expenditure Total	\$194,239.55	\$.00	\$208,771.00	\$190,504.00
305 Land Use Planning Total	\$147,267.36	\$.00	\$177,267.00	\$149,506.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
306 Building Control				
Income				
30670 Building Control Permit Fees	\$6,773.22	\$0.00	\$0.00	\$9,812.00
30671 Building Control Certificate Fees	(\$1,194.94)	\$0.00	\$0.00	(\$1,081.00)
30674 Building Permit Fees	(\$21,323.50)	\$0.00	\$0.00	(\$13,296.00)
30675 Private Building Surveyor Lodgements	(\$7,426.89)	\$0.00	\$0.00	(\$4,013.00)
30676 Report and Consents	(\$3,124.80)	\$0.00	\$0.00	(\$2,168.00)
30677 Property Information Requests	(\$566.40)	\$0.00	\$0.00	(\$425.00)
30678 Legal Point of Discharge	(\$2,894.00)	\$0.00	\$0.00	(\$2,170.00)
30679 Swimming Pool/Spa Registrations	(\$2,292.00)	\$0.00	\$0.00	(\$538.00)
Income Total	(\$32,049.31)	\$0.00	\$0.00	(\$13,879.00)
Expenditure				
30600 Indoor Salaries	\$21,364.77	\$0.00	\$22,027.00	\$22,027.00
30602 Contracts and Materials	\$1,027.80	\$0.00	\$800.00	\$1,428.00
30604 Building Control Contractor	\$151,282.51	\$0.00	\$150,445.00	\$150,445.00
30605 Software & Licence Fees	\$2,483.00	\$0.00	\$2,400.00	\$2,400.00
30643 Memberships and Subscriptions	\$500.00	\$0.00	\$500.00	\$500.00
Expenditure Total	\$176,658.08	\$0.00	\$176,172.00	\$176,800.00
306 Building Control Total	\$144,608.77	\$0.00	\$176,172.00	\$162,921.00
307 Aerodromes				
Income				
30770 Aerodrome Fees	(\$17,068.38)	\$0.00	(\$12,004.00)	(\$12,004.00)
30773 Nhill Aerodrome Entrance & Heritage walk Grant	(\$3,300.00)	\$0.00	\$0.00	(\$3,300.00)
Income Total	(\$20,368.38)	\$0.00	(\$12,004.00)	(\$15,304.00)
Expenditure				
30700 Indoor Salaries	\$16,834.66	\$0.00	\$17,408.00	\$17,408.00
30702 Contract and Materials	\$1,434.68	\$0.00	\$2,004.00	\$2,004.00
30703 Advertising	\$0.00	\$0.00	\$204.00	\$204.00
30704 Aerodrome Inspections	\$11,589.35	\$0.00	\$14,141.00	\$14,141.00
30705 Aerodrome Toilet Cleaning	\$13.86	\$0.00	\$1,993.00	\$1,993.00
30706 Runways and Taxiways	\$149.06	\$0.00	\$3,097.00	\$3,097.00
30707 Aerodrome Lines lights and Markers	\$1,322.09	\$0.00	\$6,196.00	\$6,196.00
30708 Aerodrome Grass Slashing and Spraying	\$7,092.86	\$0.00	\$10,001.00	\$10,001.00
30709 Aerodrome Membership	\$546.00	\$0.00	\$997.00	\$997.00
30710 Building Maintenance	\$6,128.28	\$0.00	\$2,005.00	\$5,536.00
30711 Surrounds Maintenance	\$1,149.93	\$0.00	\$1,501.00	\$1,501.00
30744 Utilities	\$2,973.25	\$0.00	\$2,570.00	\$2,570.00
30745 Telecommunications	\$646.99	\$0.00	\$996.00	\$996.00
30747 Depreciation - Buildings	\$16,912.06	\$0.00	\$18,644.00	\$18,644.00
Expenditure Total	\$66,793.07	\$0.00	\$81,757.00	\$85,288.00
Capital				
30751 Power Supply Upgrade	\$0.00	\$3,000.00	\$0.00	\$3,000.00
30752 Nhill Aerodrome Entrance & Heritage Walk Upgrade	\$20,029.00	\$19,311.00	\$0.00	\$23,000.00
Capital Total	\$20,029.00	\$22,311.00	\$0.00	\$26,000.00
307 Aerodromes Total	\$66,453.69	\$22,311.00	\$69,753.00	\$95,984.00
401 Civic Leadership and Governance				
Expenditure				
40100 Indoor Salaries	\$439,507.17	\$0.00	\$427,459.00	\$412,000.00
40101 Advocacy Development & Training	\$18,407.50	\$0.00	\$35,006.00	\$35,006.00
40102 Contracts and Materials	\$15,850.34	\$0.00	\$28,007.00	\$26,637.00
40103 Advertising	\$17,100.27	\$0.00	\$20,000.00	\$20,000.00
40104 Mayoral Allowance	\$71,917.58	\$0.00	\$64,884.00	\$64,483.00
40105 Councillors Allowance	\$109,328.22	\$0.00	\$118,633.00	\$118,633.00
40107 Civic Receptions	\$1,097.98	\$0.00	\$5,005.00	\$5,005.00
40108 Councillor Travel & Remote Area Allowance	\$139.71	\$0.00	\$3,998.00	\$3,998.00
40109 Audit Committee	\$450.00	\$0.00	\$2,401.00	\$1,000.00
40110 Internal Audit Fees	\$18,382.16	\$0.00	\$25,000.00	\$25,000.00
40113 Legal Fees	\$14,684.31	\$0.00	\$20,000.00	\$20,000.00
40115 Councillors Training & Conferences & Seminars	\$7,573.68	\$0.00	\$9,003.00	\$9,003.00
40116 Awards & Ceremonies	\$3,870.93	\$0.00	\$6,003.00	\$6,003.00
40118 Software & Licence Fees	\$4,561.68	\$0.00	\$5,006.00	\$5,006.00
40119 Printing - Annual Report	\$250.00	\$0.00	\$0.00	\$250.00
40120 Community Satisfaction Survey	\$15,572.73	\$0.00	\$17,000.00	\$15,572.00
40123 Website Maintenance & Subscription	\$251.84	\$0.00	\$6,602.00	\$6,602.00
40143 Memberships and Subscriptions	\$86,125.30	\$0.00	\$95,000.00	\$95,000.00
40145 Telecommunication	\$6,945.81	\$0.00	\$13,494.00	\$9,930.00
40147 Depreciation	\$34,166.88	\$0.00	\$31,993.00	\$31,993.00
Expenditure Total	\$866,184.09	\$0.00	\$934,494.00	\$911,121.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
Capital				
40102 Contracts and Materials	\$1,362.73	\$0.00	\$0.00	\$1,363.00
Capital Total	\$1,362.73	\$0.00	\$0.00	\$1,363.00
401 Civic Leadership and Governance Total	\$867,546.82	\$0.00	\$934,494.00	\$912,484.00
402 Customer Service Centre				
Expenditure				
40200 Indoor Salaries	\$417,252.61	\$0.00	\$308,289.00	\$339,367.00
40202 Contracts and Materials	\$8,805.11	\$0.00	\$6,002.00	\$8,492.00
40203 Advertising	\$252.15	\$0.00	\$0.00	\$252.00
40204 Postage	\$11,011.53	\$0.00	\$12,004.00	\$12,004.00
40205 Printing and Stationary	\$21,610.03	\$0.00	\$25,006.00	\$20,978.00
40207 Cleaning Products	\$5,463.77	\$0.00	\$2,197.00	\$4,000.00
40208 Building Maintenance	\$24,610.91	\$9,628.00	\$29,990.00	\$39,618.00
40209 Staff Amenities	\$43.75	\$0.00	\$0.00	\$44.00
40244 Utilities	\$30,800.21	\$0.00	\$32,315.00	\$32,315.00
40245 Telecommunication	\$14,373.79	\$0.00	\$22,004.00	\$22,004.00
40247 Depreciation - Buildings	\$94,553.14	\$0.00	\$101,975.00	\$101,975.00
Expenditure Total	\$628,777.00	\$9,628.00	\$539,782.00	\$581,049.00
Capital				
40205 Printing and Stationary	\$3,790.00	\$0.00	\$0.00	\$4,028.00
40208 Building Maintenance	\$35,447.51	\$0.00	\$0.00	\$35,448.00
Capital Total	\$39,237.51	\$0.00	\$0.00	\$39,476.00
402 Customer Service Centre Total	\$668,014.51	\$9,628.00	\$539,782.00	\$620,525.00
404 Financial Management				
Income				
40470 Victoria Grant Commission General Purpose Grant	(\$3,305,132.00)	\$0.00	(\$1,641,312.00)	(\$3,305,132.00)
40471 Victoria Grant Commission Local Roads Grant	(\$1,682,689.00)	\$0.00	(\$837,996.00)	(\$1,682,689.00)
40472 Interest on Investments	(\$45,777.83)	\$0.00	(\$80,000.00)	(\$40,000.00)
40474 Phone Tower Leases	(\$25,130.94)	\$0.00	(\$40,000.00)	(\$40,000.00)
40475 Other Corporate Income	(\$24,103.21)	\$0.00	(\$20,000.00)	(\$20,854.00)
40476 Miscellaneous income	(\$5,381.28)	\$0.00	\$0.00	(\$4,126.00)
40478 Finance - Proceeds on Sale - Plant	(\$149,297.37)	\$0.00	(\$403,000.00)	(\$113,492.00)
40479 Windfarm Charge	(\$90,484.86)	\$0.00	(\$91,737.00)	(\$91,737.00)
Income Total	(\$5,327,996.49)	\$0.00	(\$3,114,045.00)	(\$5,298,030.00)
Expenditure				
40400 Indoor Salaries	\$154,256.00	\$0.00	\$155,765.00	\$155,765.00
40402 Contracts and Materials	\$717.73	\$0.00	\$2,004.00	\$2,004.00
40404 Statutory Audit Fees	\$6,280.50	\$0.00	\$55,000.00	\$55,000.00
40405 Bank Account Fees	\$30,728.44	\$0.00	\$33,001.00	\$28,000.00
40407 Postbillpay Charges	\$700.00	\$0.00	\$0.00	\$0.00
40408 Other Bank Fees and Charges	\$96.72	\$0.00	\$997.00	\$997.00
40409 Financial Management Software Maintenance Fees	\$191,067.34	\$0.00	\$189,099.00	\$189,099.00
40410 Expenses on Sale of Plant	\$0.00	\$0.00	\$2,004.00	\$2,004.00
40443 Memberships and Subscriptions	\$872.73	\$0.00	\$4,502.00	\$4,502.00
40445 Telecommunication	\$273.44	\$0.00	\$997.00	\$997.00
Expenditure Total	\$384,992.90	\$0.00	\$443,369.00	\$438,368.00
404 Financial Management Total	(\$4,943,003.59)	\$0.00	(\$2,670,676.00)	(\$4,859,662.00)
405 Rating and Valuations				
Income				
40570 Rates Revenue	(\$7,019,679.60)	\$0.00	(\$7,011,913.00)	(\$7,019,965.00)
40571 Municipal Charge	(\$746,186.95)	\$0.00	(\$746,400.00)	(\$746,400.00)
40572 Interest on Overdue Rates and Charges	(\$43,621.41)	\$0.00	(\$45,006.00)	(\$35,000.00)
40573 Recoupment of Legal Fees	(\$3,151.81)	\$0.00	(\$15,006.00)	(\$5,000.00)
40574 Fire Services Levy Support	(\$43,043.00)	\$0.00	(\$43,043.00)	(\$43,043.00)
Income Total	(\$7,855,682.77)	\$0.00	(\$7,861,368.00)	(\$7,849,408.00)
Expenditure				
40500 Indoor Salaries	\$136,346.16	\$0.00	\$132,582.00	\$132,582.00
40502 Contracts and Materials	\$920.96	\$0.00	\$1,000.00	\$1,000.00
40504 Printing and Postage of Rate Notices	\$18,749.43	\$0.00	\$17,010.00	\$17,010.00
40506 Supplementary Valuations	\$7,500.00	\$0.00	\$7,251.00	\$7,251.00
40507 Debt Collection Fees	\$6,957.15	\$0.00	\$17,996.00	\$10,000.00
40508 Fire Services Levy	\$22,938.26	\$0.00	\$25,006.00	\$22,938.00
40509 Bad & Doubtful Debts	\$0.00	\$0.00	\$5,006.00	\$5,006.00
Expenditure Total	\$193,411.96	\$0.00	\$205,851.00	\$195,787.00
405 Rating and Valuations Total	(\$7,662,270.81)	\$0.00	(\$7,655,517.00)	(\$7,653,621.00)
406 Records Management				
Expenditure				
40600 Indoor Salaries	\$31,598.57	\$0.00	\$51,740.00	\$33,000.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
40602 Contracts and Materials	\$2,015.91	\$0.00	\$5,000.00	\$5,000.00
40604 Records Management Software Maintenance Fees	\$22,917.00	\$0.00	\$16,000.00	\$16,000.00
Expenditure Total	\$56,531.48	\$0.00	\$72,740.00	\$54,000.00
406 Records Management Total	\$56,531.48	\$0.00	\$72,740.00	\$54,000.00
407 Information Technology				
Expenditure				
40700 Indoor Salaries	\$85,626.45	\$0.00	\$105,098.00	\$90,000.00
40702 Contracts and Materials	\$2,041.25	\$0.00	\$10,000.00	\$10,000.00
40704 Maintenance Agreements & Software Licences	\$91,531.64	\$0.00	\$98,000.00	\$98,000.00
40707 Memberships & Subscriptions	\$811.27	\$0.00	\$4,574.00	\$4,574.00
40710 Internet Services	\$14,801.73	\$0.00	\$20,000.00	\$20,000.00
40745 Telecommunications	\$242.04	\$0.00	\$1,200.00	\$1,200.00
40747 Depreciation	\$16,297.60	\$0.00	\$47,191.00	\$47,191.00
Expenditure Total	\$211,351.98	\$0.00	\$286,063.00	\$270,965.00
Capital				
40752 Workstations & Ipads	\$40,455.29	\$14,081.00	\$40,352.00	\$54,433.00
40756 Storage Area Network Replacement	\$0.00	\$0.00	\$6,500.00	\$6,500.00
Capital Total	\$40,455.29	\$14,081.00	\$46,852.00	\$60,933.00
407 Information Technology Total	\$251,807.27	\$14,081.00	\$332,915.00	\$331,898.00
408 Risk Management				
Income				
40870 Insurance Recoupments	(\$114,878.49)	\$0.00	(\$15,006.00)	(\$114,878.00)
Income Total	(\$114,878.49)	\$0.00	(\$15,006.00)	(\$114,878.00)
Expenditure				
Profit/Loss				
40800 Indoor Salaries	\$85,749.43	\$0.00	\$86,465.00	\$86,465.00
40802 Contracts and Materials	\$862.73	\$0.00	\$1,694.00	\$1,694.00
40804 Risk Management Software Maintenance Fees	\$14,633.00	\$0.00	\$8,000.00	\$14,633.00
40805 Insurance	\$292,099.74	\$0.00	\$310,000.00	\$292,098.00
40806 Excess on Claims	\$39,125.23	\$0.00	\$30,000.00	\$40,456.00
40807 OHS Staff Training	\$10,914.00	\$0.00	\$10,000.00	\$10,914.00
40810 OHS Committee Training	\$2,230.00	\$0.00	\$3,998.00	\$3,998.00
40811 Risk Assessment	\$0.00	\$0.00	\$4,400.00	\$4,400.00
Expenditure Total	\$445,614.13	\$0.00	\$454,557.00	\$454,658.00
408 Risk Management Total	\$330,735.64	\$0.00	\$439,551.00	\$339,780.00
409 Contract Management				
Expenditure				
40900 Indoor Salaries	\$91,840.18	\$0.00	\$87,098.00	\$87,098.00
40902 Contracts and Materials	\$9,631.08	\$0.00	\$2,041.00	\$3,818.00
40904 Contract Management System	\$12,234.63	\$0.00	\$10,000.00	\$10,000.00
40945 Telecommunication	\$0.00	\$0.00	\$1,645.00	\$1,645.00
Expenditure Total	\$113,705.89	\$0.00	\$100,784.00	\$102,561.00
409 Contract Management Total	\$113,705.89	\$0.00	\$100,784.00	\$102,561.00
410 Payroll and HR Services				
Income				
41070 Working for Victoria - Grant	(\$96,415.00)	\$0.00	\$0.00	(\$96,415.00)
Income Total	(\$96,415.00)	\$0.00	\$0.00	(\$96,415.00)
Expenditure				
Profit/Loss				
41000 Indoor Salaries	\$167,960.47	\$0.00	\$165,856.00	\$165,856.00
41002 Contracts and Materials	\$12,260.17	\$0.00	\$3,000.00	\$7,385.00
41003 Advertising and Recruitment	\$22,234.08	\$0.00	\$10,000.00	\$21,000.00
41004 Staff Development Training	\$44,742.93	\$0.00	\$62,004.00	\$61,972.00
41005 Cadetships	\$0.00	\$0.00	\$7,996.00	\$0.00
41006 Working for Victoria Expenditure	\$16,619.83	\$0.00	\$0.00	\$96,415.00
41043 Memberships and Subscriptions	\$4,270.00	\$0.00	\$4,502.00	\$4,502.00
41045 Telecommunications	\$145.45	\$0.00	\$600.00	\$600.00
Expenditure Total	\$268,232.93	\$0.00	\$253,958.00	\$357,730.00
410 Payroll and HR Services Total	\$171,817.93	\$0.00	\$253,958.00	\$261,315.00
411 Emergency Management				
Expenditure				
41100 Indoor Salaries	\$50,861.36	\$0.00	\$63,734.00	\$63,734.00
41102 Contracts and Materials	\$738.10	\$0.00	\$2,497.00	\$2,497.00
41105 Emergency Water Supply - Drought Bores	\$8,140.36	\$0.00	\$4,933.00	\$5,364.00
41106 Wimmera Emergency Mgt Officer Contribution	\$0.00	\$0.00	\$15,006.00	\$15,006.00
41108 Emergency Attendance	\$3,519.93	\$0.00	\$4,994.00	\$4,994.00
41145 Telecommunications	\$1,134.65	\$0.00	\$1,080.00	\$1,080.00

