



# Minutes

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Council Meeting held at 12.30 PM on the Monday 3 August 2020 in the Entertainment Centre, Stawell Town Hall.

## **Present**

Cr Murray Emerson (Mayor)

Cr Kevin Erwin

Cr Tony Driscoll

Cr Rob Haswell

Cr Jason Hosemans

Cr Karen Hyslop

Cr Merrilee Reid

Ms Liana Thompson, Chief Executive Officer

Mr Vaughan Williams, Director Corporate Services

Mr Trenton Fithall, Director Infrastructure

Mrs Naomi Goode, Director Communities

## **Affirmation**

We recognise the traditional owners of the land.

We are inspired by the early pioneers and by those who gave their lives for our country.

We now ask God's blessing on our deliberations

and on our commitment to build a better lifestyle and environment.

Confirmed at the meeting of Council on Monday 7 September 2020.

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**1. Apologies**

Nil

**2. Confirmation of Minutes**

Council Meeting held on Monday, 6 July 2020.

**RESOLUTION**

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

**Moved:** Cr Jason Hosemans

**Seconded:** Cr Karen Hyslop

**Carried**

**3. Matters Arising from the Minutes**

Nil

**4. Presentations/Awards**

Nil

**5. Presentation of Petitions and Joint Letters**

Nil

## 6. Disclosures of Interest and Declarations of Conflict of Interest

A Councillor who has a conflict of interests and is attending the Council meeting of the Council must make a full disclosure of that interest.

- a. by either-
  - i. advising the Council at the meeting of the details required under paragraphs (b) and (c) immediately before the matter is considered at the meeting; or
  - ii. advising the Chief Executive Officer in writing of the details required under paragraphs (b) and (c) before the meeting; and
- b. classifying the type of interest that has given rise to the conflict as either-
  - i. a direct interest; or
  - ii. an indirect interest and specifying the particular kind of indirect interest under:  
section 78 - close association  
section 78A - financial interest  
section 78B - conflicting duties  
section 78C - receipt of an applicable gift  
section 78D - consequence of becoming an interested party  
section 78E - impact on residential amenity; and
- c. describing the nature of the interest; and
- d. if the Councillor advised the Chief Executive Officer of the details under paragraph (a)(ii), the Councillor must make a disclosure of the class of interest only to the meeting immediately before the matter is considered at the meeting.

### Members of Staff

Under Section 80C of the *Local Government Act 1989*, officers or people engaged under contract to the Council providing a report or advice to Council must disclose any conflicts of interests in the matter, including the type of interest.

Nil

## **7. Assemblies of Councillors**

[Liana Thompson, Chief Executive Officer]

An assembly of Councillors means a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and 1 member of Council staff which considers matters that are intended or likely to be: - the subject of a decision of the Council; or subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee [s 76AA]; but does not include a meeting of the Council, a special committee of the Council, an audit committee established under s 139, a club, association, peak body, political party or other organisation.

A matter means a matter with which a Council, special committee or a member of Council staff is concerned and that will require –

- a. a power to be exercised, or duty or function to be performed, or a decision to be made, by the Council or a special committee in respect of the matter;
- b. a power to be exercised, or duty or function to be performed, or a decision to be made by a member of council staff in respect of the matter.

Section 80A of the *Local Government Act 1989* requires that the written record of an Assembly of Councillors is, as soon as practicable, reported at a Council Meeting and incorporated in the minutes of that Council Meeting.

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

Date	Meeting Description	Matters Considered At The Assembly:	Conflict Of Interest Disclosures		
20/07/2020	Councillor Briefing Sustainable Infrastructure Briefing	8.1. Schedule 13 Permits 8.2. Update on Prior Year Capital Program 8.3. 10.30am Presentation - Sloane Street Housing Development 8.4. 11.30am - Nectar Farms 8.5. COVID-19 Economic Recovery Strategy Project Steering Committee 9.1. C7 2019/20 - Provision of Various Trade Services	Councillor/Officer Item Number Left Meeting?	Nil	Nil
13/07/2020	Councillor Briefing Economic Growth Briefing	8.1 Presentation - Grampians Tourism Reactivation Strategy 8.2 Councillor Workshop on the Role of Council in Economic Development	Councillor/Officer Item Number Left Meeting?	Nil	Nil
06/07/2020	Councillor Briefing Lifestyles and Community Briefing	7.1. Great Western Future Plan - The Wine Village 7.2. Arts and Culture Policy and Strategy 2020-24 7.3. St Arnaud Community Plan 7.4. COVID-19 Economic Recovery and Development Strategy Project Plan Feedback 8.1. Council Agenda Review	Councillor/Officer Item Number Left Meeting?	Nil	Nil
29/06/2020	Organisational Effectiveness Briefing	8.1 Quarterly Finance Report 8.2 Public Budget Document Presentation 8.3 Community Satisfaction Survey 8.4 Revaluation of Rating Impact 8.5 Infrastructure Program Detail Report 8.6 Sale of 48a Bowen Street St Arnaud 8.7 Lot 2 St Arnaud Aerodrome Lease 8.8 Draft Governance Rules 8.9 Draft Common Seal and Miscellaneous Penalties Local Law 2020 8.10 Draft Public Transparency Policy 8.11 Draft Council Expenses Policy	Councillor/Officer Item Number Left Meeting?	Cr Jason Hosemans 8.5	No
25/06/2020	Advisory Committee St Arnaud Recreation Advisory Group Meeting	1.1 Multipurpose Facility Design 1.2 Fundraising	Councillor/Officer Item Number Left Meeting?	Mr Trenton Fithall 8.5	No

## **RESOLUTION**

**That the report on Assemblies of Councillors be approved.**

**Moved:** Cr Karen Hyslop  
**Seconded:** Cr Merrilee Reid

**Carried**

**8. Items Brought Forward**

Nil

## **9. Consideration of Reports of Officers**

### **9.1. Enhance Lifestyles and Community**

#### **9.1.1. Great Western Future Plan - The Wine Village**

**Author/Position:** **Chantal Thomas, Head of Engagement**

#### **Purpose**

To endorse the revised implementation plan for the Great Western Future Plan 2014-24 after findings from the Great Western Engagement Report identified priority projects.

#### **Summary**

The Great Western Engagement Report provided a summary of community identified priority projects for the development of Great Western and council investment in local infrastructure. Existing projects in the Great Western Future Plan 2014-24 have been prioritised, timelines updated and responsibilities for delivery identified:

- The Great Trail
- Great Western branding strategy
- Living, Lifestyle and Planning
- Future Plans

#### **Recommendation**

**That the updated Great Western Future Plan 2014-24 implementation plan be adopted.**

#### **RESOLUTION**

**That the updated Great Western Future Plan 2014-24 implementation plan be adopted.**

**Moved:** Cr Jason Hosemans

**Seconded:** Cr Karen Hyslop

**Carried**

## **Background/Rationale**

Great Western Future Plan 2014-24 articulates community identified projects to support the future development of Great Western. Engagement was undertaken in 2019 to determine community priority projects to implement in the short, medium and long term. A revised implementation plan with localised priorities has resulted with input from the engagement undertaken.

## **Legislation, Council Plan, Strategy and Policy Implications**

Great Western Future Plan 2014-24

Council Plan 2017-21

Municipal Health and Wellbeing Plan 2017-21

Great Western Urban Design Framework

Northern Grampians Shire Council Engagement Policy

Wimmera Southern Mallee Regional Growth Plan

Northern Grampians Planning Scheme

## **Options**

### **Option 1**

Council endorses the revised Great Western Future Plan 2014-24 implementation plan. **[recommended]**

### **Option 2**

Council does not endorse the revised Great Western Future Plan 2014-24 implementation plan. **[not recommended]**

## **Implications**

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

## **Community Engagement**

Great Western Engagement Report

## **Innovation and Continuous Improvement**

Nil

## **Collaboration**

Department of Environment, Land, Water and Planning

## **Officer's Declaration of Interest**

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

Chantal Thomas, Head of Engagement

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

## **Attachments**

1. Great Western Future Plan **[9.1.1.1 - 48 pages]**
2. Great Western Engagement Report (5) (2) **[9.1.1.2 - 38 pages]**
3. Great Western Future Plan - Implementation timeline 2020 (1) **[9.1.1.3 - 1 page]**



# Great Western Future Plan

## 2014-2024

Final Report  
July 2014



a great town to visit.....

a great town to live

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Great Western Future Plan

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## Report statement

The information contained in this document has been gained from anecdotal evidence and research. It has been prepared in good faith and is based on a review of documentation and data as well as interviews with Council staff, community members and relevant stakeholders and communities of interest. Neither SED Advisory nor its servants, consultants, agents or staff shall be responsible in any way whatsoever to any person in respect to the report, including errors or omission therein, however caused.

## Acknowledgements

SED Advisory would like to acknowledge and thank the organisations, groups and individuals who were part of our consultation activities and who contributed to this report.

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## Document version

Report Stage	Authors	Date	Reviewers	Review Date
Version 0.2	Fiona Davey	21 March 2014	Brett Davis	22 April 2014
Version 0.2	Fiona Davey	9 May 2014	Brett Davis	9 July 2014

## Executive summary

The Great Western Future Plan (GWFP) has been developed in partnership with Northern Grampians Shire Council (NGSC) and through engagement and consultation with the community and other important stakeholders. The GWFP presents a range of development and growth initiatives for the township. These have considered and responded to current and future investments and projects that influence community sustainability and liveability. In addition, the proposed initiatives aim to align to the attributes of Great Western that are valued by the community including its village feel, heritage and history, natural environment and community services. The primary factors that have been considered include:

- ▶ The implementation of the Western Highway duplication between Ballarat and Stawell and the planned bypass of Great Western;
- ▶ Recent investment in sewer infrastructure in the township centre that will enhance resident attraction and improve environmental outcomes;
- ▶ Growth in tourism to the region and in particular the Grampians National Park, food and wine destination and festivals and events;
- ▶ Regional investment projects and regional development policy that can provide economic and population opportunities whilst recognising that Great Western is a small but vibrant country community; and
- ▶ The aspirations and vision that the community have for the town and its residents.

The GWFP has identified five development themes with supporting strategies that will guide future development and investment and support sustainable and beneficial social and economic outcomes.

### Tourism and economic development

The history and heritage of the township, including its gold mining, vineyards, winemaking and settlement are significant points of difference and present a unique and strong proposition upon which to build tourism and appropriate economic activity

- ▶ Building upon the unique cluster of international quality wineries and the visibility of winemaking within the township and surrounds, consolidate products, marketing and events that have a close association to this tourism and economic proposition for the township and the wider region.
- ▶ Enhance the linkages with tourism opportunities that can accrue from proximity to the Grampians National Park, regional food and wine destinations and its location on the Western Highway.
- ▶ Improve information for visitors through web and print media and via investment in sympathetic signage, information boards and heritage interpretation within the township.
- ▶ Investigate opportunities to create low impact visitor experiences including cycling and walking tracks and trails, events, visitor accommodation options, local food and other services.

### Gateways and streetscapes

The natural and built features of Great Western should be protected and sympathetically enhanced. Improvements should contribute to the existing village attributes and the wine village brand, and encourage travellers and visitors to stop and visit Great Western.

- ▶ Clearly define gateways and arrival points within the township and township boundaries to create a more visible and integrated identity and brand, and provide points of interest and destinations for travellers. Consideration should be given to the Highway and Bypass treatments and associated 'arrival' points.
- ▶ Strategically plan and implement streetscape and township renewal projects to enhance community and visitor amenity prior to Western Highway related works and that which also create better places and spaces that will present once the Bypass is operational.

### Community assets and services

Community assets and services contribute to community life for residents and provide facilities for local and visitor activities and events. The community have an important role in their management, upkeep, planning and development and therefore is the major stakeholder in determining their future.

- ▶ Further community engagement and strategic asset and land use planning should be undertaken to determine evidenced, and community wide preferred options for the future function, use and sustainability of key community sport and recreation assets. This includes the Recreation Reserve, Racecourse Precinct, football oval, netball and tennis facilities and Memorial Park under a master plan process.
- ▶ Community services and activities should be promoted to existing, potential and future residents to build on community strengths, foster participation and provide a welcome to new community members and their families.

## Living and lifestyle

Residential development should be encouraged where essential services are located and that contribute to the retention and enhancement of the village environment. Expansion of township boundaries through ribbon development should be monitored to reduce impacts on these village characteristics and supported through appropriate planning scheme and urban design mechanisms and frameworks.

- ▶ Facilitate and support appropriate residential development including the uptake of existing vacant lots and well-planned sub-divisions within the residential heart of Great Western that can take advantage of existing services and utilities.
- ▶ Revision and updates of the current UDF should be completed to reflect current and future development and investment activities including the Western Highway and Bypass projects, the recommendations of the GWFP, infrastructure and assets investments and future urban design, signage and streetscape works.
- ▶ The revised UDF should be incorporated into the Northern Grampians Planning Scheme to guide and inform planning application and decisions.

## Governance and advocacy

Community initiatives and services are supported by a range of committed and passionate community volunteers. A key issue for communities is the capacity to sustain a number of associations and groups, encourage participation in community governance by a wide number of residents and reduce volunteer fatigue. There is strong community support for some level of rationalisation of effort to help deliver sustainability for groups and to support community projects and initiatives.

- ▶ Establish a Great Western Future Plan Committee that incorporates existing groups and associations under an umbrella organisation to oversee the progression of the GWFP and to provide a platform for various interest groups to have an opportunity to participate and be involved in strategic projects for Great Western.
- ▶ The Committee, in partnership with Council and other peak agencies, should also be an advocate for community issues including ongoing planning for the Bypass and future investment and community development and growth.

### Future Plan key elements

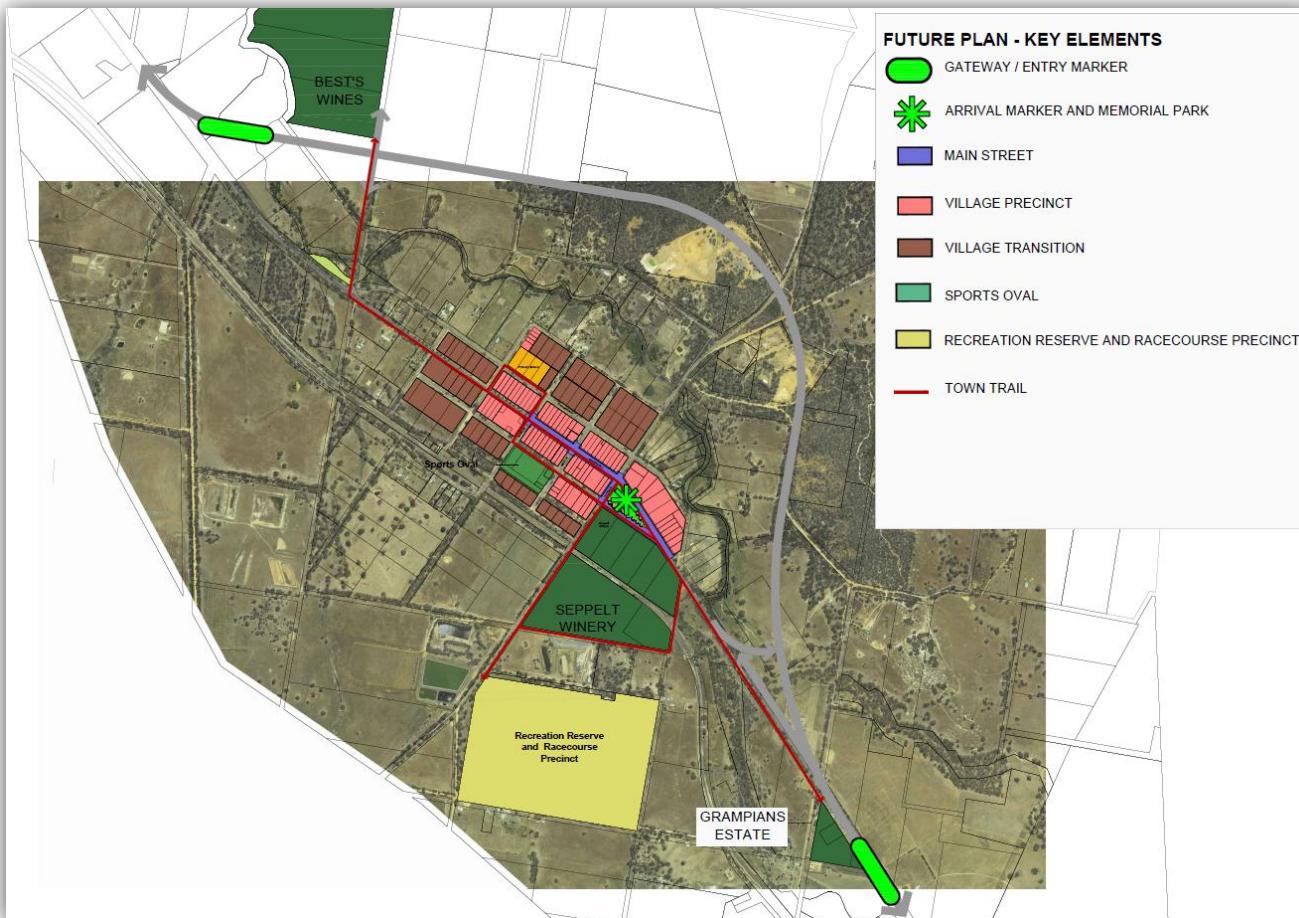


Figure 1 - Future Plan key elements

# Introduction



## Introduction

Located in western Victoria between the regional centres of Stawell to the west and Ararat to the east, Great Western is an attractive country village located on the Western Highway. Home to internationally renowned wineries with a heritage going back to the 1860s, the town is now vibrant community with local businesses, services and community assets that provide for a highly liveable community within the wider Grampians region.

The Great Western Future Plan (GWFP) provides a vision for future social, economic and investment opportunities through integrated township development over the next five to 15 years. The GWFP makes recommendations relating to a range of factors that will enable the achievement of this vision for the community. This includes land, infrastructure, community assets and residential and business growth opportunities. The GWFP will guide and inform economic and social development and land use planning through consideration of relevant investment and development factors including:

- ▶ Duplication of the Western Highway and in particular the Bypass planned for Great Western;
- ▶ Connection to mains sewerage and waste water treatment in the township and the residential growth potential this presents;
- ▶ Opportunities to sustain and enhance the economic and tourism potential of the township;
- ▶ Development and investment options for the recreational assets that align to local and regional strategic priorities and development opportunities; and
- ▶ Land use planning and urban design considerations and recommendations to meet community and NGSC objectives for the township.

In particular, the GWFP considered the following:

- ▶ The values and aspirations of a range of residents, business operator, community groups and associations and their Vision for the township;
- ▶ Community and Council economic and social growth and development preferences including type and location and which maximise infrastructure and community assets; and
- ▶ The impacts, challenges and opportunities presented by the Western Highway duplication and the Great Western Bypass projects.

## Purpose of the Plan

The GWFP provides rationale to support future funding and investment attraction activities and surety and direction to NGSC and the community on strategic and sustainable township development. In addition, the outcomes will inform future planning scheme amendments as required from the recommendations presented.

### A potted history

Although Great Western is recognised today as a centre for quality wine production, the first European settlers who arrived in the 1840s were mainly sheep graziers. Gold was found at Hard Hill to the south of Great Western in 1856 and which continued to be the site of alluvial mining until the 1870s.

In 1858, the gold diggings were significantly opened up and rushed by over 9,000 prospectors. In June 1858 a correspondent from the Great Western diggings reported in the *Mount Ararat Advertiser* that they 'could now boast of a Police Camp, Post Office, Dissenting Chapel and a Reading Room'<sup>1</sup>. In 1862 a further gold rush to Great Western attracted a large number of Chinese prospectors and was worked for several years until deposits declined. There are some remnants of this early gold history in the region which together with some other heritage assets in the area, are listed with Heritage Victoria.



**Figure 2 - Hard Hill Mine site. Source Heritage Victoria**

The first vineyards were established in 1863 by two Frenchmen Jean Pierre Trouette and Emile Blampied who met at the Daylesford gold diggings. However, much of the local vineyard and wine making history can be attributed to two English brothers, Joseph and Henry Best. In 1851 the brothers prospected on various goldfields, but returned to earlier cattle interests, setting up a saleyard and slaughterhouse at Great Western which supplied meat to the Ararat and Stawell goldfields.

In 1865 Joseph Best planted his vineyard known as Great Western with vine cuttings taken from the St Peter's vineyard of Blampied and Trouette. Joseph devoted his time to developing his viticulture enterprise even employing local miners to excavate his property and build tunnels for the storage of wine that became known as Drives. Active in local affairs, he helped to found the Mechanics' Institute, supported the racing club and was president of the cricket club.