Account	YTD Actuals	Carried Forward Budget	Annual Budget	Forecast
Expenditure Total	\$64,394.40	\$0.00	\$92,244.00	\$92,675.00
411 Emergency Management Total	\$64,394.40	\$0.00	\$92,244.00	\$92,675.00
412 Depots and Workshops				
Expenditure				
41200 Indoor Salaries	\$38,644.09	\$0.00	\$6,417.00	\$33,642.00
41202 Contracts and Materials	\$1,890.89	\$0.00	\$1,044.00	\$1,571.00
41204 Depot Building and Surround Maintenance	\$65,663.73	\$0.00	\$68,931.00	\$68,931.00
41205 Depot Coordination and Administration	\$138,425.01	\$0.00	\$101,885.00	\$125,057.00
41206 Purchase of Minor Tools and Traffic Signs	\$24,270.64	\$0.00	\$21,321.00	\$24,276.00
41208 Dimboola Depot Urgent Works	\$21,389.89	\$0.00	\$0.00	\$21,364.00
41244 Utilities	\$13,562.41	\$0.00	\$14,454.00	\$14,454.00
41245 Telecommunication	\$14,889.24	\$0.00	\$12,508.00	\$12,508.00
41247 Depreciation - Buildings	\$8,747.75	\$0.00	\$9,541.00	\$9,541.00
41251 Plant Replacement	\$1,506.73	\$0.00	\$0.00	\$1,505.00
Expenditure Total	\$328,990.38	\$0.00	\$236,101.00	\$312,849.00
Capital				
41250 Depots & Workshop	\$0.00	\$0.00	\$110,000.00	\$110,000.00
41251 Plant Replacement	\$2,563,029.11	\$1,010,000.00	\$1,780,000.00	\$2,704,884.00
Capital Total	\$2,563,029.11	\$1,010,000.00	\$1,890,000.00	\$2,814,884.00
412 Depots and Workshops Total	\$2,892,019.49	\$1,010,000.00	\$2,126,101.00	\$3,127,733.00
413 Asset Management				
Income				
Profit/Loss				
41370 Road Opening Permits	(\$3,333.78)	\$0.00	(\$2,000.00)	(\$2,000.00)
Income Total	(\$3,333.78)	\$0.00	(\$2,000.00)	(\$2,000.00)
Expenditure				
41300 Indoor Salaries	\$193,308.91	\$0.00	\$188,989.00	\$188,989.00
41302 Contracts and Materials	\$2,578.12	\$0.00	\$5,090.00	\$5,090.00
41304 Asset Management GIS Software Maintenance	\$16,640.00	\$0.00	\$20,650.00	\$20,650.00
41305 Step Asset Management Program	\$0.00	\$0.00	\$1,020.00	\$0.00
41306 Asset Management Software & Training	\$41,278.86	\$0.00	\$30,000.00	\$30,000.00
41307 Memberships & Subscriptions	\$6,467.00	\$0.00	\$6,000.00	\$6,467.00
41308 Asset Inspections	\$6,988.35	\$0.00	\$0.00	\$5,256.00
41309 Road & Infrastructure Audit	\$35,030.47	\$75,000.00	\$100,000.00	\$174,904.00
41345 Telecommunications	\$2,872.35	\$0.00	\$3,800.00	\$3,761.00
Expenditure Total	\$305,164.06	\$75,000.00	\$355,549.00	\$435,117.00
413 Asset Management Total	\$301,830.28	\$75,000.00	\$353,549.00	\$433,117.00
414 Fleet Management				
Income				
41470 Vehicle Salary Sacrifice	(\$100,028.42)	\$0.00	(\$85,498.00)	(\$85,498.00)
Income Total	(\$100,028.42)	\$0.00	(\$85,498.00)	(\$85,498.00)
Expenditure				
41400 Indoor Salaries	\$14,628.66	\$0.00	\$14,810.00	\$14,810.00
41404 Fleet Servicing and Maintenance	\$0.00	\$0.00	\$10,044.00	\$0.00
41405 Fleet Tyres	\$0.00	\$0.00	\$5,982.00	\$0.00
41406 Fleet Registration & Insurance	\$612.65	\$0.00	\$10,044.00	\$613.00
41407 Fringe Benefit Tax	\$89,333.56	\$0.00	\$100,000.00	\$80,000.00
41408 Fleet Fuel	\$0.00	\$0.00	\$35,009.00	\$0.00
41447 Depreciation - Fleet	\$101,412.52	\$0.00	\$61,897.00	\$90,654.00
Expenditure Total	\$205,987.39	\$0.00	\$237,786.00	\$186,077.00
Capital				
41450 Fleet Replacement	\$236,487.75	\$45,500.00	\$332,000.00	\$377,500.00
Capital Total	\$236,487.75	\$45,500.00	\$332,000.00	\$377,500.00
414 Fleet Management Total	\$342,446.72	\$45,500.00	\$484,288.00	\$478,079.00
415 Accounts Payable				
Expenditure				
41500 Indoor Salaries	\$33,307.16	\$0.00	\$32,375.00	\$32,375.00
Expenditure Total	\$33,307.16	\$0.00	\$32,375.00	\$32,375.00
415 Accounts Payable Total	\$33,307.16	\$0.00	\$32,375.00	\$32,375.00
416 Accounts Receivable				
Expenditure				
41600 Indoor Salaries	\$12,516.84	\$0.00	\$12,141.00	\$12,141.00
Expenditure Total	\$12,516.84	\$0.00	\$12,141.00	\$12,141.00
416 Accounts Receivable Total	\$12,516.84	\$0.00	\$12,141.00	\$12,141.00



Domestic Animal Management Plan

2017 – 2021



Adopted 25 October, 2017 (Reviewed 19 August 2020)

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1. INTRODUCTION and PURPOSE OF THE PLAN

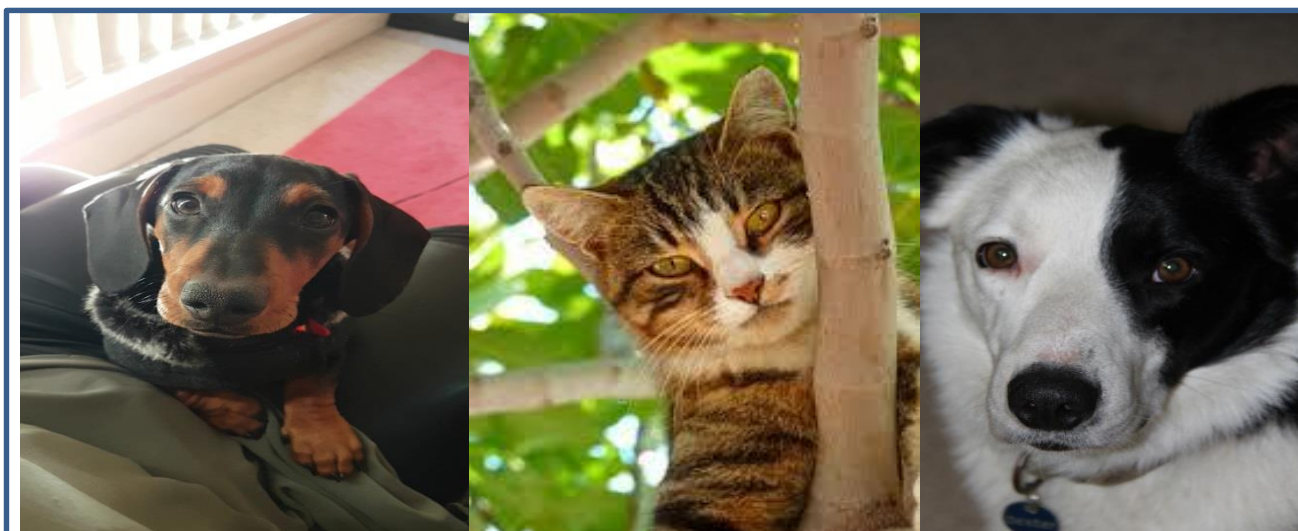
Under Section 68A of the *Domestic Animals Act* (1994), every Council in Victoria must prepare a Domestic Animal Management Plan every four years in consultation with the Secretary of the Department of Environment and Primary Industries.

The purpose of the Domestic Animal Management Plan (the Plan) is to provide the Hindmarsh Shire Council with a strategic framework that delivers policy direction and action plans for animal management over the next four years.

The preparation of the Plan follows a requirement that all Victorian councils have a four year plan in place for the management of dogs and cats within their area.

The Plan integrates the developing expertise in domestic animal management with Council's own investigations to produce a program of action to be undertaken over the next four years (2017 – 2021). Relevant issues include those prescribed under relevant legislation and local laws as well as the generally understood notion of responsible pet ownership.

The Plan is confined to Council's management of dogs and cats under the DAA.



1.1 Requirements for the Domestic Animal Management Plan

Under *Section 68A* of the *Domestic Animals Act*, every Council must prepare a domestic animal management plan

68A Councils to prepare domestic animal management plans

- (1) Every Council must, in consultation with the Secretary, prepare at 4 year intervals a domestic animal management plan.
- (2) A domestic animal management plan prepared by a Council must –
 - (a) set out a method for evaluating whether the animal control services provided by the Council in its municipal district are adequate to give effect to the requirements of this Act and the regulations; and
 - (b) outline programs for the training of authorised officers to ensure that they can properly administer and enforce the requirements of this Act in the Council's municipal district; and
 - (c) outline programs, services and strategies which the Council intends to pursue in its municipal district –
 - (i) to promote and encourage the responsible ownership of dogs and cats; and
 - (ii) to ensure that people comply with this Act, the regulations and any related legislation; and
 - (iii) to minimise the risk of attacks by dogs on people and animals; and
 - (iv) to address any over-population and high euthanasia rates for dogs and cat; and
 - (v) to encourage the registration and identification of dogs and cats; and
 - (vi) to minimise the potential for dogs and cats to create a nuisance; and
 - (vii) to effectively identify all dangerous dogs, menacing; dogs and restricted breed dogs in that district and to ensure that those dogs are kept in compliance with this Act and the regulations; and
 - (d) provide for the review of existing orders made under this Act and local laws that relate to the Council's municipal district with a view to determining whether further orders or local laws dealing with the management of dogs and cats in the municipal district are desirable; and
 - (e) provide for the review of any other matters related to the management of dogs and cats in the Council's municipal district that it thinks necessary; and
 - (f) provide for the periodic evaluation of any program, service, strategy or review outlined under the plan.
- (3) Every Council must –
 - (a) review its domestic animal management plan annually and, if appropriate, amend the plan; and
 - (b) provide the Secretary with a copy of the plan and any amendment to the plan; and
 - (c) publish an evaluation of its implementation of the plan in its annual report.

1.2 Structure of the Plan

The overarching objectives of this Plan will be to:

1. Increase the enjoyment people receive from their pets;
2. Reduce the incidence of problems within the community related to pets being a nuisance or causing injury to people or other animals; and
3. Contribute to improving the health and wellbeing of pets;

These objectives will be achieved through this Plan by:

1. Providing the community, with a clear understanding of Council's expectations of pet owners;
2. Reinforcing to the community Council's commitment to improving standards associated with pet ownership; and
3. Clearly describing to the community the role and actions Council will take to improve the level of responsible pet ownership throughout Hindmarsh Shire Council.

Outcomes that will contribute to achieving the above objectives include:

1. Increasing the skills and resources available to Council officers;
2. Increasing dog and cat registration levels;
3. Decreasing the incidence of dogs at large and nuisance behaviour;
4. Actively managing dangerous, restricted breed and menacing dogs;
5. Decreasing the incidence of dog attacks;
6. Decreasing euthanasia rates and impacts associated with overpopulation of cats; and
7. Ensuring the operation of Domestic Animal Businesses dealing with domestic animals are in accordance with the applicable laws and Codes of Practice.

1.3 Development of the Plan

The Domestic Animal Management Plan 2013 – 2017 was developed following the initial work in 2007 and updates the objectives Council considers more relevant for the period of the Plan. This plan, 2017-2021 strives to continue the work by building on the 2013-2017 plan.

Local Laws Officers of the Councils listed below have formed the Animal Network Group which will provide a forum to discuss animal management issues and encourage networking to improve the transfer of information and knowledge.