**Figure 3 – St Peters Vineyard 1887-1892.  
Source <http://www.queenslandfamilytrees.com>**

<sup>1</sup> [http://vhd.heritage.vic.gov.au/places/show\\_history/104917](http://vhd.heritage.vic.gov.au/places/show_history/104917)

The winery was later purchased by Ballarat businessman Hans Irvine, who produced Australia's first sparkling Shiraz wine. Benno Seppelt took ownership of the winery in 1918 and put Great Western on the map with magnificent sparkling and exceptional table wines, particularly Shiraz. Today with winery is part of the Treasury Wine Estate group.



**Figure 4 - Crushing grapes.** Source [www.seppelt.com.au/en/History.aspx](http://www.seppelt.com.au/en/History.aspx)

Joseph Best's brother Henry established his vineyard 'Concongella' in 1886, to the north west of the Great Western settlement and successfully exported his wine to Britain and India for many years. He was also a member of the Stawell Shire Council in 1872-75, a trustee of various public institutions and founder and captain of the Great Western Rifle Club. Following his death, his son Charles ran the vineyard, before the business was sold to Frederick Thomson in 1920 with the Thomson descendants still operating the business today known as Best's Great Western.

Key buildings throughout the town were constructed between the late nineteenth century and the early to mid twentieth century. The town was surveyed in 1859 by George Langford who named many of the streets after prominent British engineers including Brunel, Stephenson, Paxton, Cubitt, Rennie and Locke. The sports reserve was established in 1915 and significant street planting occurred in the 1930's, followed by the creation of the Memorial Park in 1956.



**Figure 5 - Bests Great Western.** Source [www.bestswines.com/history](http://www.bestswines.com/history)

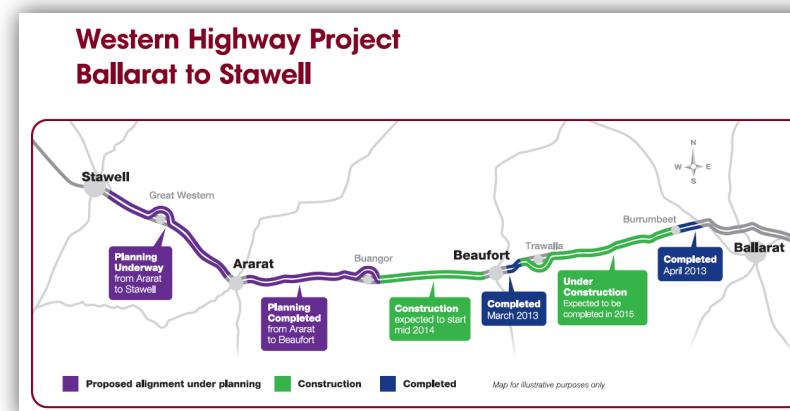
## Drivers for change

The community of Great Western has a wealth of gold, wine and settler history that contributes so much to the township's identity. The township has witnessed many changes over the generations including its population and economic and social characteristics. In addition, the growth of regional tourism including the development of the nearby Grampians National Park, food and wine destinations and visitor demand for authentic experiences have also presented challenges and opportunities for the township.

Through the collective efforts of the local community, Council and other agencies, there have been a number of investments made in community assets and amenities that provide benefits to residents and visitors alike. These include sporting and recreation facilities, service investment by local businesses, provision of improved community assets such as town sewer infrastructure, facilities at Memorial Park, as well resident participation in a range of other community projects and initiatives. A key feature of these initiatives is the retention of the village environment that is highly valued by the community as well as an understanding that in order to be a sustainable community, appropriate change and investment is sometimes required. The GWFP recognises these community values and has worked with residents to help ensure that future initiatives present appropriate and sustainable growth outcomes.

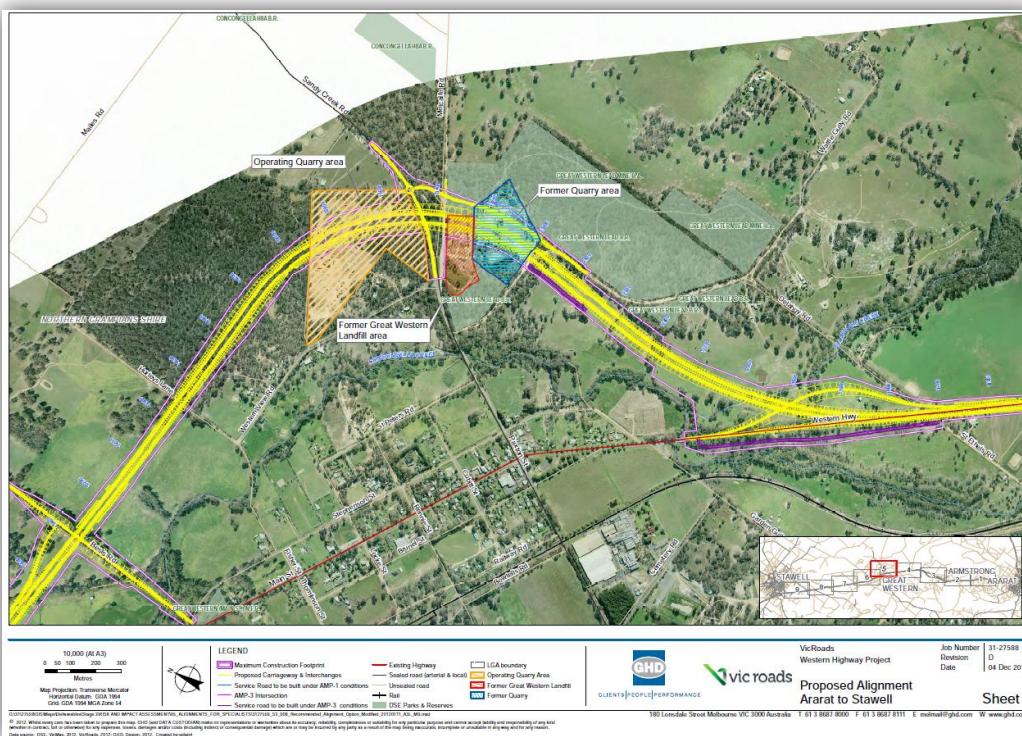
### The Western Highway and the Bypass

The township has experienced a significant increase in traffic activity along the Western Highway which cuts through the heart of the town and which is a significant freight and general vehicle corridor between Melbourne and South Australia. Over recent years, the State Government through its road transport agency VicRoads, have undertaken significant planning in relation to Highway upgrades between Melbourne and Stawell to improve transport efficiencies, safety and to enhance regional Victoria's competitiveness. Currently more than 5,500 vehicles travel the highway west of Ballarat each day including 1,500 trucks. This volume traffic is predicted to double by 2025. A funding partnership between the State and Federal Governments has resulted in a \$500+ million investment to duplicate the Western Highway between Ballarat and Stawell as a four-lane divided highway.



**Figure 6 - Western Highway duplication. Source: VicRoads**

As part of Highway upgrades and following a program of options assessment and consultations, a north eastern bypass has been identified for Great Western. Although funding (at the time of this report) has not been allocated for works west of Buangor to the east of Ararat, route and alignment and planning has progressed for future works. The proposed bypass (see Figure 7) would leave the existing highway just north-west of Delahoy Road and travel east. It would cross part of the former Great Western landfill and the adjacent quarry, to re-join the existing Western Highway near Briggs Lane to the west of the township. The bypass currently allows for an east-west exit along the current Western Highway alignment near Grampians Estate Winery and a west-east exit ramp at Bests Road to the west.



**Figure 7 - Proposed Great Western bypass alignment. Source VicRoads**

The bypass of Great Western presents a range of benefits and challenges for the community, which the GWFP has investigated and considered. These include:

- ▶ The amenity benefits that would be enjoyed by the community following a significant reduction in heavy vehicle and other traffic movements through the centre of the township;
- ▶ Opportunities to enhance the physical amenity and presentation of the township centre and surrounds and the benefits this would deliver for environmental, social, community , economic and visitor activity;
- ▶ Potential impacts on patronage of local businesses by regular commuter, freight and visitor traffic that uses the Highway;
- ▶ Understanding community issues and concerns relating to the bypass including the nature and configuration of the currently proposed exit treatments;
- ▶ The opportunity to enhance township arrival and gateway points that may be different to those that present today; and
- ▶ Sequencing of GWFP projects given current unknowns associated with the funding and timing of construction works.

The GWFP has undertaken an analysis of the key documents associated with the bypass and has consulted with VicRoads, Council and the community in relation to this major project. Although the project represents a significant change for the community and has been a major consideration during the development of the GWFP, many of the initiatives presented in the Plan are not reliant on the timing of construction works, and can be developed and implemented independently of the Western Highway project. That being said, the GWFP does make clear reference to the current known alignment and design of the bypass to both reflect and inform some of the proposed initiatives.

ideas + inspiration | the wine trail

## The Future Plan



## Vision

The following vision was developed by the community as part of the 2009-2013 Great Western Community Action Plan and has been largely retained as the vision for the community.

*"A vibrant village, well connected with its community, spirited in providing  
a safe, clean, self sustaining and caring environment and that is  
a great town to visit, a great town to live"*

## Study area

The township of Great Western is located on the Western Highway between Stawell and Ararat within the municipality of Northern Grampians Shire. The Melbourne to Adelaide Western Railway passes the southern edge of the township. Home to approximately 200 residents, the town has a strong viticulture identity and rural village character.

The project encompasses the following study area with a focus on the main township and primary activity locations within the following boundaries as shown hatched red in

- ▶ Briggs Lane to the north west;
- ▶ The alignment of the bypass to the north east including the environs around Bests Winery;
- ▶ St Ethels Road and Grampians Estate and vineyard to the south east; and
- ▶ The western edge of the main township towards St George Road.

## Policy and strategy alignment

The GWFP aligns to local and regional development policy and strategy in key areas of:

- ▶ Tourism and destination planning including enhancement of Great Western's unique wine product offer, trails and touring routes and improved visitor information and interpretation of primary heritage and other assets;
- ▶ Sustainable development of settlements and in particular supporting the liveability features of smaller communities;
- ▶ Planning for the eventuation of the Great Western Bypass including enhancement of the townships liveability characteristics and population attraction; and
- ▶ Development of infrastructure and asset strategies in the areas of township streetscapes, signage and gateways.