- Hindmarsh Shire Council;
- Horsham Rural City Council;
- West Wimmera Shire Council; and
- Yarriambiack Shire Council

These Officers work closely to discuss animal management issues and encourage networking to improve the transfer of animal information and knowledge.



1.4 Statement of the Plan

1.4.1 Our GOALS for animal management are:

- To protect people and animals (pets, livestock, wildlife) from attack by dogs and cats;
- To create an environment where people and pets can peacefully co-exist within the community;
- To promote the welfare of companion animals; and
- To inform and educate the community about the needs of companion animals and promote responsible pet ownership.

1.4.2 KEY ISSUES for the delivery of animal management services in the Shire of Hindmarsh are:

- High number of unregistered dogs and cats (presently 60% dogs & 85% cats);
- Dogs wandering at large and attacks on livestock;
- Cats, both feral and nuisance;
- Limited resources compared to metropolitan councils; and
- The large size of the Shire compared to more populated councils.

1.4.3 The Plan is based on the following priorities or STRATEGIC DIRECTIONS for the delivery of Council's animal management services:

- Animal Management Officer training and development;
- Responsible pet ownership;
- Compliance and enforcement;
- Registration and Identification;
- Confinement of dogs and cats;
- Prevention of animal attacks and risk to the community;
- Animal welfare; and
- Domestic animal businesses e.g. commercial seller/breeder.

2. Animal Management at the Hindmarsh Shire Council

2.1 A Snapshot

Hindmarsh Shire is located in the Wimmera and covers an area of 7,527 square kilometres. The shire shares its boundaries with West Wimmera Shire Council, Yarriambiack Shire Council, Horsham Rural City Council and Mildura Rural City Council.

Some key features of the Shire are Lake Hindmarsh, Lake Albacutya, Little Desert National Park, Big Desert National Park and the Wimmera River.

The Shire comprises 7,527 square kilometres, a population of approximately 5,588 with 88.6% living in the towns of Dimboola, Jeparit, Nhill and Rainbow. There are 5,126 rateable properties for 2020/2021.

In 2018/19 1,589 animals were registered – 1,187 dogs and 402 cats
In 2019/20 1,378 animals were registered – 1,012 dogs and 366 cats

2.2 The Domestic Animals Act 1994

Council is responsible for implementing the Act, which has been in operation now for well over a decade. It replaced the former Dog Act. Its introduction heralded a new era in animal control with cats included for the first time in animal control, tougher penalties for dangerous dogs, clearer nuisance provisions and a greater emphasis on prevention.

The purpose of the Domestic Animals Act (DAA) is to promote animal welfare, the responsible ownership of dogs and cats and the protection of the environment by providing for:

- A scheme to protect the community and the environment from feral and nuisance dogs and cats;
- A registration and identification scheme for dogs and cats which recognises and promotes responsible ownership;
- The identification and control of dangerous dogs;
- A registration scheme for domestic animal businesses which promotes the maintenance of standards of those businesses;
- Matters related to the boarding of dogs and cats;
- Payments to the Treasurer from fees received by Councils under this Act; and
- Other related matters.

3. Local Laws Structure

3.1 Staffing and Organisational Structure

Council currently has two (full time equivalent) animal management officers.

Council operates its own out of hours and animal management facility.

3.2 Training of Authorised Officers

Local Laws Officers undertake training to ensure they comply with all requirements as per their position description.

Council also ensures that staff involved in animal management have the knowledge and skills necessary to safely and effectively carry out their work.

3.3 Role of Other Stakeholders

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) has a range of responsibilities associated with the administration and enforcement of provisions of the Act. It also undertakes or facilitates research and educational programs relating to dog and cat management.

Veterinarians are an important point of contact, especially in a pet's early years. They have an important role to play in maintaining the health of pets and educating pet owners. The Shire has one veterinarian visit in Nhill on Friday each week from Warracknabeal.

Domestic Animal Businesses including breeders, veterinary behaviourists, private dog trainers, dog walkers, kennels and catteries and pet shops are important stakeholders in providing services to dog owners that may assist them to be responsible pet owners. Council has one registered Domestic Animal Business.

The **local media** can assist Council with media coverage to promote responsible pet ownership.

Neighbouring councils have common animal management interests and issues. Council will consider ways of extending the responsible pet ownership message more efficiently and effectively through increased dialogue and collaboration.

Pet owners themselves have a role to play in:

- choosing an appropriate pet to suit their lifestyle;
- training and socialising their dog; and
- adhering to Council requirements.

4. Strategic Directions

4.1 Training and Development

Objective

Ensure that all staff involved in animal management have the knowledge and skills necessary to carry out their work.

Discussion

All Local Laws Officers to receive ongoing on the job training.

All Local Laws Officers will be encouraged to have or attain the Certificate IV in Animal Control and Welfare.

Council will encourage officers to undergo further study to obtain higher qualifications in animal management and welfare.

Officers will attend seminars and information sessions arranged by the Bureau of Animal Welfare.

Officers will attend training courses in handling dangerous animals, safe handling of firearms and if possible to be accredited to microchip animals.

The annual review of this Plan will include a skills audit to identify any gaps in the skills available within the animal management team.

Council will ensure that annual performance reviews include a review of the staff members' skills and training undertaken in the last year.

Council will encourage the group of four councils to operate as an information sharing network.

4.2 Administration

Objective

To provide the necessary administrative arrangements to implement actions identified in the Action Plan.

Discussion

Information is readily available on responsible pet ownership on Council's website and at Customer Service Offices.

4.3 Registration and Identification

Objective

Endeavour to have all dogs and cats, identified and registered

Discussion

Estimates suggest that in 2019/2020 between 40% - 50% of dogs in Hindmarsh Shire Council were not registered and in the order of 60% - 70% of cats were not registered. Cat registration rates are well below that of dog registrations and feral cats are frequently seized and euthanized.



Registration and identification are considered to be a core task for animal management. It is the basis for distinguishing between owned and unowned animals, returning lost pets to their owners, identifying offending animals etc.

All newly registered dogs and cats now need to be microchipped before they can be registered. Council recognises that this is difficult in isolated areas with few veterinarians.

Hindmarsh Shire Council's current identification and registration activities include:

1. Publishing regular articles in Council's community newsletter and social media promoting the need for residents to register their pet(s) and to keep pet(s) contained to their property;
2. Increased application of Penalty Infringement Notices to owners of unregistered dogs and cats;
3. Providing a 'free ride home' for registered dogs found wandering and not causing a nuisance provided it is not a repeat offence or an ongoing concern;
4. Conducting inspection audits to identify where unregistered pets are located; and
5. Issue 'Pet registration warning notices' to residents identified as owning unregistered pets as a result of routine operations.

Registration and identification of pets are fundamental elements of responsible pet ownership and central to Council services. The ability to accurately identify a pet contributes to the prompt return of lost or wandering pets and ensures owners are held accountable for damage or offences involving their pets. Registration remains a priority and Council will continue to reward owners of registered pets, via the free ride strategy, while applying various other strategies to encourage the registration of unregistered pets.

4.4 Encouraging responsible pet ownership

Objective

Implement appropriate community education programs in responsible pet ownership.

Discussion

The Department of Economic Development, Jobs, Transport and Resources (DEDJTR) operates education programs and activities on a state-wide basis.

Each primary school in Victoria is entitled to a free annual visit from a trained Pet Educator. They educate the children on issues such as choosing an appropriate pet for the family, pet health and welfare and the importance of registration. Particular attention is also given to recognising the warning signs given by dogs, the correct way to approach a dog, and what to do if approached by an aggressive dog.

Council will annually provide information packs to all educational facilities and community groups to encourage the education of Responsible Pet Ownership for Children, which will focus on the following priorities:

- Registration and microchipping of dogs and cats;
- Desexing of dogs and cats; and
- Confinement of dogs and cats.

Council will annually undertake regular doorknocks to identify unregistered dogs and cats.

Council will hold annual microchipping days on a rotational basis throughout the Shire and seek to obtain as much publicity as possible both before and after the event as a way to extend the message.

Council will ensure DEDJTR brochures on responsible pet ownership are appropriately distributed.

The Animal Network Group will consider regional approaches to education in responsible pet ownership.

4.5 Confinement of dogs and cats

Objective

Ensure dogs are confined to their property
Encourage cats to be confined to their property

Discussion



Confinement of dogs and cats is a strategic priority of the Plan. Animals wandering at large consume significant resources and places at risk the safety of the pet, humans and other animals.

For dogs, this is easier in towns than rural areas where properties generally have boundary fences. Confinement of cats means confinement indoors or confinement to an external cat run.

Currently Council Local Law requires the confinement of cats between dusk and dawn in a zoned residential area. Confinement means that cats are suitably locked up inside the house or housed in a suitable cat run during these times of the curfew.

Council will ensure there is information available on the importance of animal confinement at Council Customer Centres and other key locations.

Desexed animals are less likely to wander, so Council will continue to encourage people to have their pet desexed.

Council will be more firm with owners of wandering animals

4.6 The welfare of pets

Objectives

Reduce the number of unwanted litters.

Reduce the number of stray, lost and abandoned animals.

Increase the number of returned animals.

Increase the number of rehomed animals.

Ensure wounded and lost animals are treated humanely.

Encourage pet owners to attend to their pet's basic needs and provide them with a quality home environment.

Discussion

The number of animals impounded every year remains high. Key strategies to reduce the number of animals being impounded are:

- Desexing;
- Identification and registration;
- Confinement;
- Obedience training (an obedient dog is less likely to be abandoned); and
- Rehoming of lost and unwanted animals.

Pet owners also need to ensure they meet their pet's basic needs and welfare.

Council will encourage and educate the community in responsible pet ownership and animal welfare.

4.7 Nuisance Animals

Objective

Reduce documented cat and dog nuisance complaints by 10% per year.

Discussion

Council's response to barking complaints is to encourage the complainant to discuss the problem with their neighbour. If this course of action fails, Council will inform the dog owner of the problem and provide them an opportunity to rectify it. Council employs investigation, negotiation, communication and education strategies to resolve most nuisance issues. If legal action is identified as being required, it is necessary for the complainant to become involved and provide much of the evidence.

Council provides a dog seizure and impoundment service to help prevent dogs found at large from being harmed or becoming a nuisance. Registered dogs found at large are returned to their owners who are informed of their obligation to keep their dog contained. Unregistered dogs at large are delivered to the pound and penalties applied.

Council has for many years made up to ten cat traps available for hire by residents. These traps are continually out for hire with on-going demand reflected in a waiting list of residents seeking to access the cat trapping program in order to alleviate their cat related problem.

Nuisance complaints received by Council are generally related to barking dogs, dogs at large, dog attacks and feral cats.

The need to expand the cat trap program has been identified by Council. Education and information programs will be expanded to encourage residents to become more responsible pet owners. Penalty infringement notices will continue to be utilised where appropriate to discourage irresponsible pet ownership.

4.8 Dangerous, Menacing and Restricted Breed Dogs

Objective

Identify and register any declared dogs in the municipality.
Inspect and audit all declared dog premises annually to ensure they are complying with legislated requirements.

Discussion

Two menacing dogs are registered in the Hindmarsh Shire Council.

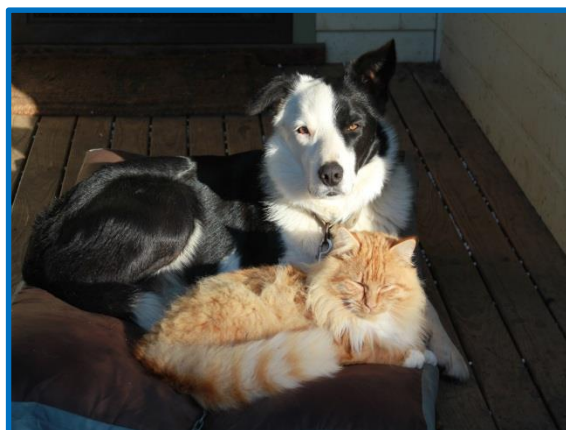
Very few dogs are declared in Hindmarsh Shire Council as owners of dogs that are involved in serious attacks are encouraged to surrender their dog to council to be euthanized if the attack is proven.

Council's approach will continue to involve removing dangerous or restricted breed dogs with consent of owners from within the community. In any situation where an owner refuses to surrender their dog, Council will investigate the matter with a view to prosecute.

Council will continue to respond to reports of Restricted Breed Dogs as per requirements of The Domestic Animal Act.

Minimal causes of Dangerous, Menacing and Restricted Breed Dogs have been experienced in Hindmarsh Shire Council. This is due in part to Council's approach to serious dog attack incidents and the preference to have 'dogs that attack', euthanized rather than declared dangerous.

Council's strategy in this regard will continue to limit the declaration of dangerous dogs by pursuing the euthanization of dogs involved in serious attacks or prosecution in the event that the dog is not surrendered for euthanization.



4.8 Prevention of Animal Attacks and Risk to the Community

Objective

Reduce the incidence and severity of attacks by dogs and cats on people, livestock, pets and wildlife.

Discussion

Whilst the number of dog attacks is not high in the Hindmarsh Shire, managing them is a critical animal management role.

There is also increasing concern about the impact of cats on wildlife.

All dogs are required to be confined to their property. This is a requirement under the Act and Council will continue to place importance on the need for dogs to be confined.

Council will also continue to place importance on the need for cats to be confined.

Council will encourage people to have their dogs and cats de-sexed. This can help to reduce aggressive tendencies.

Council believes the State Government's state-wide schools visitation program is an excellent means for educating children in how to behave around dogs.

Council currently investigates reported dog attacks and where a serious attack has been substantiated, endeavours to have the dog(s) responsibly euthanized. If an owner refuses to surrender a dog for euthanization, Council will investigate the matter with intention of prosecuting, provided there is adequate evidence to support a successful prosecution. Infringements are issued for minor attacks and articles are routinely published in local media alerting residents to the potential consequences of allowing their dog to wander at large.

Dog attacks on livestock and pets occur frequently in Hindmarsh Shire Council. Attacks on animals dominate Council dog attack statistics and consequently, preventing attacks on livestock and pets is the primary focus on Council's dog attack prevention program. Core to preventing dog attacks in Hindmarsh Shire Council is the necessity for residents to keep their dogs securely confined to their premises. Subsequently, Council's dog attack prevention program will involve education about the need to confine dogs, issuing infringements for 'dogs at large' and minor attack, euthanizing dogs found to have committed a serious attack and publicising the frequency of attacks, the number of dogs euthanized and reporting successful prosecutions.

4.9 Overpopulation and High Euthanasia

Objective

Achieve a 10% reduction annually in the number of cats euthanized.
Increase reclaim and rehousing rates for cats by 10% annually.
Reduce euthanasia rates for dogs to less than 10% annually.

Discussion

2016 data indicates there are problems related to overpopulation of cats in Hindmarsh Shire Council with 75% of cats delivered to the pound being euthanized.

By contrast, euthanasia rates amongst dogs delivered to the pound is below 10%. While there is still room for improvement in dog euthanasia rates, the most significant issue remains unacceptable high cat euthanasia rates.

1. Cats that are registered are rarely impounded;
2. 99% of cats impounded are not registered;
3. There is a significant number of cats that are either:
 - (i) Feral or;
 - (ii) Semi domesticated and not being collected by those who feed the local stray cat.

Council continues to make cat traps available to the community in an effort to alleviate problems associated with stray and feral cats.

There is no data to indicate cats that are owned and registered with Council are causing nuisance problems, nor are they contributing significantly to the cat overpopulation problem as nearly all registered cats are de-sexed. The data on registered dogs also indicates there is no discernible dog overpopulation problem in Hindmarsh Shire Council. However there is a view that there may be a high number of unregistered dogs in the shire.

Overpopulation problems lie squarely with an abundance of stray/semi owned cats and feral cats.

Council will endeavour to apply a four pronged strategy aimed at alleviating this problem.

1. Introduce a trial Desexing scheme by connecting residents to third parties offering reduced costs, which will assist residents to take responsibility for their cat;
2. Enhanced cat trapping program to assist residents to remove stray and feral cats from the breeding pool;
3. Encourage pet owners through community education to microchip, register and de-sex their cats; and
4. Increase the number of cat traps available for hire.

4.11 Domestic Animal Businesses

Objective

Work in partnership with domestic animal businesses to ensure compliance with the Code of Practice.

Discussion

There are approved Codes of Practice for the operation of breeding and rearing establishments, boarding establishments, and shelters and pounds.

Council will ensure each establishment complies with the relevant Code Practice by conducting regular audits.

4.12 Annual Review and Reporting

Objective

To capture and manage data to better support reporting of outcomes resulting from the implementation of this Plan.

To capture data that will improve the Capacity for Council to plan for domestic animal management in future.



Discussion

Performance against the objectives and targets specified in this Plan will be monitored and evaluated by keeping records to measure the success of the Plan.

The outcomes of this Plan will be measured and evaluated annually in order to be reported in the Hindmarsh Shire Council Annual Report to the Auditor General. The Plan itself is scheduled to be reviewed every four years in accordance with the provisions of the *Domestic Animals Act (1994)*.

Current data capture and reporting processes need improvement. While a significant amount of animal management related work is being undertaken in Hindmarsh Shire Council, there are problems capturing data relevant to these activities.

Improved data management is an integral component of this Domestic Animal Management Plan and one measure will be to demonstrate an improvement in the amount of data collected, how it is captured and how and where it is reported.

4.13 Performance Monitoring and Review

Monitoring and Review

Monitoring the Plan is the process established to ensure the Plan is implemented in accordance with the action plans and recommended timeframes.

Reviewing the Plan is an opportunity to consider performance in implementation of the plans and whether the goals, objectives and action plans are still relevant or whether they need to be updated.

Responsible Officer

The Local Laws Officer will be assigned with responsibility for the successful implementation of the Plan.



Develop a Sound Basis for Recording Data

The current development of Council's procedures for recording animal control data will provide an ongoing accurate and comprehensive basis to assess Council's performance in animal management.

Animal Management Network Group

The four Councils will establish an Animal Network Group. The group will meet as required to report on and discuss the implementation of each Council's Plan including the sharing of resources. This is a key element in monitoring the implementation of the Plan.

Annual Review

The Plan will be reviewed and amended each year as appropriate. The review will evaluate progress against an agreed set of key performance indicators for the Plan. If the indicators do not show that the strategies of the Plan are being successful, then changes will be considered in light of the latest information available, both for the local context and by way of benchmarking with the success (or otherwise) of similar efforts by other Councils.

If the Plan is amended, Council must provide the Domestic Animal Management Unit Welfare with a copy of the amended Plan.

Key Performance Indicators

Key performance indicators have been identified so Council's performance can be measured and judged. It is recommended that the four Councils adopt the following KPIs and establish procedures for collecting and collating the data on an on-going basis to enable comparisons and trend analysis:

- Increase in the rate of dog and cat registration;
- Increase in the rate of microchipping of dogs and cats;
- Increase in the rate of de-sexing of dogs and cats;
- Reduction in the number of incidents of dogs and cats found wandering at large;
- Increase in the number of houses door knocked to identify unregistered dogs and cats;
- Reduction in the number of semi-owned and unowned cats;
- Reduction in numbers of animal related complaints divided into complaint sub-groups;
- Reduction in the number of animals entering Council's pound; and
- Increase in return rate of impounded animals.



5 Action Plan 2017-2021

Council will implement the following Action Plan over the next 4 years to achieve its goals and objectives. The Action Plan is based on the objectives developed in Section 4

1. TRAINING AND DEVELOPMENT				
OBJECTIVE:				
<ul style="list-style-type: none"> Ensure all staff involved in animal management have the knowledge and skills necessary to carry out their work. 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
1.1 Review staff qualifications	Staff position descriptions include minimum requirements which is reviewed annually	Local Laws HR	Annually	Completed
1.2 Minimum training requirements for Council's animal management staff identified and documented	Training Plan	HR	Annually	Completed
1.3 Conduct an annual skills audit of Animal Management Team	Audit complete	HR	Annual	Completed
1.4 Encourage AMOs to undergo further training and study	Annual performance reviews include review of skills.	Management HR	Annually	Ongoing support to expand officers knowledge

ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
1.5 Continue to update and extend officers' skills in dealing with animal management services e.g. diagnosis and treatment of excessive barking, bite avoidance etc.	Staff Performance Reviews include development of staff training plan	Local Laws HR	Ongoing	Training provided
1.6 Active involvement with Animal Liaison Group	Attendance and contribution to meetings of ALG	Local Laws	Ongoing	Ongoing regular meetings with group
2. ADMINISTRATION				
OBJECTIVE: <ul style="list-style-type: none"> To provide the necessary administrative arrangements to implement actions. 				
2.1 Development of information sheets for residents on what to do with their animals in event of an emergency, and responsible pet ownership	Info sheets published and available on website	Local Laws Customer Service	Ongoing	Information sheets available at all customer service centres
2.2 Provide web link to RSPCA website	Web link on Council website	Executive Assistant	June 2018	Ongoing
2.3 Provide web link to Department of Economic Development Jobs Transport and Resources (DEDJTR) website	Web link on Council website	Executive Assistant	June 2018	Ongoing

3. REGISTRATION AND IDENTIFICATION				
OBJECTIVES:				
<ul style="list-style-type: none"> • Endeavour to have all dogs and cats identified and registered. 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
3.1 Prepare and implement an annual plan for doorknocking the community to identify unregistered dogs and cats	Plan prepared Conduct door knock	Local Laws	Annual	Commenced June 2018
3.2 Plan one or more annual microchipping days	Plan prepared	Local Laws	Annual	Unable to complete at this stage due to no available Vet within the Shire
3.3 Hold microchipping days in accordance with annual plan	Microchipping day/s held	Local Laws	Annual	Unable to complete at this stage due to no available Vet within the Shire
3.4 Review Council's microchipping day within 1 month of the last event (appropriateness of publicity, date, venue, results, cost and community satisfaction)	Review to be completed	Local Laws	1 Month	Unable to complete at this stage due to no available Vet within the Shire
3.5 Use local and community newspapers and social media to promote and advertise registration requirements prior to the renewal period	Newspaper articles published Reduction in non-registered cats and dogs located in municipality	Local Laws	March – April each year	Regular use of social media

ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
3.6 Continue to publish regular articles locally promoting the need for residents to register their pets and ensure they wear identification tags	Rise in registration of cats and dogs	Local Laws	1 Article per quarter	Regular use of social media
3.7 Include registration, identification and renewal information on Councils “on hold” messages	On hold messages include information	Customer Service	Review regularly	To be implemented
3.8 Include pet registration forms and fact sheets in “new resident” kits.	Information included in kits	Customer Service	Ongoing	Kits have been phased out
3.9 Enable owners to transfer existing registrations from other municipalities to Hindmarsh Shire Council without charge	Dog or cat transfer registrations compared to population increases in Shire	Local Laws	Ongoing	Ongoing
3.10 Provide “free ride home” for registered dogs found wandering and not causing a nuisance	Data collected	Local Laws	Ongoing	Ongoing
3.11 Alert residents to registration date on Twitter, Facebook and Web site	Information provided	Customer Service	April each year	Regular use of social media
3.12 Provide for a range of registration payment methods including in person by cheque, money or credit card	Take up of range of payments offered Data collected	Customer Service	Ongoing	Ongoing. Council implemented BPAY payment option for the 2020 Animal Renewals.

4. RESPONSIBLE PET OWNERSHIP				
OBJECTIVE:				
<ul style="list-style-type: none"> Implement appropriate community education programs in responsible pet ownership 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
4.1 Ensure prospective pet owners have access to information on appropriate breed selection and animal management responsibilities	Information provided on Council's website and other promotional material available at Customer Service Offices	Customer Service	June 2018	Completed by Local Laws Officer with appointments by prospective pet owners.
4.2 Encourage the community to provide their dog with appropriate etiquette/obedience training. Provide links on Council's website and other promotional material	Information provided on Council's website and other promotional material	Customer Service	June 2018	Completed by Local Laws Officer with appointments by pet owners.
4.3 Prepare material on how to minimise excessive barking problems from developing.	Material prepared on minimising excessive barking problems from developing and incorporated into Council provided information	Local Laws	Ongoing	Information sheets available at all customer service centres.

5. CONFINEMENT OF DOGS AND CATS

OBJECTIVE:

- Ensure dogs are confined to their property
- Encourage cats to be confined to their property

ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
5.1 Continue to treat incidents of dogs wandering at large as an issue demanding priority attention	Reduction in statistics of dogs wandering at large	Local Laws	Ongoing	Ongoing
5.2 Ensure information is available on the importance of animal confinement and how Desexing animals can help to reduce wandering	Information available	Local Laws Customer Service	Ongoing	Ongoing

6. PROMOTING ANIMAL WELFARE

OBJECTIVES:

- Reduce the number of unwanted litters
- Reduce the number of stray, lost and abandoned animals
- Increase the number of returned animals
- Increase the number of rehomed animals
- Ensure wounded and lost animals are treated humanely
- Encourage pet owners to attend to their pet's basic needs and provide them with a quality home environment

ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
6.1 Review Councils procedures for dealing with lost and impounded animals	Review completed	Local Laws	Annually	Completed
6.2 Review procedures for dealing with animals entering Council's pound with a view to reducing the members of animals that are euthanized. Ensure pets entering shelters are treated humanely	Review	Local Laws	Annually	Completed
6.3 Revise euthanasia procedures	Operational procedures developed	Local Laws	Annually	Completed
6.4 Promote cat cages for hire for property owners to humanely trap cats on their property for handing over to Council or another approved animal shelter	Review completed of Council provided promotional material to ensure this information is provided	Local Laws Customer Service	Ongoing	Cat cages available on request.

7. NUISANCE ANIMALS				
OBJECTIVE:				
<ul style="list-style-type: none"> Reduce documented cat and dog nuisance complaints by 10% per year 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
7.1 Review all procedures for dealing with complaints made and incidents occurring under the DAA	Review completed Recommendations implemented	Local Laws	Ongoing	Completed
7.2 Review all animal management laws and orders made under the DAA	Review completed	Local Laws	Ongoing	Ongoing due to recent amendments to the DAA.
7.3 Provide information to assist residents using cat traps to do so humanely and to look after the cats welfare	Information available	Local Laws Customer Service	Ongoing	Provided by way of information on the back of the contract to hire.
7.4 Provide a fact sheet to assist owners to respond to excessive barking by their dog	Factsheet available	Local Laws Customer Service	December 2013	Information sheets available at all customer service centres.
7.5 Maintain a register of all nuisance complaints	Register created Data reported	Local Laws	December 2017	Complaints registered internally.
7.6 Ensure council local laws retain the requirements for owners of more than 2 dogs and/or cats to obtain a permit	Increase in permits	Local Laws	Ongoing	Completed

ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
7.7 Impound all unregistered dogs and cats seized while at large Not to be released until registered	Implement	Local Laws	Ongoing	Completed as per current procedures.
7.8 Provide a process for responding to barking noise, at large and trespassing related nuisance complaints	Process developed and available for distribution	Local Laws	Ongoing	Completed as per current procedures.

8. DANGEROUS, MENACING AND RESTRICTED BREED DOGS				
OBJECTIVE: <ul style="list-style-type: none"> Identifying and register any declared dogs in the municipality Inspect and audit all declared dog premises annually to ensure they are complying with legislation requirements 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
8.1 Continue to declare dogs as Restricted Breed, Menacing or Dangerous in accordance with legislation	All declared dogs in municipality identified and reported annually	Local Laws	Annually	As per the DAA
8.2 Ensure all declared Dangerous dogs are accurately registered on the Victorian Dangerous Dog Registry	All dangerous dogs registered	Local Laws	As required	As per the DAA
8.3 Respond to complaints about Menacing, Dangerous dogs or Restricted Breed dogs	Immediate response	Local Laws	Immediately	As per the DAA
8.4 Ensure all dangerous dogs are microchipped and registered	All dangerous dogs in municipality microchipped and registered	Local Laws	Ongoing	As per the DAA

9. PREVENTION OF ANIMAL ATTACKS AND RISK TO THE COMMUNITY				
OBJECTIVE:				
<ul style="list-style-type: none"> Reduce the incidence and severity of attacks by dogs and cats on people, livestock, pets and wildlife 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
9.1 Review procedures for dealing with dog attacks and harassment complaints	Review regularly	Local Laws	Ongoing	Completed
9.2 Ensure Council has one or more officers trained in an appropriate Dog Safe Program	Staff trained	Local Laws	Bi-annually	Completed
9.3 Ensure any dangerous and restricted breed dogs are properly identified and managed by their owners	Conduct annual audit of properties containing dangerous and restricted breed dogs	Local Laws	Annual	As per the DAA
9.4 Ensure all dogs declared dangerous by Council are recorded on the Victorian Declared Dog Register	Annual audit completed	Local Laws	As require	As per the DAA
9.5 Raise awareness of the risk of dog attacks in the neighbourhood on other pets, livestock and people by use of published articles	Social Media	Local Laws	Ongoing	Ongoing Regular use of social media
9.6 Distribute fact sheets on dog attack prevention in “new residents” kit and via Councils Website	Factsheet available	Customer Service	As Required	Ongoing Regular use of social media

ACTION	TASK COMPLETION INDICATOR	RESPONSIBILITY	TIMEFRAME	OUTCOME
9.7 Distribute "We are Family" DVD pack which includes information for family pet ownership to childcare centres and Childcare Nursing Providers services	DVD provided	Local Laws	Ongoing	Ongoing
9.8 Provide residents with information on implications for their dog and themselves if their dog attacks a person or animal	Annually in local papers, newsletter Interaction with residence providing face to face education	Local Laws	Ongoing	Information sheets available at all customer service centres.
9.9 Maintain a register of dog attacks including breed of dog, details of victim, nature of injuries, date and outcome of council action	Register created	Local Laws	Ongoing	Ongoing. Recorded internally.
10. OVERPOPULATION AND HIGH EUTHANASIA				
OBJECTIVE: <ul style="list-style-type: none"> • Achieve a 10% reduction annually in the number of cats euthanized • Increase reclaim and rehoming rates for cats by 10% annually • Reduce euthanasia rates for dogs to less than 10% annually 				
ACTION	TASK COMPLETION INDICATOR	RESPONSIBILITY	TIMEFRAME	OUTCOME
10.1 Investigate reports of backyard breeders to ascertain whether they	Collate data collected ongoing	Local Laws	Annually	As per the DAA.

should be registered as a Domestic Animal Business				
11. DOMESTIC ANIMAL BUSINESSES				
OBJECTIVE: <ul style="list-style-type: none"> Work in partnership with the Domestic Animal Businesses to ensure compliance with the Code of Practice 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
11.1 Audit all domestic animal businesses	Audit completed	Local Laws	Annual	As per the DAA
12. ANNUAL REVIEW AND REPORTING				
OBJECTIVE: <ul style="list-style-type: none"> To capture and manage data to better support reporting of outcomes resulting from the implementation of this Plan. To capture data that will improve the capacity for Council to plan for domestic animal management in future. 				
ACTION	TASK COMPLETION INDICATORS	RESPONSIBILITY	TIMEFRAME	OUTCOME
12.1 Assign responsibility for implementation of the Plan	Local Laws Position description amended	HR	Annual	Completed
12.2 Review and update all data collection methods and procedures	Review conducted Data collected reported	Local Laws	Annual	Ongoing
12.3 Review the Plan each year and make adjustments as appropriate	Review completed and Plan amended as appropriate	Local Laws	Annual	Reviewed annually.