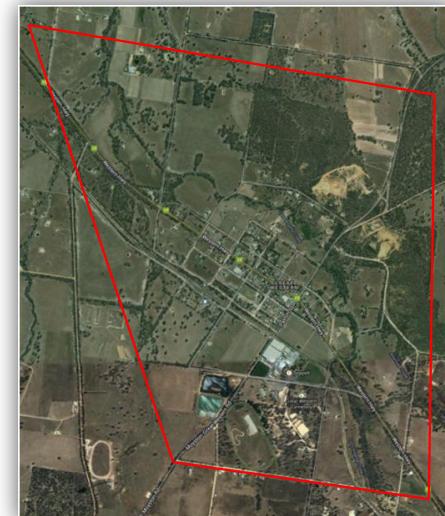


Figure 8 - Primary study area

## The opportunities and challenges

- ▶ The history and heritage of wine making is a unique proposition that can support further tourism and event activity and strengthen the links with the Grampians as a major tourism drawcard for the region.
- ▶ Although demand for new residential is not high, the attractiveness of Great Western as a place to live is anticipated to grow.
- ▶ Enhancing the accommodation and food offer will support future tourism, economic growth and attract investment.
- ▶ Further planning should be undertaken in relation to sporting and recreation assets to ensure best outcomes for the community and community groups.
- ▶ Other key assets such as the Memorial Park, heritage and historical features and the natural environment can be better promoted and sympathetically enhanced and protected
- ▶ The Bypass will enable beautification treatments to the main High Street and support the development of Great Western as a place to live and visit.
- ▶ Marketing and promotion of businesses and services will go some way to negate possible economic disbenefits from the Bypass. Over time, this may include adapting to a shift in customer markets to a higher focus on the destination visitor rather than the volumes of passing trade.
- ▶ Highway and Bypass works will redefine the entrances and gateways to Great Western. These gateways should reinforce the profile of the township as a Wine Village.
- ▶ Visitor information both in the township and provided by external sources – websites, marketing activities and regional tourism links can be enhanced.
- ▶ Retention of the village characteristics of the community are very important and need to be retained through appropriate land use and development planning and appropriate design principles.



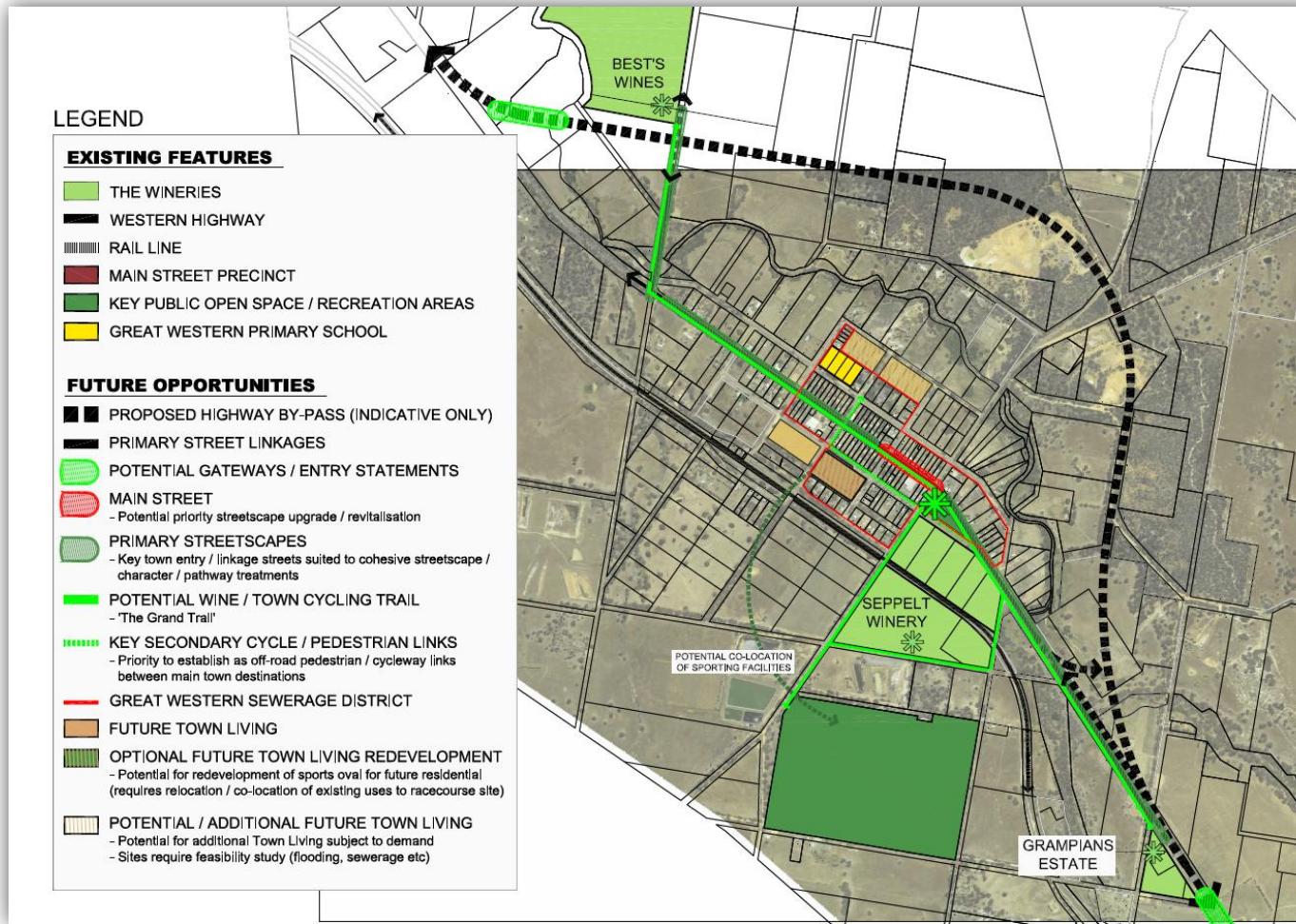


Figure 9 - Existing features



## Primary recommendations

## 1. Tourism and economic development

The development of tourism will be an important part of economic opportunities for Great Western. The strategic location of the township along a major transport corridor, its proximity to the Grampians National Park and other destination regions and the quality and long standing of wine making present tangible development and marketing opportunities.

In addition, the village features of the township and the opportunities to expand the retail and service offer for both residents and visitors without impacting on the village aesthetics of the township will also add to tourism-based outcomes.

The history and heritage of the township, including its gold mining, vineyards and winemaking are a significant point of difference and present a unique and strong proposition upon which to build tourism and appropriate economic activity. This includes strengthening the brand and marketing of Great Western as a wine village and ensuring that these important elements are integrated into strategic projects and marketing initiatives.

Where product gaps exist, these may be developed over time, with appropriate planning and development partnerships that will help to create an investment attractive location for future opportunities. Sequencing of investments will need to focus on product to attract overnight stays and therefore increased tourism spend and also provide sufficient tourism product and activities to attract investment in accommodation provision.



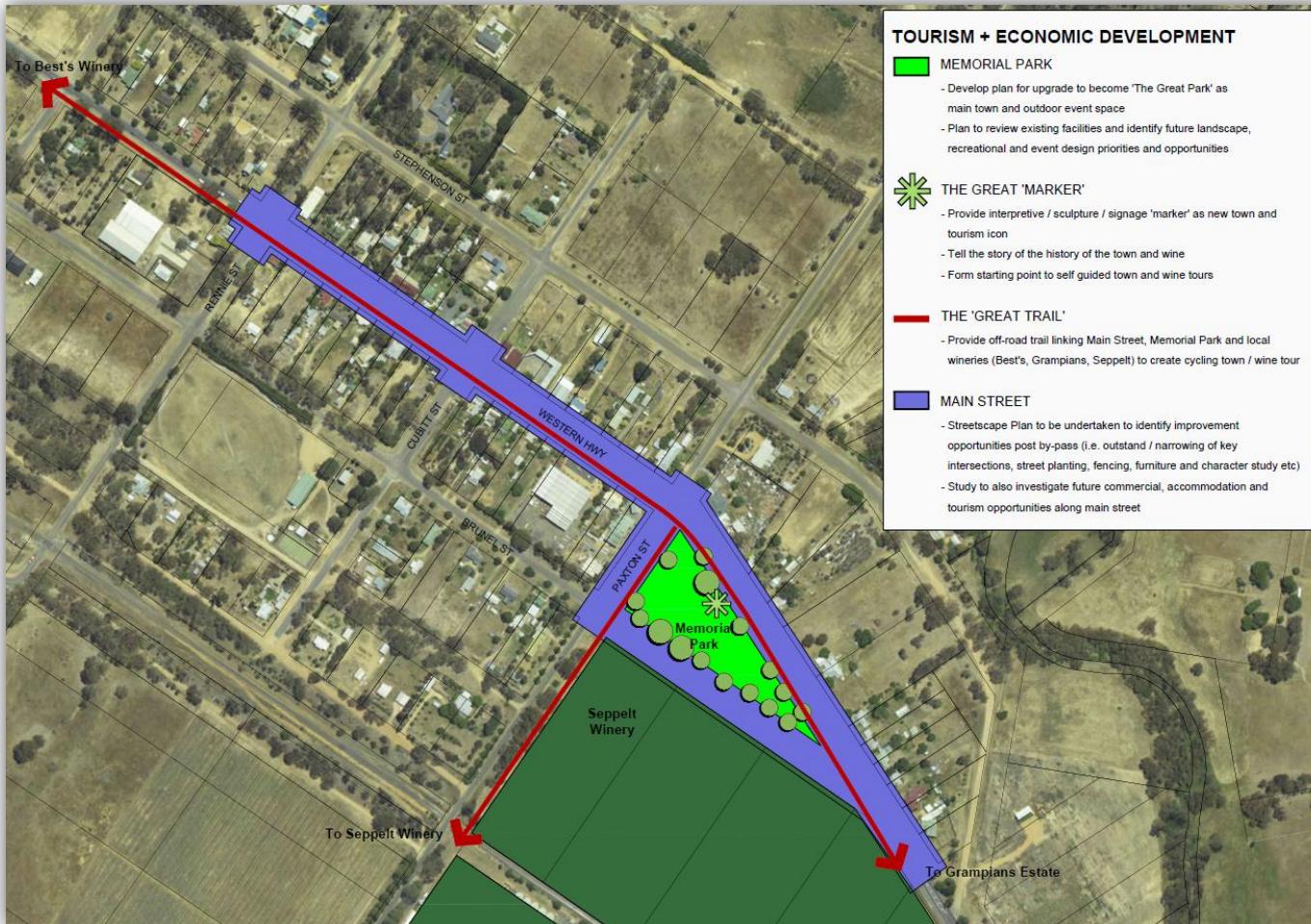
**Table 1 – Tourism and economic development strategies**

Key opportunity themes	Primary recommendations	Implementation strategy
The unique proposition presented by Great Western as the Wine Village should be enhanced and promoted	<ul style="list-style-type: none"> <li>▶ Establish a unique and identifiable brand proposition for Great Western that should carry through to marketing, promotion and related township improvement initiatives. It is proposed to build upon the 'Great' of the township name to create brand and marketing positioning including:           <ul style="list-style-type: none"> <li>▶ The Great Weekend / Have a Great Weekend</li> <li>▶ Great Western – Great Lifestyle / Great Living</li> <li>▶ Great to Visit</li> <li>▶ Great to Invest</li> <li>▶ Great Community / Welcome to a Great Community</li> </ul> </li> </ul>	<ol style="list-style-type: none"> <li>1.1. Commission professional design concepts, brand messages, brand strategies and logos that should integrate the marketing, promotion and positioning of Great Western, and to inform future design and interpretation elements proposed under the Future Plan.</li> </ol>

Key opportunity themes	Primary recommendations	Implementation strategy
The unique proposition presented by Great Western as the Wine Village should be enhanced and promoted ctd....	<ul style="list-style-type: none"> <li>▶ Investigate opportunities to build on the importance of Halls Gap and the Grampians National Park as a significant source of visitors to the region and the township under the auspice and support of Grampians Tourism and the strategies contained in the 2014 Grampians Destination Plan. These include:           <ul style="list-style-type: none"> <li>▶ Regional and 'village' events;</li> <li>▶ Development of touring routes between 'villages' e.g. Halls Gap, Pomonal, Moyston and Great Western; and</li> <li>▶ Support for planning and investment in 'village' and produce development, investment attraction, events and other activities.</li> </ul> </li> </ul>	<p>1.2. Through active participation on Grampians Tourism, ensure that the tourism development opportunities for Great Western are considered and included in future tourism investment and product development strategies.</p>
The unique proposition presented by Great Western as a Wine Village should be enhanced and promoted	<ul style="list-style-type: none"> <li>▶ Promote the history and heritage of wine making in GW through information boards, interpretation signage, and appropriate feature treatments at gateways and key destination points such as township boundaries and Memorial Park. This could also form the basis for the development of self-guided tours and trails including the proposed Great Trail.</li> <li>▶ Enhance the interpretation of heritage and historic assets and features of the township through signage, online information and supporting materials. (2004 NGSC Heritage Report).</li> </ul>	<p>1.3. In addition to the proposed Master Plan for Memorial Park (see Community Assets and Services), in a partnership between the community, Council and Grampians Tourism commission a Great Trail Implementation Plan to include possible trail route(s), costings, design and supporting assets and infrastructure that would be required to enhance its link to the Great Western visitor product and support community use.</p> <p>1.4. Seek EOIs from signage designers and copy writers to develop a program of signage and other information source development.</p>
	<ul style="list-style-type: none"> <li>▶ Identify opportunities to develop events associated with wine making and food and wine more broadly such as a Vignerons Field Day, Wine Makers Ball and a seasonal market.</li> </ul>	<p>1.5. Council and Grampians Tourism to work with the community on opportunities to enhance existing events and to support the development of new events that are based upon the wine and food product of the region. This could include development of an umbrella event(s) and activities for Great Western as part of the existing Grampians Grape Escape Wine and Food event.</p>
	<ul style="list-style-type: none"> <li>▶ Improve information on the history and heritage of winemaking and other Great Western features and attractions on relevant websites – NGSC, tourism, community, regional groups and business websites.</li> </ul>	<p>1.6. Through a partnership between community, Council and Grampians Tourism, develop informative marketing collateral for Great Western that can be utilised in online, print and media channels and that aligns to the Township signage project presented in 1.5.</p>

Key opportunity themes	Primary recommendations	Implementation strategy
<p>The unique proposition presented by Great Western as a Wine Village should be enhanced and promoted</p>	<ul style="list-style-type: none"> <li>▶ How to address some strategic tourism gaps needs consideration and further planning. These include:           <ul style="list-style-type: none"> <li>▶ Attracting investment in tourism accommodation particularly for the camping/caravan market;</li> <li>▶ Developing the food offer through café and general retail supply outlets; and</li> <li>▶ Building on the local food and networks such as the Grampians Produce Group, Grampians Winemakers Inc.</li> </ul> </li>   <li>▶ Through a partnership with NGSC and Grampians Tourism, corridor councils and other agencies, consider the development of Western Highway Discovery Trail to build awareness of attractions along the transport corridor particularly prior to Highway and Bypass construction activities.</li> </ul>	<ol style="list-style-type: none"> <li>1.7. Include assessment of camping and caravan facilities as part of the proposed Master Plan for the Recreation Reserve and Racecourse Precinct.</li> <li>1.8. Council to work with the community on supporting the attraction and retention retail and food outlets and provide proactive assistance and advice to new and existing operators in relation to statutory and other business management requirements.</li> <li>1.9. Continue to promote and support local and regional food and wine networks.</li>   <li>1.10. Support the development of a Western Highway Discovery Trail and where possible, integrate into future VicRoads Highway planning and implementation strategies.</li> </ol>



**Figure 10 - Tourism and economic development concepts**

## 2. Gateway and streetscape treatments

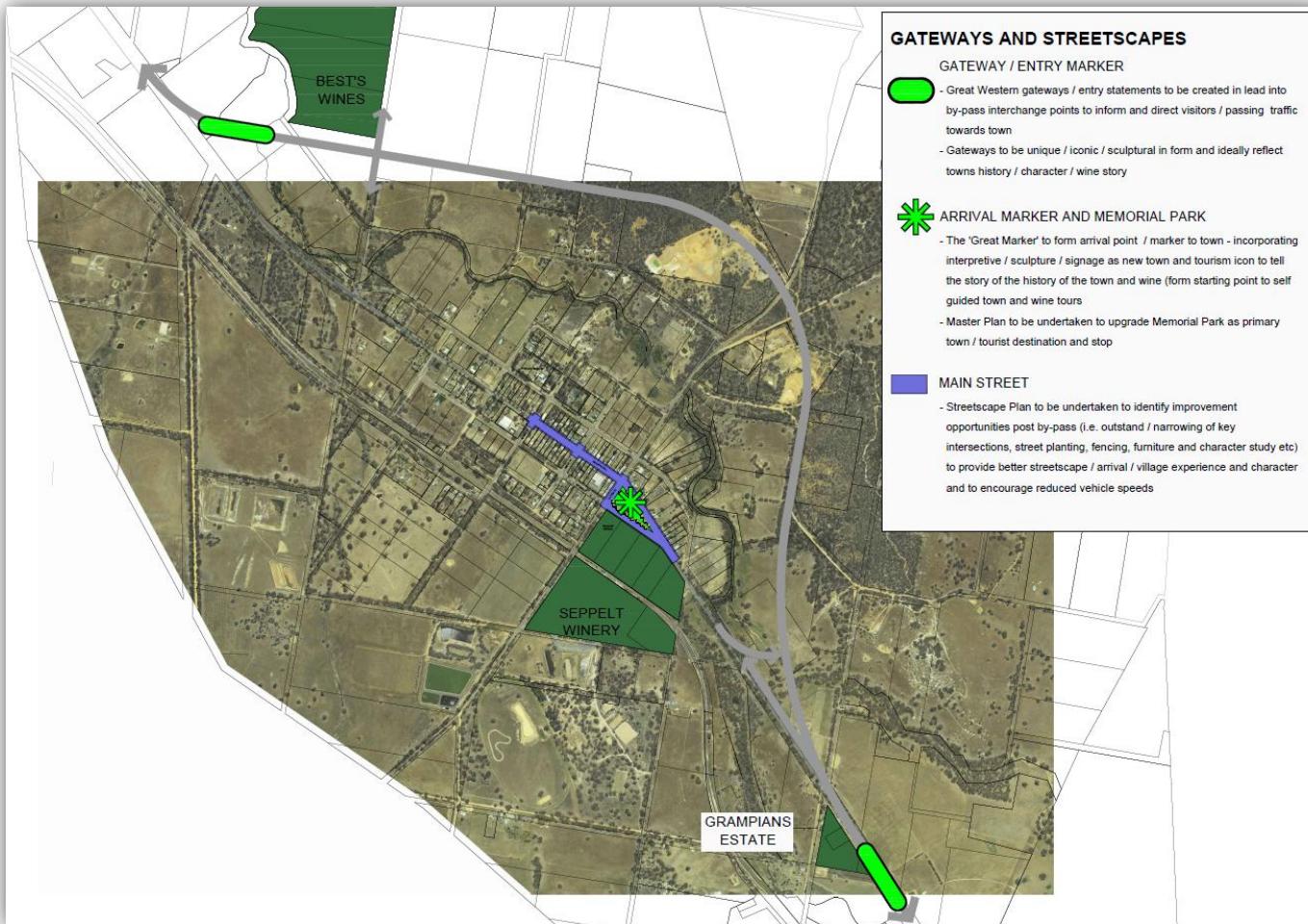
The natural and built features of Great Western should be protected and sympathetically enhanced. Although some streetscape treatments will be reliant on the removal of heavy traffic volumes once the bypass is operational, there are a range of other improvements that can be made in the interim.

These improvements would contribute to overall village attributes and the wine village brand, and help to encourage travellers and visitors to stop and visit Great Western. In addition, they would enhance township amenity for residents.



**Table 2 – Gateway and streetscape strategies**

Key opportunity themes	Priority recommendations	Implementation strategy
Future streetscape and mobility works	<ul style="list-style-type: none"> <li>▶ Develop a Township Design and Streetscape Plan for the township centre prior to completion of Highway and Bypass works to build upon 'village features'. This could include:           <ul style="list-style-type: none"> <li>▶ Road narrowing and speed reductions;</li> <li>▶ Improved pedestrian linkages from the village green to the centre and within the centre;</li> <li>▶ Planting and landscaping features; and</li> <li>▶ Street furniture and improved parking conditions.</li> </ul> </li>   <li>▶ Integrate the development of cycling and walking tracks and trails into the changed traffic conditions presented by Highway and Bypass works.</li> </ul>	<ol style="list-style-type: none"> <li>2.1. Seek EOIs to interest to undertake a Streetscape Design Plan for Great Western to be undertaken take in a stage approach to align to future planning and implementation of the Western Highway Duplication and Great Western bypass project.</li> <li>2.2. Integrate design and implementation of gateway and township interpretation elements, signage and landscaping treatments into the proposed Streetscape Design Plan.</li> </ol>
Improve the current and future 'sense of arrival' at the Great Western Wine Village	<ul style="list-style-type: none"> <li>▶ Redefine the primary gateways and destination point of Great Western as being to the east of Grampians Estate, the 'village green' and Seppelt, and Bests Road to the west. These can be presented via new signage and interpretation elements, plantings and landscape features, and enhanced amenity at the 'village green'.</li> </ul>	
Retain and enhance the village features and design attributes of Great Western	<ul style="list-style-type: none"> <li>▶ Streetscape study should investigate features worthy of enhancement and strategies that can be put in place to enhance their presentation.</li> </ul>	

**Figure 11 – Gateway and streetscapes concepts**

### 3. Community assets and services

There are a number of community assets and services that contribute to community life for residents as well as providing facilities for local and visitor events. Many of these facilities have been developed by the community who continue to have an important role in their management, upkeep, planning and development. Facilities and services include the Primary School, Recreation Reserve and Racecourse Precinct, Memorial Park, sports reserve, township businesses and community clubs and associations. Like many small communities, these facilities are highly reliant on the support and participation of residents for their management and ultimately their longer term sustainability. The community therefore is the major stakeholder in determining their future. Council and other agencies have an important role in supporting, guiding and contributing to community service planning and development and advocating for appropriate investment and development.