12.4 Review all Council local laws and orders relating to animal management.	Review completed	Local Laws	Annual	Ongoing.
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I was engaged by DELWP in early 2018 to undertake a pilot project to evaluate the performance of the State and Local Planning Policy Frameworks in all existing *Victorian Planning Schemes* with a view to rationalizing and simplifying them.

The project trialed a revised structure for all planning schemes. Clause 02 of the new structure is now the location for discussion of local context, local vision, local strategic direction and local plans (formerly in Clauses 21 and 22). This is called the 'Municipal Planning Strategy' (MPS) and should be no more than about ten pages with maps.

Local policy is then able to be supplemented in Clauses 11-19, consisting of mainly objectives and strategies. This section is now called the Planning Policy Framework (PPF) and allows for Councils to add specific local direction to existing state policy.

Instead of having state and local policy separated and spread over hundreds of (often disjointed) pages, the pilot project revealed that a rationalized and well-structured policy framework could be delivered in this much more condensed format.

The project outcome was a tighter policy framework focused on the most critical land use issues for each municipality, which is more effective in decision making. The 'casualties' in the project were typically matters of endless repetition, irrelevant narrative, elements that should be located elsewhere in the planning scheme, outdated material and matters beyond the scope of planning.

The Minister for Planning approved the revised structure in mid-2018 and directed DELWP to work with Councils to translate all existing local policies in schemes into the new format by mid 2021.

I have been retained by DELWP to provide advice on the translation phase of the project and have recently been working with DELWP's project team and have met with Hindmarsh Shire Council officers on that scheme translation.

In simple terms, the aim of the project is to retain all of the important local directions in the Hindmarsh Planning Scheme (HPS) and to only delete unnecessary or repetitive material.

To this end, an initial translation (Draft 1) prepared by DELWP's project team was provided to Council in early 2020. This was the subject of a meeting between Council, DELWP officers and myself in May 2020. As a result, I undertook a peer review of the draft translation to ensure the key local planning issues for Hindmarsh Shire are clearly represented in the new structure. Draft 2 has now been prepared and reviewed by Council officers. This final draft condenses the existing HPS policy framework into the new simplified format.

John Keane
August 2020

02 MUNICIPAL PLANNING STRATEGY

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02.01 CONTEXT

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The Shire of Hindmarsh is located in Western Victoria, a prime grain growing and agriculture area. Occupying approximately 7422 square kilometres, Hindmarsh is one of Victoria’s largest municipalities. Despite its size, the Shire has a small and decreasing population.

The Shire was formed in January 1995 by the amalgamation of the former Shires of Dimboola and Lowan. The predominant service centres in the Hindmarsh Shire are Nhill, Dimboola, Rainbow and Jeparit.

The Shire is predominantly rural based with a focus on a wide range of cereal, legume and oil seed cropping, with some wool production and grazing. The agricultural areas are bounded to the north by the Wyperfeld and Big Desert National Parks and to the south by the Little Desert National Park. The Shire contains rare and threatened flora and fauna species and major lakes and wetlands which are significant for both environmental and economic reasons .

The Wimmera River flows from the Grampians, Mt Cole and the Pyrenees Range at the south of the Shire and terminates in Lake Hindmarsh, Lake Albacutya and Wyperfeld National Park. Changes in water management, particularly the construction of storage dams, have resulted in reduced flows down the Wimmera River such that Lake Albacutya is now almost permanently dry. When full, Lake Hindmarsh is the largest natural freshwater body in Victoria.

Landforms that characterise the Shire consist of low irregular undulating plains with pronounced ridges and occasional dunes, a significant wetland system and the expansive floodplain of the Wimmera River. Native vegetation includes a mixture of open woodland forests of Stringy-bark, Yellow Gum, Buloke and Black Box etc. There is an annual average rainfall of 300 to 450 mm that provides a semi-arid climate. In the north, little surface drainage is evident aside from the Wimmera River, with most of the rainfall being lost through evaporation and percolation.

Although most public land holdings comprise national and state parks, there are smaller parcels of forested and cleared land, lakes, wetlands and reservoirs and linear roadside reserves. Public land is used for recreation and supports important localised, remnant ecosystems. Private land in the Shire has been substantially altered since settlement but still contains small pockets of remnant habitat, wetlands and other original features. The preservation of roadside vegetation is important as corridors for fauna between more substantial areas of native vegetation. “Project Hindmarsh” is a significant revegetation initiative being undertaken to maintain habitat corridors.

Prior to European settlement, the Shire was occupied by the Wotjobaluk tribe, with the Wimmera River providing essential water, hunting grounds and trade routes in an otherwise arid landscape. By the 1870’s European settlement was well established in the Shire. Agriculture expanded and diversified in the late 19th Century with initial activities focused on wheat and sheep production. Secondary industries developed, especially to serve agriculture and mining. After both world wars, government sponsored settlement schemes that enabled large numbers of farmers to establish themselves on the land.

Hindmarsh is one of Victoria’s most productive and enterprising regions, particularly in the area of agriculture. The local economy is directly affected by the fortunes of the rural industry. Farms are getting bigger to become more viable, which has led to less demand on the small rural towns that service them. While the traditional agricultural pursuits have largely formed the basis of the economy of Hindmarsh, diversity in production is actively being pursued.

Further diversity in the economic base is being established through new industries, particularly agriculturally linked value added industries, together with the continued expansion of tourism, recreation and leisure opportunities. The municipality possesses world class natural tourist attractions together with recreation and leisure facilities in townships. Accommodation, retail services and camping facilities are also available throughout the Shire.

02.02 VISION

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Hindmarsh Shire Council’s vision is for a caring, active community enhanced by its liveability, environment and economy with:

- Effective and accessible services to support health and wellbeing.
- Access to a wide range of leisure, sporting and recreation facilities.
- Well-maintained physical assets and infrastructure to meet community and organisational needs.
- Reduced reliance on water.
- A healthy natural environment.
- A community living more sustainably.
- A strong rural economy and thriving towns.
- A thriving tourism industry.
- Modern and affordable information and communication technology throughout the municipality.
- Transport solutions that support the needs of our communities and businesses.

02.03 STRATEGIC DIRECTIONS

02.03-1 Settlement and housing

Hindmarsh Shire retains a distinctive pattern of urban development based on separate townships and villages which have developed as a result of historical, locational and environmental factors. The predominant towns in the Shire are Nhill, Dimboola, Rainbow and Jeparit. The towns have important roles as service and business centres and provide a focus for the local community, visitors and the surrounding rural hinterland. There are smaller townships located throughout the Shire which provide a local convenience shopping role and an important community focus.

Nhill has an important role as a service and business centre for the local community, travellers along the Western Highway and the surrounding rural hinterland. The Melbourne to Adelaide Railway also passes through the town. Nhill contains a number of substantial manufacturing and processing establishments and smaller industrial businesses. Further development should consolidate the town and be accommodated by infill development. Land appropriate for future residential development is located on the south side of George Street. Nhill is well served with community services and facilities. Nhill is the western gateway to the Little Desert National Park.

Dimboola is located on the Wimmera River and the Melbourne to Adelaide Railway passes through the town. The Wimmera River constrains further development of the town to the south. There is sufficient vacant industrial land in the town, although there is no substantial industrial activity located in Dimboola. Dimboola has sufficient residential land to support gradual development. The town is well catered for with community facilities and services. Dimboola is the eastern gateway to the Little Desert National Park.

Rainbow is a picturesque rural township which gives ready access to Lake Hindmarsh and Lake Albacutya Park. The surrounding natural features and the town's rich cultural heritage attract tourists to the town. Rainbow contains land suitable for residential and small scale low intensity industrial activity. There is no significant industrial activity located in Rainbow and there is low or no growth pressure.

Jeparit, also located on the Wimmera River close to Lake Hindmarsh, is a service centre for the local and surrounding rural community. Jeparit has land suitable for residential and small scale low intensity industrial activity. However, there is little industrial activity located in Jeparit and there is low or no growth pressure. The Wimmera Mallee Pioneer Museum in Jeparit houses one of Victoria's most significant collections of our pioneering history.

There is a declining population across the Shire, with people leaving in search of better education and employment opportunities. The population in the townships and villages is aging and this trend is likely to continue as older residents remain in town and retired farmers move into nearby towns. The declining population is having an impact on the viability of many commercial activities and community services. There however remains a need to cater for the aging population.

Hindmarsh offers limited choice or diversity in housing to support lifestyle changes.

Council's strategic directions for settlement are to:

- Promote the development of Nhill as the major service and business centre in the Shire providing a range of economic and community opportunities.
- Define the Nhill town centre boundaries with entry statements, such as landscaping and signage.
- Promote and enhance the role of Dimboola as a key service and tourist centre in the Shire.
- To retain Rainbow and Jeparit as local community and service centres.
- Promote the strong sense of identity that the small towns provide to the local community.

- Provide a range of housing and accommodation options to suit the various and changing needs of the Shire’s residents and visitors.
- Provide residential aged care and special care accommodation facilities at Nhill, Dimboola, Rainbow and Jeparit.

02.03-2 Environmental and landscape values

Approximately 30 per cent of the Shire is public land of high environmental and conservation significance, much of which is included in National Parks. The public land is important for its natural vegetation cover which supports connectivity of habitat needed for the survival of many species, as well as for providing visual amenity and supporting tourism.

The Little Desert National Park has significant variations in physiography, soils and climate and provides a diversity of environs and habitats. The Wyperfeld and Big Desert National Parks in the northern part of the Shire is a vast park of 113,500 hectares. The diversity and complexity of the area’s landscape is the essence of its attraction.

The section of the Wimmera River which flows through the municipality is declared as the Wimmera River Heritage Area pursuant to the *Heritage Rivers Act 1992*. The flow regime through the Wimmera river corridor has been considerably modified and the maintenance of some down river instream, riparian and floodplain values is at risk. Its lake system is a key feature of the river. Lake Hindmarsh is the first of a series of terminal lakes, ending in Wyperfeld National Park. When Lake Hindmarsh is full it is the largest natural freshwater body in Victoria.

Lake Albacutya is recognised as a wetland of international importance, one of 10 listed Ramsar sites in Victoria. It supports a wide variety of threatened indigenous flora and fauna species. It is also a habitat for a number of internationally recognised migratory birds. The Nhill Sun Moth Reserve is one of the most significant sun moth sites in the world.

Most of the Shire has been cleared for agriculture. The protection and management of remnant vegetation on private and public land is important to provide a diversity of flora and wildlife refuge areas and habitat. There is a need for greater revegetation and management of pest plants and animals to address areas of degraded land.

Flora and fauna communities vary throughout the Shire ranging from woodlands and the riverine environment to desert scrublands in the north. However, with less than 3 per cent of the original vegetation intact on private land and threats from pest species, grazing by stock, salinity discharge and development there is the need to protect existing vegetation on public and private land in order to maintain biodiversity.

Council’s strategic directions for environmental and landscape values are to:

- Maintain the ecological character of Lake Albacutya in accordance with the obligations of the Ramsar Convention.
- Minimise land clearing, including of native grasslands.
- Protect sites containing rare and significant flora and fauna.
- Preserve the original biodiversity of the Shire through the identification of Biolink road reserves.
- Encourage planting along corridors, particularly where it can supplement roadside and streamside corridors and provide valuable biolinks.
- Promote fencing of remnant vegetation and revegetation to address problems of land degradation.

02.03-3 Environmental risks and amenity

Hindmarsh Shire is within the Mallee and Wimmera catchments. Key environmental management issues include control of soil erosion and salinity, loss of native vegetation and habitat, pollution of the water catchment and changes to drainage patterns.

There are large areas of grass/cropping land and bushland in the Shire which regularly burn as a result of natural causes, accidents or deliberate action. Bushfire risks need to be managed to decrease the level of risk to life and property.

While all forms of erosion occur in the Shire, wind erosion causes the greatest problem. This can be severe when hot, dry winds remove top soil from fallow or overgrazed land. Salinity is present in many areas due to historical removal of indigenous vegetation and extensive water harvesting and redistribution. Salt occurrence is evident in a band west of the Wimmera River and in the vicinity of Lake Hindmarsh. It is also prevalent in small patches throughout the Shire.

Land clearing and poor land management practices have affected waterways. These have become contaminated through farm and streambank clearance, nutrient and soil runoff, increasing salinity and waste or effluent discharge, thereby reducing both the ecological and economic value of the land. Changes to natural drainage patterns have exacerbated flooding of rivers and creeks, diverted water from wetlands and have had a dramatic negative effect on some farm operations.

The catchments of the various waterways within the municipality include areas of flood prone land, where flooding may cause damage to the natural and built environment. Floods are naturally occurring events and the inherent function of floodplains to convey and store floodwater should be recognised and protected.

Land and farm management problems relating to erosion, fencing, drainage and pest control exist within some local farming communities. There is a need to improve farm production and address land degradation.

Council's strategic directions for environmental risks and amenity are to:

- Minimise fire risk and include adequate fire protection measures.
- Minimise flood risk to agricultural production, the built and natural environment and the community.
- Minimise the existence and impacts of soil salinity.
- Protect the region's soil resources for the long-term benefit of all users.
- Encourage tree planting, tree lots and agroforestry as mechanisms to reduce land degradation and salinity throughout the Shire.

02.03-4 Natural resource management

While traditional forms of farming have formed the backbone of the economy for many years, profitability is declining. There is a need to pursue improved and alternative agricultural activities, diversify the agricultural base and develop additional local value adding opportunities.

The natural watercourses have changed, with extensive harvesting and redistribution from the surface water system to sustain agriculture and the rural and township communities. The ground water resources in the Shire are limited both in terms of quality and yield.

The natural drainage patterns in the flat parts of the Shire are dramatically affected by activities such as clearing, roads and railway lines and the creation of levee banks and channels. The drainage of agricultural land without regard to adjoining, downstream and upstream land also significantly affects natural drainage patterns. Drainage is being undertaken continuously as farmers try to make more land suitable for cropping. The interference with natural drainage patterns also has major implications for the conservation of wetlands. The lakes system is an important environmental, cultural and economic feature of the Shire.