#### 3.1 Sporting related facilities

A key requirement for consideration by the GWFP was the future use and development of key sporting and open space assets within the community. One-on-one interviews, community conversations and follow-on submissions received from the community did not provide clear community agreement on the future direction of key community sporting assets including possible co-location of activities within a multi-purpose facility. There were strong arguments and cases presented for co-location and the retention of the current status of these assets. The GWFP has carefully considered a number of these issues including:

- ▶ Ongoing financial and management sustainability associated with maintaining and developing different facilities within the community which in some areas, have common (or similar) purposes, uses, facilities and investment demands;
- ▶ Future community uses and need for facilities as community social and participation interaction change over time;
- ▶ How current and possible future facilities contribute to the attraction of visitors particularly for events;
- ▶ Broad-based community responses to the future of these assets and facilities;
- ▶ The opportunities that relocation of current assets from the centre of township would present in terms of the release of land and/or open space; and
- ▶ The contribution these township centre based facilities play in the community life including activity, accessibility and social interaction for a range of residents.

The GWFP therefore recommends that further work be undertaken in partnership with the community to determine the optimum outcome for the future use of and investment in these important assets to ensure that:

- a) The community is fully aware of and understands the possible benefits and disbenefits of retention or co-location;
- b) All residents can play an active part in the future planning of these assets and services; and
- c) Rigorous business case, infrastructure designs and costings, demand modelling and management structures are developed that are clearly evidence-based and will therefore, provide improved opportunities to attract the level of funding that would be required for development.

### 3.2 Memorial Park

Memorial Park is an important community and visitor asset, which acts as an arrival and destination point for travellers along the Western Highway. With a backdrop of the Seppelt winery and fields of vines, the Park makes a distinct statement about Great Western. The Park features memorial structures to residents who served in military conflicts, seating, play and BBQ facilities, shade, various flora, toilet facilities, tennis courts, information boards and signage. There are some designated areas for car-parking and undesignated non-Highway street locations that accommodate caravans and larger vehicles.

The community in partnership with Council have made significant contributions to the planning, design and implementation of projects for the Park. The GWFP places significant focus on the Park as presenting as a village green for the community and visitors, and should be a major part of developing the village profile of the township. In addition, the Park should act as the primary arrival and dispersal point for visitors. The GWFP recommends that the Park should be the location for primary community and visitor information and should be sympathetically enhanced with appropriate features and treatments that support this objective and which present consistent design features for other streetscape, signage and township amenity works. An outline concept for Memorial Park is provided in Figure 13.



**Table 3 – Community assets and services strategies**

Key opportunity themes	Priority recommendations	Implementation strategy
Enhance key recreation assets that provide demonstrated local and regional benefits	<ul style="list-style-type: none"> <li>▶ Develop a Master Plan for the Recreation Reserve and Racecourse Precinct to consider:           <ul style="list-style-type: none"> <li>▶ The need and type of facilities that will build on current and future Precinct uses;</li> <li>▶ Current users, occupiers and ‘tenants’;</li> <li>▶ Co-location of other sporting and recreation facilities such as football, netball and tennis;</li> <li>▶ Hosting of community and visitor events;</li> <li>▶ Multi-purpose facilities for a range of uses and users;</li> <li>▶ Access, infrastructure, utilities and other usage and development considerations;</li> </ul> </li> </ul>	<p>3.1. Seek EOIs for the development of a detailed Master Plan including a supporting business case and preliminary design and infrastructure costings. Ensure a robust program of community consultation and participation is included in project management and delivery activities.</p>

Key opportunity themes	Priority recommendations	Implementation strategy
	<ul style="list-style-type: none"> <li>▶ Development of visitor facilities including camping and caravan park;</li> <li>▶ Precinct design including facility locations, external and internal access, landscaping and supporting assets;</li> <li>▶ Development costings and longer term operational and management costs including a cost:benefit analysis; and</li> <li>▶ Implementation plan including staging and investment strategies</li> </ul>	
Enhance key recreation assets that provide demonstrated local and regional benefits	<ul style="list-style-type: none"> <li>▶ Undertake a Master Plan for the Memorial Park to inform future use and investment in community and visitor assets. This should include:           <ul style="list-style-type: none"> <li>▶ Linking with the Recreation Reserve and Racecourse Precinct Master Plan in relation to sport and recreation facilities;</li> <li>▶ Installation of proposed Great Western interpretation feature(s) to act as a draw card for visitors, and encourage vehicles and visitors to stop in the township;</li> <li>▶ Additional visitor amenities including information boards, facilities and parking treatments;</li> <li>▶ Infrastructure and assets that would support wider use of the Park for community events and activities that are seen as important or worthwhile by the community;</li> <li>▶ Assessment of future landscaping and planting works at the Park including an assessment of the condition and longevity of existing significant trees; and</li> <li>▶ Design and implementation costings, including funding strategies.</li> </ul> </li> </ul>	<p>3.2. Seek EOIs for the development of a Master Plan for the Memorial Park as described to include a program of robust community consultation.</p>
Promote the lifestyle and liveability assets and services of Great Western to attract and retain residents under the Great Western, Great Town branding concept	<ul style="list-style-type: none"> <li>▶ Develop a Great Western promotion and welcome package to promote services and community activities including:           <ul style="list-style-type: none"> <li>▶ Local businesses and services;</li> <li>▶ Primary school;</li> <li>▶ Sporting and social groups;</li> <li>▶ Residential and land development opportunities; and</li> <li>▶ Locality - proximity to Stawell, Ararat, Ballarat, Horsham and regional attractions such as the Grampians and the Pyrenees.</li> </ul> </li> <li>▶ Promote through a partnership with NGSC, local real estate agents and larger businesses and institutions in the region and provide as a welcome package for new residents.</li> </ul>	<p>3.3. Partner with the community to update the current Great Western community website with current information.</p> <p>3.4. Liaise with local real estate agents, schools and major employers to seek support for the promotion of the Great Western, Great Town information pack to potential new residents and their families.</p>

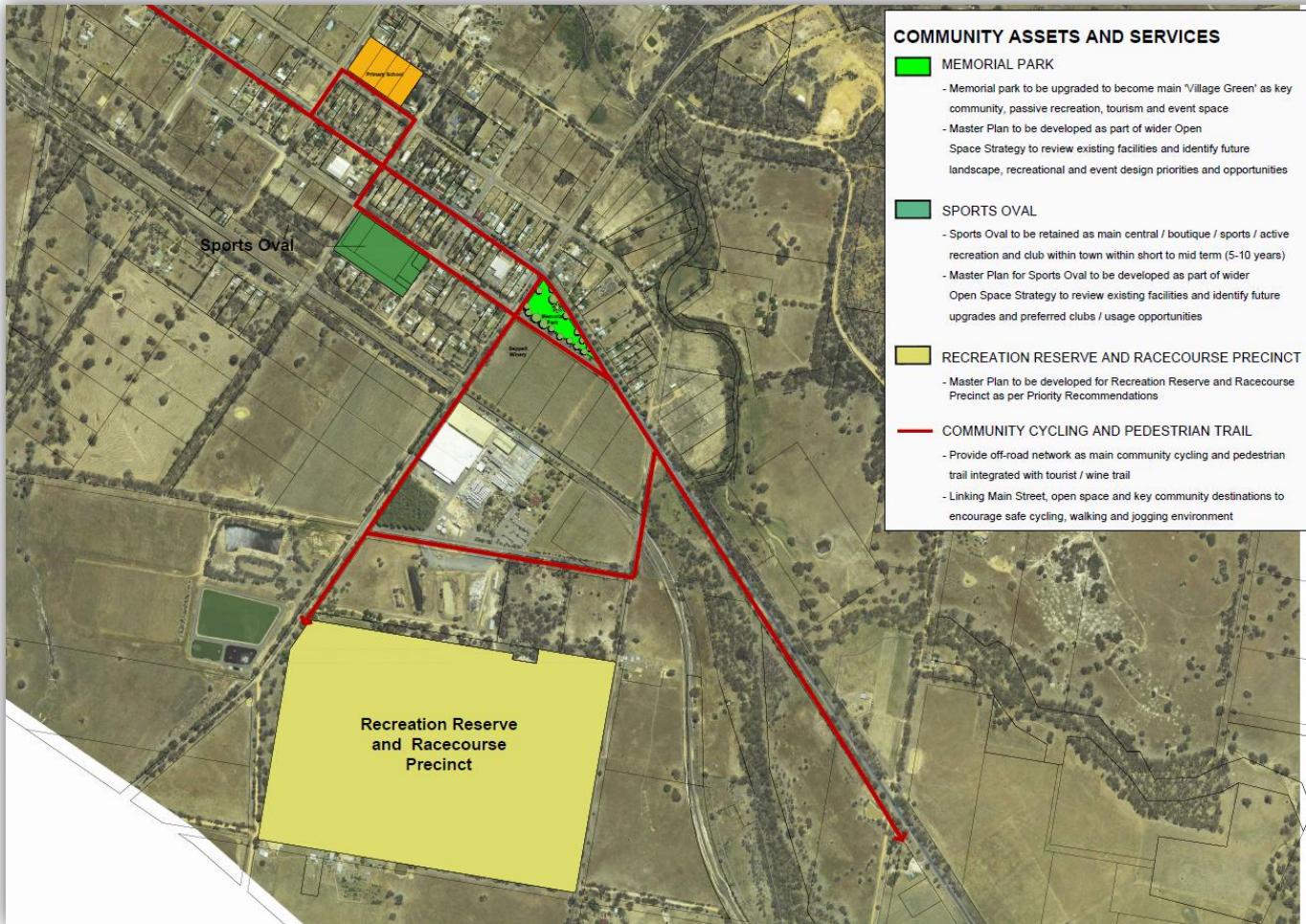


Figure 12 - Community assets and services concepts

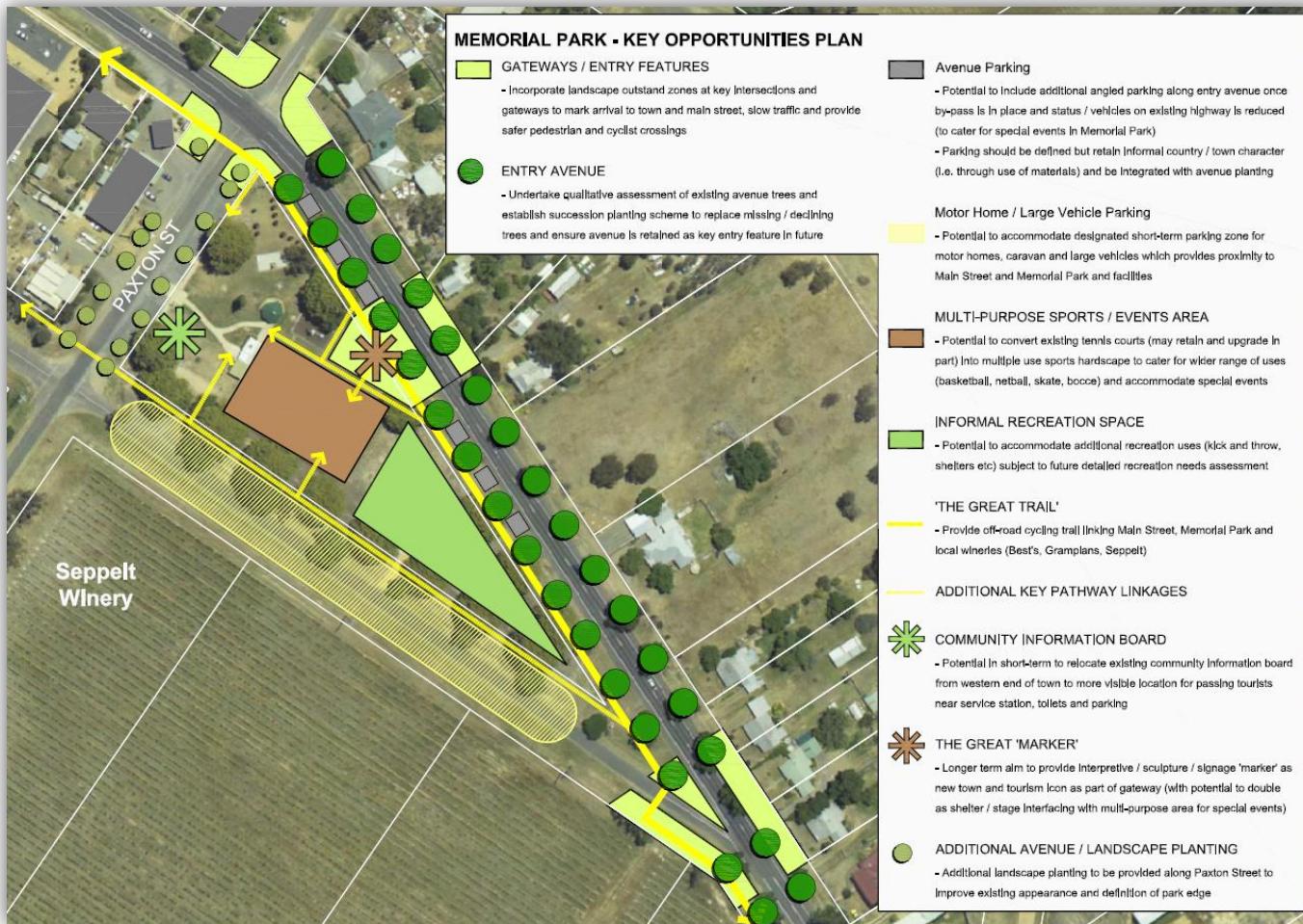


Figure 13 - Memorial Park Opportunities Plan

#### 4. Living, lifestyle and planning

The community places high importance on the retention of the village and community features of Great Western. The recent investment in sewer infrastructure in the centre of township also supports the concentration of appropriate development within the heart of Great Western and to constrain ribbon type development that will ultimately detract from the village characteristics. The number of larger lot sizes with multiple road access within the township present opportunities for land owners to have options for appropriately planned and designed sub-divisions.

Under current growth trends, there is sufficient supply of non-developed residential land within the township and covered by the Township Zone to support potential population growth over the next decade. Therefore the future residential plan (Figure 14) aligns to the current township zoning boundaries as this adequately allows for predicted growth and rezoning of land for residential is not required at this time. By providing a range of housing options including heritage cottages and houses and low density rural lots, Great Western will be a lifestyle choice for a diversity of people.

The GWFP recommends that short to medium term residential development should be encouraged within the township centre to both retain the current village characteristics and to benefit from the investment made in sewer infrastructure. Development guidelines and principles as described in Table 4 should also be included in the revised UDF.

**Table 4 – Living and lifestyle strategies**

Key opportunity themes	Priority recommendations	Implementation strategy
Encourage residential development within current township boundaries, particularly within the township centre and in proximity to the town sewerage scheme	<ul style="list-style-type: none"> <li>▶ Impose minimum lots size and/or street frontages to ensure subdivision retains the existing character of the village.</li> <li>▶ Avoid the use of unnecessary 'suburban' elements and infrastructure within the streetscape (e.g. bollards, kerb and channel, parking bay line marking) that could detract from the heritage / village character of the town.</li> <li>▶ Encourage the take up of sewerage options to allow increased development opportunities.</li> <li>▶ Support sustainable waste-water management and drainage practices and strategies: waste water collection and treatment systems, appropriate lot sizes to accommodate on-site treatments, monitoring and regulatory compliance issues.</li> </ul>	<ol style="list-style-type: none"> <li>4.1. Incorporate policy and direction guidelines into the Northern Grampians Planning Scheme.</li> <li>4.2. Update the existing Great Western Urban Design Framework to reflect recommendations and incorporate into the Northern Grampians Planning Scheme.</li> <li>4.3. In partnership with GWM Water, provide support and advice to existing and new residents on the processes for connection to the sewerage scheme.</li> <li>4.4. Develop and incorporate Wastewater Management Guidelines for the sustainable management of onsite waste water within the township and modify the Local Planning Policy Framework accordingly.</li> </ol>

Key opportunity themes	Priority recommendations	Implementation strategy
Defining a clear transition between rural surrounds and the township.	<ul style="list-style-type: none"> <li>▶ Subdivision and development must be contained within the Township Zone and Rural Living Zone to create a strong differentiation between the town and the surrounding rural land.</li> <li>▶ New buildings should generally match the setbacks of neighbouring buildings, with a strong preference for buildings that address the street and visually contribute to the streetscape character.</li> </ul>	<p>4.5. Incorporate policy and direction guidelines into the Northern Grampians Planning Scheme.</p> <p>4.6. Update the existing Great Western Urban Design Framework to reflect recommendations and incorporate into the Northern Grampians Planning Scheme.</p>
Align the Urban Design Framework to the GWFP	<ul style="list-style-type: none"> <li>▶ The 2002 UDF is in most part out-of-date and does not adequately reflect the current and future conditions that will impact upon Great Western's sustainable development. In addition, without the UDF being incorporated into the planning scheme, the process of good planning decisions by Council and community will be harder to achieve. The GWFP therefore recommends that the UDF be substantially updated to reflect and include the following:           <ul style="list-style-type: none"> <li>▶ Clear development principles focussing on protection and enhancement of the village, vineyard, heritage, open space and natural environment assets and features of the township and surrounds.</li> <li>▶ Incorporate references to key infrastructure projects including the Western Highway Duplication and Bypass, township sewerage scheme and GWFP proposed master plans, signage and streetscape plans.</li> <li>▶ Include GWFP concept maps and descriptors under appropriate sections.</li> <li>▶ Expand heritage and environmental overlays and other updates to the Local Planning Scheme.</li> <li>▶ Update reference documents, policies and strategies.</li> <li>▶ Development of an implementation strategy that should mirror that proposed in the GWFP.</li> </ul> </li> </ul>	<p>4.7. It is envisaged that updates and revisions to the UDF can be largely completed by NGSC and also integrate into current and future planned revisions and updates to the local planning scheme.</p> <p>4.8. It should be noted that some design principles, visualisations, design concepts and implementation that would form part of the UDF will occur as part of infrastructure and planning strategies proposed for the township under the GWFP.</p>