Council's strategic directions for natural resource management are to:

- Manage levee bank construction, laser grading and other land forming so that it does not have an adverse impact on adjacent properties, natural water courses or sites of environmental significance.
- Support traditional rural industries such as cropping, livestock and wool production.
- Promote the expansion or establishment of agricultural and horticultural activities, having regard to potential impacts on natural resources.

- Adopt minimum lot sizes that allow farmers to diversify while preventing inappropriate small subdivision.
- Provide for the co-location of additional accommodation on farming land where the building is adjacent to the existing dwelling without the need for subdivision.
- Provide adequate buffers around potential activities such as cattle feed lots so as to avoid the creation of incompatible land use scenarios.
- Promote effective land management by facilitating community drainage schemes and controlling drainage works.
- Facilitate drainage of agricultural land that has regard for adjoining, downstream and upstream land and is ecologically sustainable.
- Protect and enhance the integrity, security of supply and water quality in the catchment area.

02.03-5 Built environment and heritage

Hindmarsh Shire contains a number of places of historic and cultural significance that need to be protected and enhanced for their conservation and tourism potential.

A number of historic buildings line both Nelson and Victoria Streets in Nhill, including the post office and several large hotels. Dimboola also contains a number of places of heritage significance around the town centre including the Old Shire Hall and the Victoria Hotel.

Rainbow and Jeparit both have a quaint old-world charm and rural character, which is largely attributed to the number of sites of architectural or historic significance.

Council’s strategic directions for built environment and heritage are to:

- Promote urban design and architecture that reflects the characteristics, aspirations and cultural identity of the community.
- Protect those places in Hindmarsh Shire that are of historic and cultural significance.
- Support development that is compatible with the integrity of places of special historic, natural and cultural heritage significance.
- Promote the identification, protection and management of Aboriginal cultural heritage values.

02.03-6 Economic development

Hindmarsh’s economy is based on agricultural production, particularly cropping, grazing and wool. There are also major industries and smaller service business activities which significantly contribute to the economy. New enterprises based on value adding closer to the source of the product is a way of expanding and diversifying the economic base of the Shire. More recently tourism associated with the Shire’s environmental features and cultural elements is emerging as a small, but important component of the local economy.

Council’s strategic directions for economic development are to:

- Retain and develop agricultural activities.
- Develop new activities that are economically, environmentally and socially sustainable.
- Promote service industries within the existing towns.
- Provide sufficient zoned land around Nhill and Dimboola to attract industrial and business development to the Shire.
- Facilitate increased employment opportunities within and adjacent to the towns.
- Support manufacturing and processing industries in rural areas that could not be accommodated in or close to existing urban areas.
- Promote the tourism industry, including eco-tourism ventures in the Shire.
- Promote the expansion of the poultry industry.

02.03-7 Transport

The Western Highway is a principal road linking Melbourne and Adelaide and is a designated National Highway. Land use and development planning should take full account of this National Highway when development occurs in its vicinity.

Council's strategic directions for transport are to:

- Discourage developments along highways and other major roads that prejudice the efficiency and safety of such roads.
- Minimise any adverse effects of noise from traffic using the Western Highway, particularly in Nhill.

02.03-8 Infrastructure

The Shire is served by a range of community services that are integral to maintaining the communities. The rationalisation and centralisation of services has increased the difficulties of access and expense for people in the towns to obtain these services, given the long distances, lack of public transport and the high cost of travelling. The limitations on access to services requires additional community support and alternative methods of providing service delivery and transport.

There are numerous small businesses, community services such as hospitals and schools and a number of larger business activities well established in the Shire. The West Wimmera Health Service is a major employer in Nhill, providing health care throughout the West Wimmera.

Infrastructure services are important in providing transport and protecting environmental and community health and should be provided in a cost-effective manner. There is increasing pressure on the existing infrastructure services and on Council for the provision and maintenance of these infrastructure services, particularly the increased road maintenance cost.

Council's strategic directions for infrastructure are to:

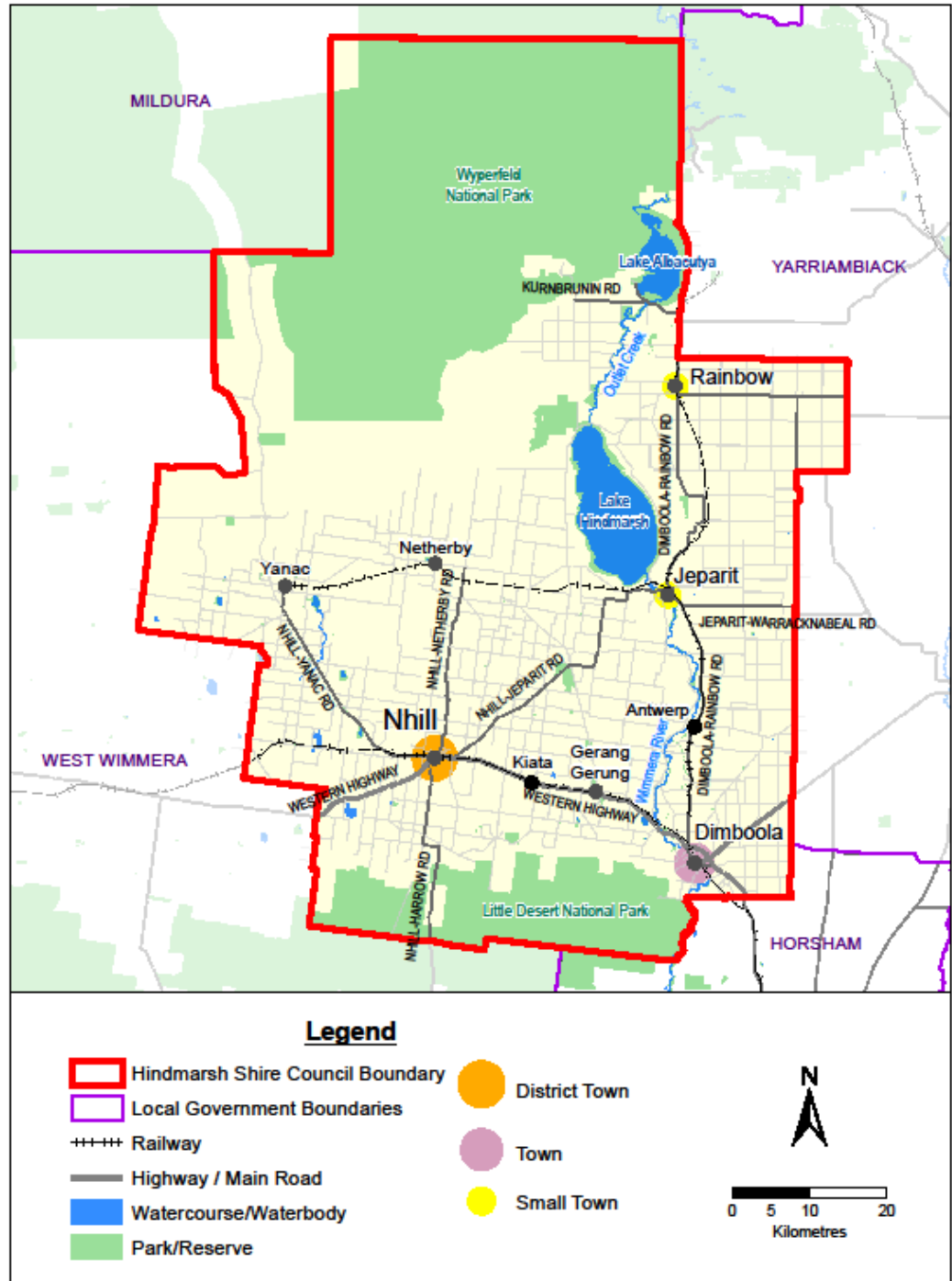
- Encourage joint usage of existing facilities and the rationalisation of under-utilised facilities.
- Provide a range of health services throughout the Shire.
- Support the existing hospitals at Nhill, Dimboola, Rainbow and Jeparit.
- Provide a range of education services throughout the Shire.
- Support the retention of the schools at Nhill, Dimboola, Rainbow and Jeparit.
- Support 'artificial wetlands' and stormwater pollution traps as a means of controlling the quality of stormwater runoff from urban areas.

02.04 STRATEGIC FRAMEWORK PLAN

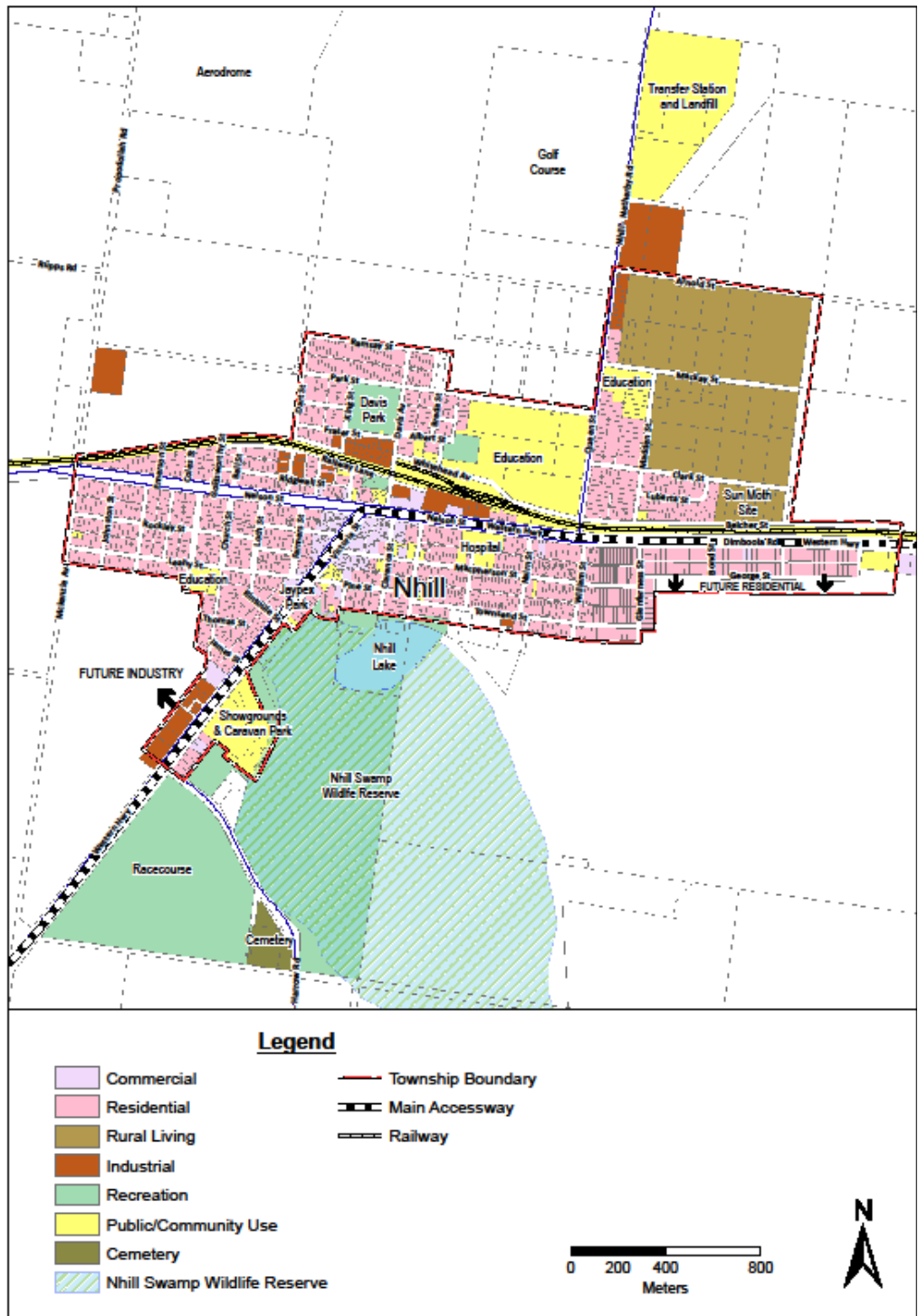
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The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

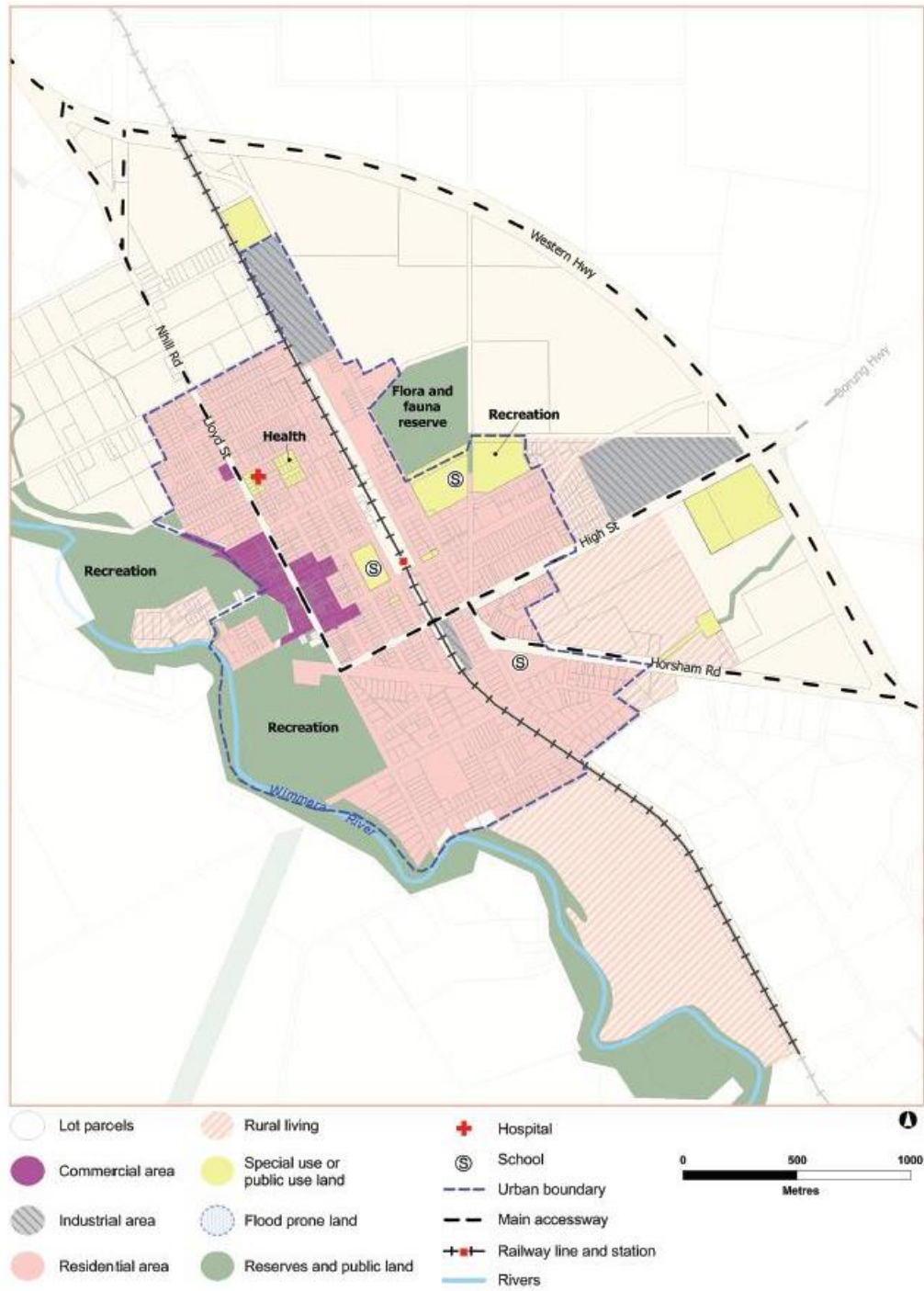
Hindmarsh Framework Plan



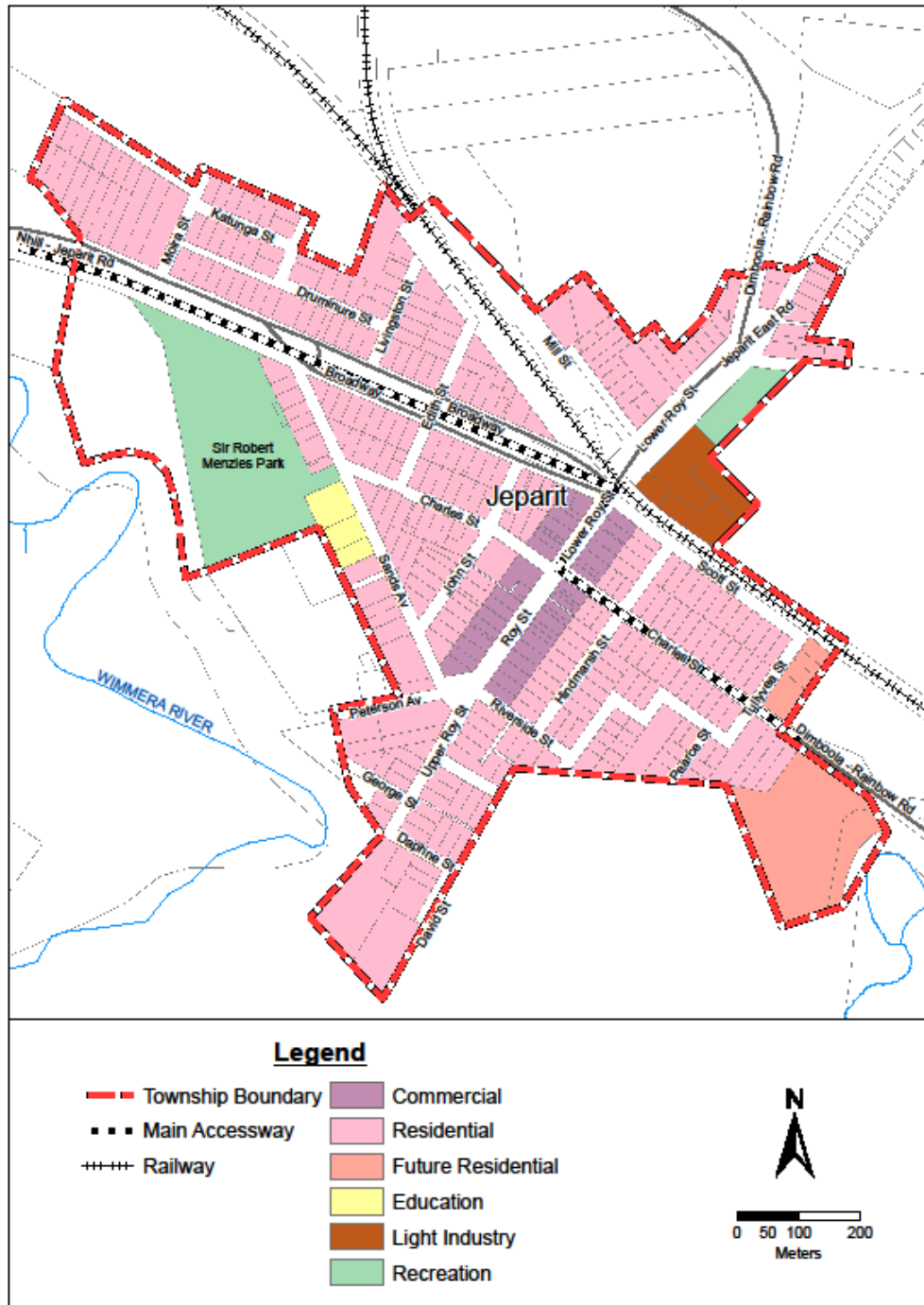
Nhill Framework Plan



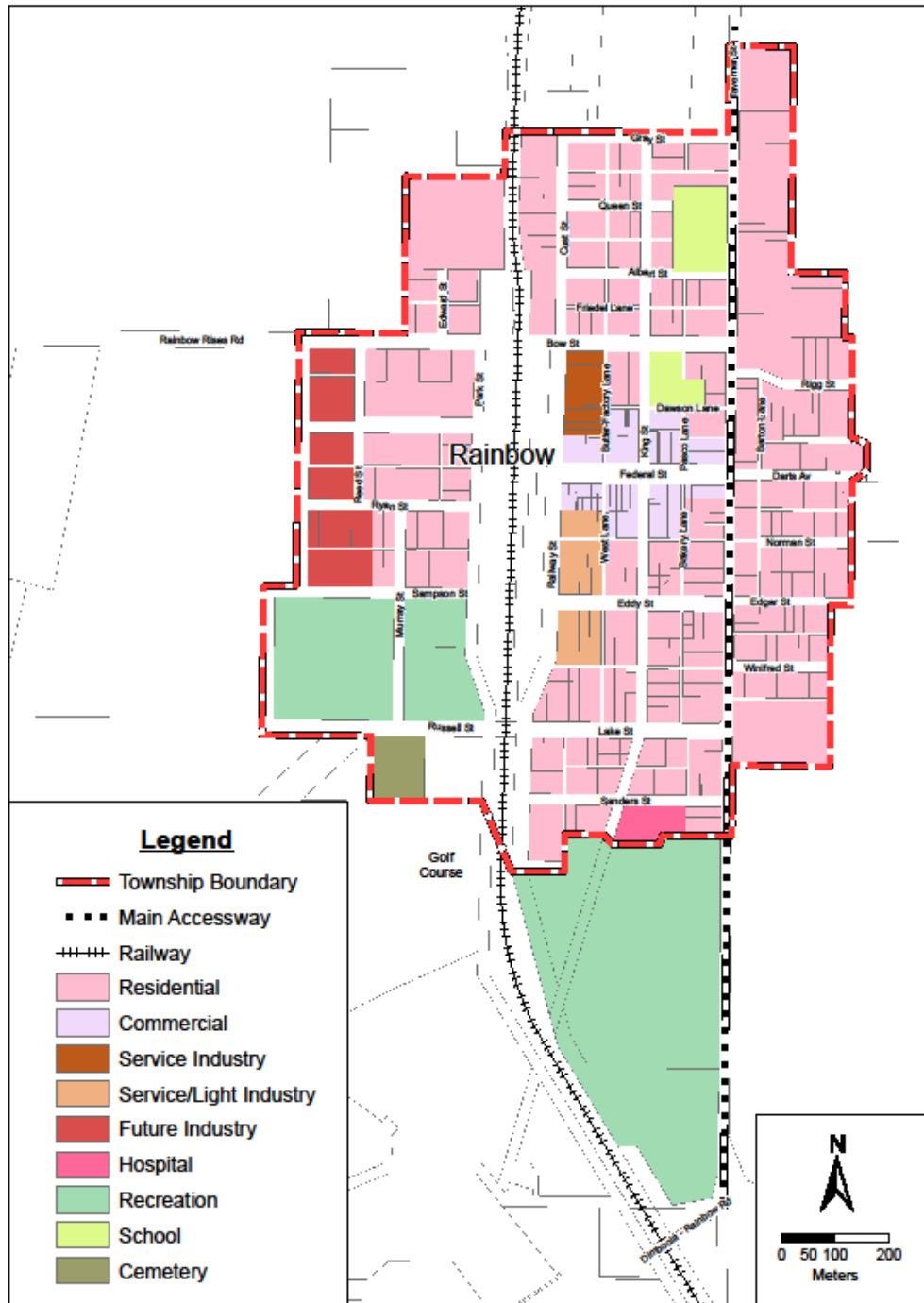
Dimboola Framework Plan



Jeparit Framework Plan



Rainbow Framework Plan



11.01-1L Settlement – Hindmarsh

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Policy application

This policy applies to land within the Nhill, Dimboola, Rainbow and Jeparit Framework Plan areas shown at Clause 02.04.

Strategies

- Enhance Nhill as a key area for additional manufacturing and industrial establishments.
- Promote Nhill as a nature based tourism destination.
- Retain existing residential zones and promote residential development within these zones.
- Provide additional residential land on the south side of George Street, Nhill.
- Provide additional rural residential land in the northern part of Nhill township.
- Retain the natural setting of Nhill by maintaining the remnant vegetation and encouraging sensitive design and development.
- Encourage home based industries in the towns, subject to performance based measures.
- Consolidate and integrate future retail and business activity within the existing commercial centres.
- Encourage the establishment of tourist facilities.
- Conserve Rainbow's character, based on its places of heritage significance.
- Promote residential development on the east side of the railway in Rainbow.
- Focus light industrial activities along Railway Street, Rainbow.
- Focus services and facilities within the Rainbow town centre 'hub'.
- Support water based recreation uses on the Wimmera River and Lake Hindmarsh.

13.03-1L Floodplain management - Hindmarsh

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Policy application

This policy applies to land affected by the Floodway Overlay or the Land Subject to Inundation Overlay.

Strategies

Discourage buildings, works, earthworks and vegetation clearance on land in the Floodway Overlay.

Discourage landfill in all areas subject to inundation.

Discourage buildings and works, except where of low flood risk.

Discourage extensions to buildings at levels below the 100 Year Average Recurrence Interval (ARI) Flood.

Avoid the construction of levees in areas that are important for flood storage or environmental values, except to protect existing dwellings and their immediate curtilage.

Discourage earthworks that obstruct natural flow paths or drainage lines.

Encourage buildings and works to occur on land outside the Floodway Overlay and the Land Subject to Inundation Overlay.

Policy guidelines

Consider as relevant:

Buildings and works

- Locating buildings and works on the highest available natural ground.
- Designing buildings and works to have:
 - A 100-year ARI flood depth less than 500mm above the natural ground level at the building site.
 - A minimum floor level at least 300mm above the 100 year ARI.
 - A free board height of 800mm above ground level where flood levels are not known.
- Locating buildings and works to align with their longitudinal axis parallel to the predicted predominant direction of flood flow.
- Including flood-proofing measures that minimise the effects of flooding on the building structure and its contents, for example, the use of water resistant building materials for foundations, footings and floors.
- Limiting the size of building (fill) pads to as near as practical to the building exterior.
- Designing buildings and works with foundations that are compatible with the flood risk.
- Minimising site coverage and hard surface areas.
- Maximising permeable surfaces to minimise run-off.

Fencing

- Designing fencing:
 - To enable movement of floodwaters through the fence.
 - With no solid contiguous materials including timber palings, metal sheet, colorbond, concrete, brick or masonry.
 - To avoid trapping debris in floodwaters.

An extension to a building

- Designing extensions to buildings to:
 - Have a floor level at or above the 100 year ARI flood extent, where a floor level of at least 300mm above the 100 year ARI flood extent is not practical.
 - Have a 100-year ARI flood depth less than 500mm above the natural surface level along existing or proposed roads, internal driveways and access tracks to the building from land outside of the defined flood area.
 - Align with their longitudinal axis parallel to the predicted predominant direction of flood flow.

Other

- Measures to provide for the storage of chemicals at a height of at least 1.5 metres above the 100 year ARI flood extent.
- Permitting construction of a dam for stock or domestic water supply purposes provided excavated material is removed off site and away from land within flood extent and there is no increase in the surface level of land surrounding the dam, including embankments.
- Whether earthworks, such as for access, avoids impeding the flow of flood waters.
- Locating water tanks outside of the inundated area.
- If water tanks are located in an inundated area:
 - Avoiding a continual line of water tanks to allow for the movement of water around them.
 - Limiting fill/pads to the footprint of water tank.

Policy documents

Consider as relevant:

- *Dimboola Flood Study* (Water Technology, February 2003)
- *Jeparit Flood Study* (Water Technology, June 2008)

21/04/2016
C7

SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as **FO** or **RFO**.

HINDMARSH FLOOD RISK AREAS

1.0 Floodway objectives to be achieved

30/07/2018

None specified.

2.0 Statement of risk

30/07/2018

None specified.

3.0 Permit requirement

21/04/2016
C7

A permit is not required to construct or carry out the following buildings or works:

- Any buildings or works on land that has been filled in accordance with the requirements of a planning permit.
- Any buildings and works if appropriately detailed information submitted to the responsible authority show the natural level of the land on which the buildings and works are proposed is at least 300mm above the Average Recurrence Interval flood level.
- A pergola (open sided).
- A verandah.
- An open sided carport.
- The addition of a second storey, or other additional storeys, on top of the existing building where there is no increase in building footprint.
- An open sports ground excluding change rooms, pavilions, shelters, other buildings, and raised viewing areas, provided that the natural surface level is not altered.
- An outdoor recreation facility, excluding:
 - Change rooms, pavilions, shelters and any buildings or structures that would alter water movement across or storage capacity of the floodplain.
 - Works that alter the topography of the land.
- Road works or works to any other access way (public or private) that:
 - Does not change the finished level of the road surface.
 - Are limited to resurfacing of an existing road.
- Cycle or pedestrian tracks where there is no increase in the natural ground level.

4.0 Application requirements

30/07/2018

The following application requirements apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.03 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:

- The boundaries, dimensions, shape, size, orientation, slope and elevation of the site.
- Relevant existing and proposed ground levels of the site, to Australian Height Datum taken by or under the direct supervision of a licensed land surveyor, and the difference in levels between the site and surrounding properties.
- Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding properties.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by or under the direct supervision of a licensed surveyor.
- The use of surrounding properties and buildings.
- Location of significant environmental values including flora, fauna and wetlands on the site and surrounding properties.
- Adjoining roads, internal driveways, and access tracks.
- Any other notable features or characteristics of the site.
- Elevations of all proposed buildings, drawn to scale.
- Construction details of all buildings, fences, works and driveways.
- In the case of fences, a report that demonstrates that the fence does not significantly obstruct flood flows.

This information may not be required for:

- A single dwelling on a lot.
- Minor earthworks.

5.0

Decision guidelines

30/07/2018

None specified.

21/04/2016
C7

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO**.

HINDMARSH FLOOD STORAGE OR FLOOD FRINGE AREAS

1.0 Land subject to inundation objectives to be achieved

--/--
C--

None specified.

2.0 Statement of risk

--/--
C--

None specified.

3.0 Permit requirement

21/04/2016
C7

A permit is not required to construct or carry out the following buildings or works:

- Any buildings or works on land that has been filled in accordance with the requirements of a planning permit.
- Any buildings and works if appropriately detailed information submitted to the responsible authority show the natural level of the land on which the buildings and works are proposed is at least 300mm above the Average Recurrence Interval flood level.
- A pergola (open sided).
- A verandah.
- An open sided carport.
- The addition of a second storey, or other additional storeys, on top of the existing building where there is no increase in building footprint.
- An open sports ground excluding change rooms, pavilions, shelters, other buildings, and raised viewing areas, provided that the natural surface level is not altered.
- An outdoor recreation facility, excluding:
 - Change rooms, pavilions, shelters and any buildings or structures that would alter water movement across or storage capacity of the floodplain,
 - Works that alter the topography of the land.
- Road works or works to any other access way (public or private) that:
 - Does not change the finished level of the road surface.
 - Are limited to resurfacing of an existing road.
- Cycle or pedestrian tracks where there is no increase in the natural ground level.

4.0 Application requirements

--/--
C--

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site description, which may use a site plan (drawn to scale), photographs or any other relevant technique, that accurately describes:
 - The boundaries, dimensions, shape, size, orientation, slope and elevation of the site.
 - Relevant existing and proposed ground levels of the site, to Australian Height Datum taken by or under the direct supervision of a licensed land surveyor, and the difference in levels between the site and surrounding properties.

- Location, layout, size and use of existing and proposed buildings and works on the site and on surrounding properties.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by or under the direct supervision of a licensed surveyor.
- The use of surrounding properties and buildings.
- Location of significant environmental values including flora, fauna and wetlands on the site and surrounding properties.
- Adjoining roads, internal driveways, and access tracks.
- Any other notable features or characteristics of the site.
- Elevations of all proposed buildings, drawn to scale.
- Construction details of all buildings, fences, works and driveways.
- In the case of fences, a report that demonstrates that the fence does not significantly obstruct flood flows.

This information may not be required for:

- A single dwelling on a lot.
- Minor earthworks.

5.0

Decision guidelines

--/--
C---

None specified.

31/07/2018
Proposed

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Background documents

31/07/2018
Proposed

Name of background document	Amendment number - clause reference
<i>Dimboola Flood Study</i> (Water Technology, February 2003)	C7
<i>Jeparit Flood Study</i> (Water Technology, June 2008)	C7

--/20--
Proposed C-**SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS****10****Application of zones, overlays and provisions**--/20--
Proposed C-

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- **Low Density Residential Zone** to residential areas that may not be serviced by reticulated sewerage systems including land on Horsham road, at the eastern edge of Dimboola's urban area.
- **Township Zone** to provide for residential development and a range of commercial, industrial and other uses in rural towns including Jeparit, Rainbow and the smaller settlements of Tarranyurk, Kiata, Gerang Gerung, Antwerp.
- **General Residential Zone** to new or established residential areas where there are minimal constraints to residential development, providing for moderate growth and diversity of housing, in Nhill and Dimboola.
- **Industrial 1 Zone** to industrial areas including sites in Nhill and Dimboola.
- **Commercial 1 Zone** to mixed use commercial areas of service centres including Nhill (close to the intersection of Victoria and Nelson Streets) and Dimboola (along or near Lloyd Street, generally between Hope and High Streets).
- **Rural Living Zone** to areas of predominantly residential use in rural settings, generally at the outskirts of established settlements including:
 - Nhill, at the east of the township north of the rail line.
 - Dimboola, east of the Wimmera River.
 - Jeparit, at the west of the township adjacent to the Wimmear River.
- **Rural Conservation Zone** to protect and enhance the natural environment for historic, archaeological, scientific, landscape, faunal habitat and cultural values in areas including land within the Wimmera River Heritage Area in Lochiel Street, Dimboola.
- **Farming Zone** to productive agricultural land outside the main towns and smaller township areas.
- **Public Use Zone** to land used for a public purpose, utility or community services.
- **Public Park and Recreation Zone** to public open space and public recreation areas including Rainbow Golf Course and Recreation Reserve, and similar areas in Broughton, Netherby, Jeparit, Diapur, Nhill, Kiata, Dimboola.
- **Public Conservation and Resource Zone** to conserve and protect the natural environment or resources including:
 - Wyperfeld National Park.
 - Lake Albacutya Park.
 - Outlet Creek.
 - Lake Hindmarsh.
 - Areas within Kenmare, Broughton, Yanac Swamp, Yanac Creek, Lorquon.
 - Wimmera River.
 - Areas within Salisbury, Kiata, Glenlee, Gerang Gerung, Datchak Creek and Katyil.
 - Little Desert National Park.
 - Salt Pink Lake.
- **Road Zone** to declared roads and other important roads including:
 - Hopetoun – Rainbow Road.
 - Dimboola – Rainbow Road.

- Birchip – Rainbow Road.
- Warracknabeal – Rainbow Road.
- Nhill – Yanac Road.
- Nhill – Netherby Road.
- Nhill – Jeparit Road.
- Nhill – Harrow Road.
- Jeparit – Warracknabeal Road.
- Western Highway.
- Borung Highway.
- Lloyd and High Streets, Dimboola.
- **Environmental Significance Overlay** to areas where the development of land may be affected by environmental constraints or areas where vegetation protection is part of a wider objective to protect environmental significance including:
 - Sewerage treatment plant buffer areas.
 - Channel and reservoir protection areas.
 - Wimmera River protection areas.
 - The Sun Moth Reserve in Nhill.
 - Wetlands of conservation value and their catchments.
- **Vegetation Protection Overlay** to protect significant native and exotic vegetation in areas including Jumping Jack Wattle roadside protection and conservation areas and Biolink corridor roadside protection and conservation areas.
- **Heritage Overlay** to conserve and enhance heritage places of natural and cultural significance including identified places and precincts in Antwerp, Dimboola, Jeparit, Kenmare, Nhill, Pella and Rainbow.
- **Design and Development Overlay** to control built form and the built environment including the former Nhill police station and residence at 108-110 Macpherson Street Nhill and land in the vicinity of the Nhill Aerodrome.
- **Floodway Overlay** to land identified as part of an active floodway, high hazard areas with high flow velocities, where impediment of flood water can cause significant changes in flood flows and adversely affect other areas including land along the Wimmera River around Dimboola and Jeparit townships and low lying land around Jeparit.
- **Land Subject to Inundation Overlay** to land that is subject to inundation from mainstream flooding, but is not part of the primary floodway including land along the Wimmera River, lakes and other low lying land areas.
- **Bushfire Management Overlay** to areas identified as having a high bushfire hazard
- **Public Acquisition Overlay** to land that is proposed to be acquired for a public purpose including pumping station and water storage sites for the Wimmera Mallee Pipeline System outside Antwerp, Dimboola, Jeparit and Rainbow townships.
- **Environmental Audit Overlay** to land identified, known or reasonably suspected of being contaminated including land in Tullyvea Street, Jeparit (at the east of the township, between Charles Street and the railway line).



23 July 2020

MINUTES OF THE COVID-19 COMMUNITY REVITALISATION REFERENCE GROUP HELD VIA WEB MEETING ON TUESDAY 28 JULY 2020, COMMENCING AT 5.00PM.

PRESENT:

Cr Rob Gersch – Chairperson
Mr Ross Barker – Member
Ms Yvonne Dippel – Member
Ms Joanne Thomas – Member

Ms Monica Revell – Director Corporate & Community Services
Mr Phil King – Manager Economic & Community Development

Mr David Tepper – DHHS (Emergency Management division)
Ms Dorothy McLaren – West Wimmera Health Services

1. Welcome and Acknowledgement of the Indigenous Community

Welcome and acknowledgement of the indigenous community by the Chairperson.

We acknowledge the Shire's indigenous community as the first owners of this country. We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.

2. Apologies

No apologies

3. Declaration of Interests

Committee Members to declare any known interests in relation to any item published on the agenda for this meeting, either:

- Direct; or
- indirect interest
 - by close association;
 - that is an indirect financial interest;
 - because of conflicting duties;
 - because of receipt of an applicable gift;
 - as a consequence of becoming an interested party; or
 - because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised at the commencement of discussion of the specific item.

4. Confirmation of Minutes of Previous Meeting

Not Applicable

5. Member Introductions

Members to introduce themselves, why they are interested in being a member of the committee and what they are hoping the outcome of the committee is.

MOVED: J Thomas / Y Dippel

That the Committee receives the member introductions.

6. West Wimmera Health Services Update

Dorothy McLaren will provide the committee with an overview of the project the Health Promotion Team are working on.

Dorothy will provide the committee with an update on the survey findings at the next committee meeting.

MOVED: R Barker / Y Dippel

That the Committee receives the verbal report on the West Wimmera Health Services Health Promotion Team COVID-19 project.

7. Hindmarsh Shire Council Update

Monica Revell will provide an update on Hindmarsh Shire Council Business Assistance Grants, Community Action Grants and Hardship Policy that are available to assist those affected by COVID-19.

MOVED: J Thomas / R Barker

That the Committee receives the update on Hindmarsh Shire Council COVID-19 assistance.

8. General Business

- COVID-19 pandemic current situation report – Dave Tepper

MOVED: R Barker / J Thomas

That the Committee notes the COVID-19 pandemic current situation report.

9. Next Meeting

The next meeting will be held on Tuesday 11 August 2020, commencing at 5pm.
Meeting closed 6:01pm



11 August 2020

MINUTES OF THE COVID-19 COMMUNITY REVITALISATION REFERENCE GROUP HELD VIA WEB MEETING ON TUESDAY 11 AUGUST 2020, COMMENCING AT 5.00PM.

PRESENT:

Cr Rob Gersch – Chairperson
Mr Ross Barker – Member
Ms Yvonne Dippel – Member

Ms Monica Revell – Director Corporate & Community Services
Mr Phil King – Manager Economic & Community Development

Mr David Tepper – DHHS (Emergency Management division)
Ms Dorothy McLaren – West Wimmera Health Services

A G E N D A

1. Welcome and Acknowledgement of the Indigenous Community

Welcome and acknowledgement of the indigenous community by the Chairperson.

We acknowledge the Shire's indigenous community as the first owners of this country. We recognise the important ongoing role that indigenous people have in our community and pay our respects to their elders and people both living and past.

2. Apologies

Ms Joanne Thomas – Member

3. Declaration of Interests

Committee Members to declare any known interests in relation to any item published on the agenda for this meeting, either:

- Direct; or
- indirect interest
 - by close association;
 - that is an indirect financial interest;
 - because of conflicting duties;
 - because of receipt of an applicable gift;
 - as a consequence of becoming an interested party; or
 - because of an impact on residential amenity.

Declaration of direct or indirect interest must also be advised at the commencement of discussion of the specific item.

4. Confirmation of Minutes of Previous Meeting

MOVED: P King / R Barker:

That the Minutes of the COVID-19 Community Revitalisation Reference Group meeting held on Tuesday 28 July 2020 via web meeting, as circulated to members be taken as read and confirmed.

Refer attachment 4.1

5. West Wimmera Health Service Survey Finding Update

Dorothy McLaren will provide the committee with an updated on the findings of the survey conducted regarding the impacts of COVID-19 on our community.

MOVED: Y Dippel / D Tepper

That the Committee receives the survey findings and consider during development of Hindmarsh COVID-19 Recovery Plan.

6. COVID-19 Stage 3 Restrictions 2.0

Responsible Officer: Director Corporate & Community Services

Attachment: 6.1 COVID-19 Community Survey

Introduction:

The purpose of this report is to discuss the introduction of Stage 3 restrictions 2.0 and the best way to determine impacts on our community.

Discussion:

Stage 3 restrictions were reintroduced by the State Government on Wednesday 5 August 2020, meaning that there are only four reasons for people to leave their homes.

The reintroduction on Stage 3 restrictions will have impacts far and wide for our community which should be considered as part of the Hindmarsh COVID-19 Recovery Plan.

It is proposed that the COVID-19 Revitalisation Reference Group prepare a short survey to determine the impacts.

The survey should include information on where the community member lives, length of time in Hindmarsh, Age, issues, impacts, knowledge of Council's response during the pandemic. A draft survey has been attached for discussion and consideration by the reference group.

The survey can be made available through Survey Monkey and hard copy. Council officers will be encouraged to discuss the survey with vulnerable community members.

Committee members will be encouraged to promote the survey through their networks to ensure a broad range of responses.

MOVED: P King / R Barker

That the Committee review the proposed Hindmarsh COVID-19 survey, make any amendments prior to finalisation and distribute to the community for a period of 3 weeks.

Refer attachment 6.1

7. Hindmarsh Shire Council Recovery Plan

Responsible Officer: Director Corporate & Community Services
Attachment:

Introduction:

The purpose of this report is to discuss the key areas for consideration in the development of the COVID-19 Recovery Plan.

Discussion:

Hindmarsh Shire Council 2017-2021 Key Result Areas (KRA) sets for Strategic Objectives

- Community Liveability
- Built and Natural Environment
- Competitive and Innovative Economy
- Our People, Our Processes

It is recommended that the above KRAs be considered in the development of the Recovery Plan with the response initiatives falling under these headings. The below table provides examples of initiatives for consideration and discussion.

KRA	Response Initiative
Community Liveability	<ul style="list-style-type: none"> • Senior citizens centres • Libraries • Community Care Services, Meals on Wheels • Community Assistance • Long term public health measures • Community Connections • Arts & Culture • Recreation – walking tracks, fishing etc
Built & Natural Environment	<ul style="list-style-type: none"> • Town Beautification • Community Centres and Public Halls • Sport and Recreation
Competitive and Innovative Economy	<ul style="list-style-type: none"> • Caravan Parks • Tourism • Business Assistance • Economic Development • Rural Lifestyle
Our People, Our Processes	<ul style="list-style-type: none"> • Customer Services • Communication • Financial Hardship Policy • Workforce redeployment

Committee members are asked to consider other response initiatives for consideration in the development of the Plan.

MOVED: Y Dippel / D McLaren

That the Hindmarsh COVID-19 Recovery Plan follow the 2017-2021 Hindmarsh Council Plan Key Result Areas with response initiatives falling under those KRA's.

8. General Business

9. Next Meeting

The next meeting will be held on Tuesday 8 September 2020, commencing at 5pm.
Meeting closed 5:49pm

HINDMARSH SHIRE COUNCIL PLANNING SCHEME – Summary of relocation of local planning policy content

No.	Existing heading/subheading	Relocation in planning scheme	
21.01	Municipal profile (5 pages, 2481 words)	02.01, 02.03, 02.04	02.01 – HSC Context
			02.03 – HSC Strategic Directions
			02.04 – HSC Strategic Framework Plans
21.02	Vision – Strategic framework (2 pages, 549 words)	02.02	02.02 - Vision
21.03	Objectives – Strategies – Implementation (33 pages, 10,920 words)	02.03,02.04, 11.01-1L, 13.03-3L, 74.01s	02.03 - HSC Strategic Directions
			02.04 –HSC Strategic Framework Plans
			11 – Settlement – State, Regional, Local (HSC)
			13 – Flood Plains – State, Local (HSC)
			74 – Application of Zones, Overlays & Provisions
21.04	Monitoring and review (NFPS 1 page, 224 words)	<i>Superseded by reforms</i>	
22.01	Western Highway (NFPS 1 page, 344 words)	02.03	02 – Municipal Planning Strategy (HSC)
22.02	Fire protection (NFPS 1 page, 141 words)	<i>Superseded by reforms</i>	
22.03	Floodplain management (3 pages, 1147 words)	13.03-1L, 44.03s/44.04s, 72.08s	13 – Flood Plains – State, Local (HSC)
			44.03 – Schedule to Flood Overlay
			44.04 – Schedule to Land Subject to Inundation Overlay
			72.08 – Background Documents