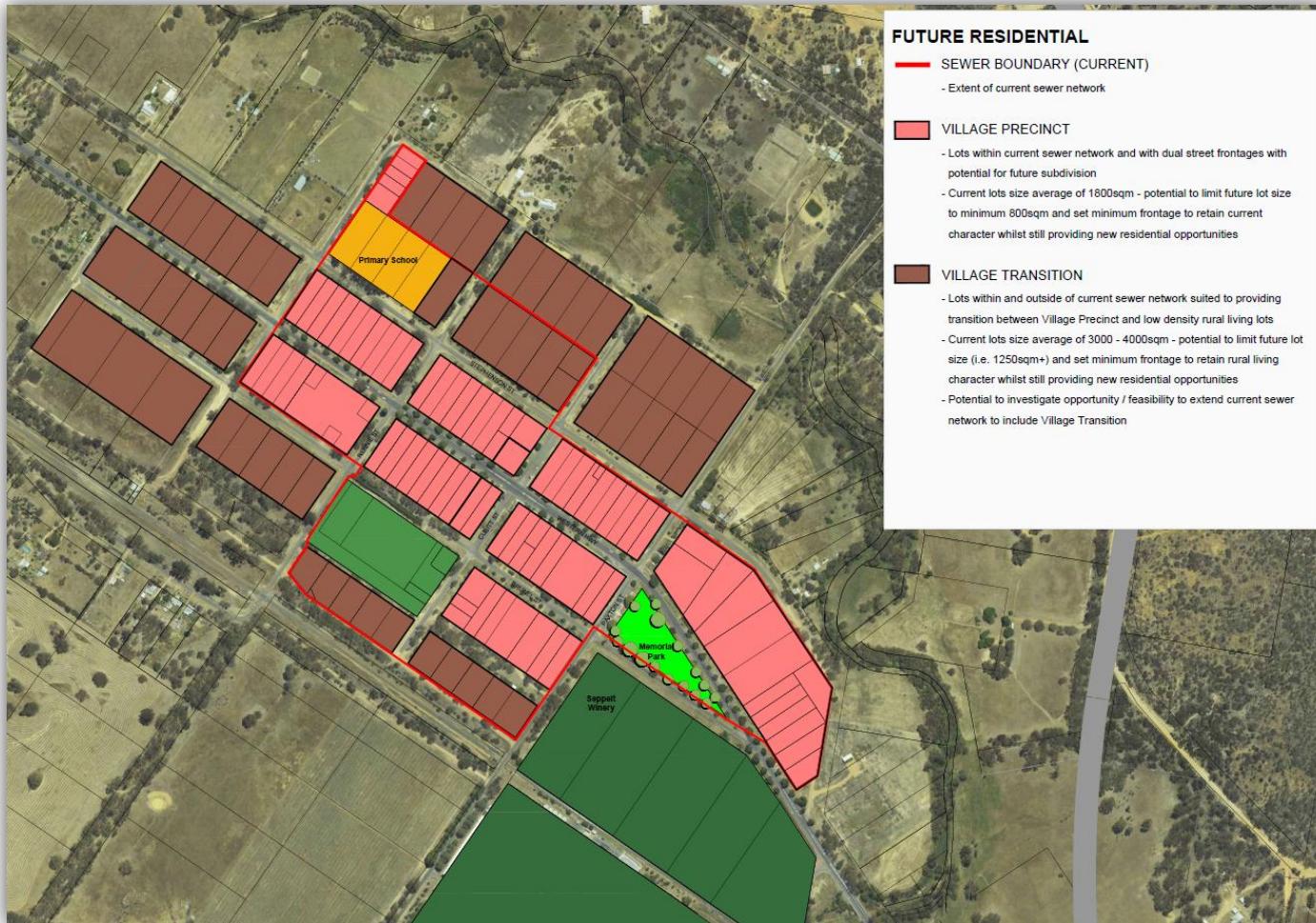


Figure 14 - Future residential concepts

## 5. Governance and advocacy

Like many small communities, Great Western is highly reliant on the participation and involvement of committed and passionate community volunteers for the delivery and management of township facilities and services. A key issue for communities is the capacity to sustain a number of associations and groups, encourage participation in community governance by a wide number of residents and reduce volunteer fatigue. There was strong community support for some level of rationalisation of effort to help deliver sustainability for groups and to collectively support community projects and initiatives. The GWFP therefore recommends that the community works together to identify how and where various activities can cohesively work under a Great Western Future Plan Committee, whilst allowing for the necessary autonomy and self-governance of particular interest groups. This Committee would also provide oversight for the implementation, evaluation and achievement of the GWFP. The capacity of Great Western residents to provide this oversight is evident in the number of successful projects and services they have achieved and continue to achieve.

**Table 5 – Governance and advocacy strategies**

Key opportunity themes	Priority recommendations	Implementation strategy
Support the sustainability of community resources and the implementation and oversight of the Great Western Future Plan	<ul style="list-style-type: none"> <li>▶ Consider the establishment of a Great Western Future Plan Committee to act as a liaison, communication and reference group between NGSC, the wider community and key partners on the ongoing implementation and review of the Great Western Future Plan. Representation should include:           <ul style="list-style-type: none"> <li>▶ Local businesses and associations;</li> <li>▶ NGSC;</li> <li>▶ Youth representative</li> <li>▶ Grampians Tourism; and</li> <li>▶ Secondment or invited participation of relevant stakeholders when activities or issues warrant wider, specified inclusion.</li> </ul> </li> <li>▶ Develop a terms of reference for the Committee to be developed as a partnership between the community, communities of interest and NGSC.</li> </ul>	<ul style="list-style-type: none"> <li>5.1. Council to support the facilitation of a community governance forum with key community groups and associations to collectively determine how to progress and establish the proposed Great Western Future Plan Committee.</li> <li>5.2. An agreed Committee Terms of Reference to be developed to clearly define the purpose, role, responsibilities and governance framework of the Committee to be reviewed on an annual basis.</li> </ul>
Maintain discussions with VicRoads on community issues associated with Bypass plans	<ul style="list-style-type: none"> <li>▶ Council and community to continue to advocate on planning and design issues associated with the Bypass to relevant responsible authorities, and in particular the strong community position on having a further westbound exit ramp in the vicinity of Bests Road.</li> </ul>	<ul style="list-style-type: none"> <li>5.3. Under the auspices of the proposed Committee maintain and strengthen lines of dialogue and communication between the community, Council, VicRoads and other key agencies on issues that are important to the community in relation to the Western Highway Duplication and Great Western bypass projects.</li> </ul>

Key opportunity themes	Priority recommendations	Implementation strategy
Manage the impacts of future Highway and Bypass construction activities	<p>Through partnerships between NGSC, VicRoads, Grampians Tourism and other agencies, develop an 'open for business' strategy to mitigate potential disruption to Great Western business and access issues.</p>	5.4. As 5.3.



## Future Plan key elements

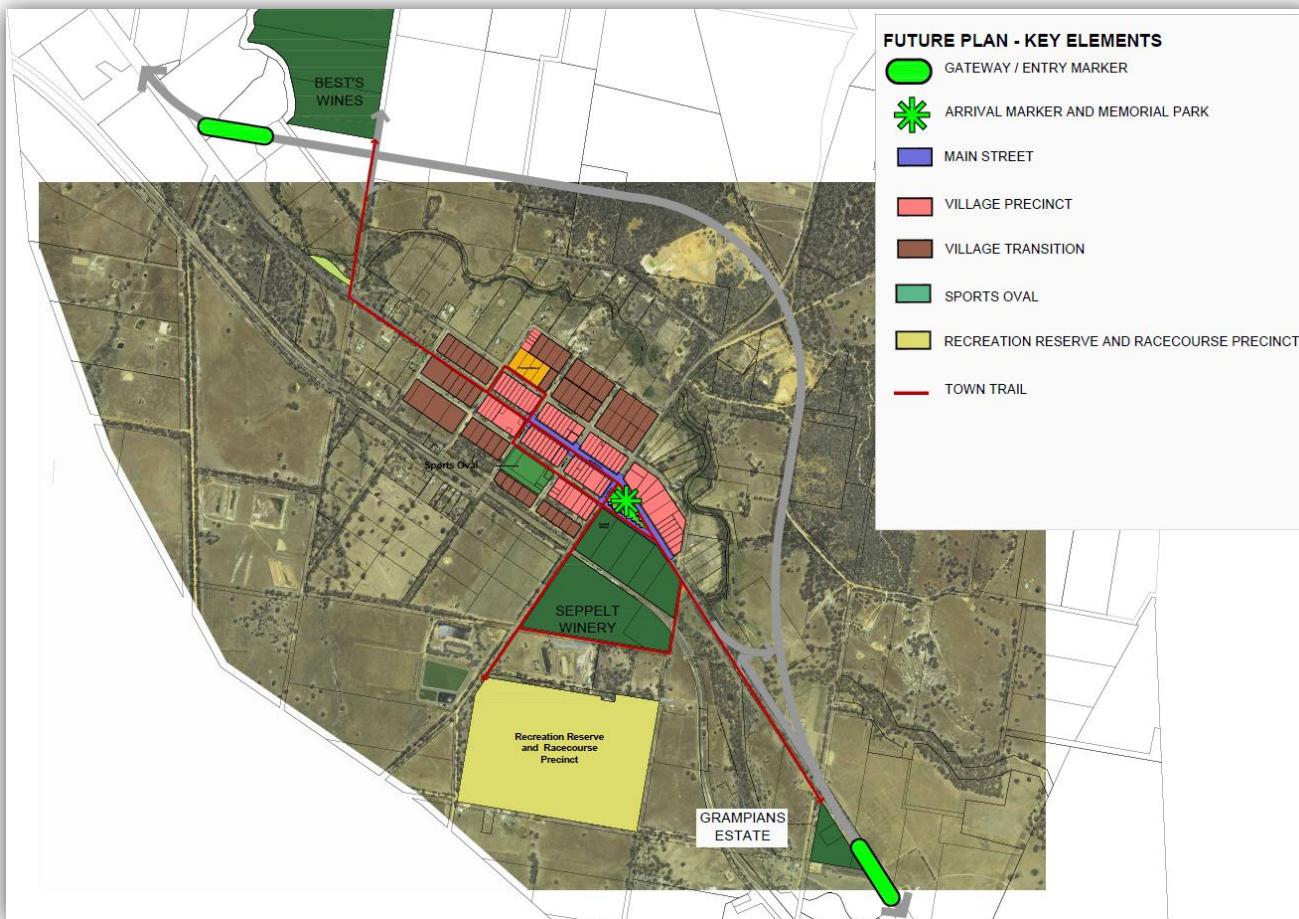


Figure 15 - Future Plan key elements

## Implementation plan

	Timeframe			Responsibility / partnership – Lead (L), Partner (P)						Indicative investment		
	Short 0-2yrs	Medium 2-5yrs	Long 5-10yrs	Council	State Govt	Community	VicRoads	Grampians Tourism	Other	Low <\$100k	Medium <\$500k	High >\$500k
Endorse the Great Western Future Plan	●			L		P				●		
<b>1. Tourism and economic development</b>												
1.1 Commission professional design concepts, brand messages, brand strategies and logos that should integrate the marketing, promotion and positioning of Great Western, and to inform future design and interpretation elements proposed under the Future Plan.	●			L		P		P		●		
1.2 Through active participation on Grampians Tourism, ensure that the tourism development opportunities for Great Western are considered and included in future tourism investment and product development strategies.	●	●	●	P		P		L		●		
1.3 In a partnership between the community, Council and Grampians Tourism, commission a Great Trail Implementation Plan to include possible trail route(s), costings, design and supporting assets and infrastructure that would be required to enhance its link to the Great Western visitor product and support community use.		●		L		P	P	P		●		★ <sup>2</sup>

<sup>2</sup> Implementation phase

	Timeframe			Responsibility / partnership – Lead (L), Partner (P)						Indicative investment		
	Short	Medium	Long	Council	State Govt	Community	VicRoads	Grampians Tourism	Other	Low	Medium	High
	0-2yrs	2-5yrs	5-10yrs							<\$100k	<\$500k	>\$500k
<b>1. Tourism and economic development cntd....</b>												
1.4 Seek EOIs from signage designers and copy writers to develop a program of signage and other information sources and treatments.		●		P		L	P	P			●	
1.5 Council and Grampians Tourism to work with the community on opportunities to enhance existing events and to support the development of new events that are based upon the wine and food product of the region. This could include development of an umbrella event(s) and activities for Great Western as part of the existing Grampians Grape Escape Wine and Food event.	●	●	●	P	P	L		P		●	●	
1.6 Through a partnership between community, Council and Grampians Tourism, develop informative marketing collateral for Great Western that can be utilised in online, print and media channels and that aligns to the township signage project as above.	●	●		L		P		P		●		
1.7 Include assessment of camping and caravan facilities as part of the proposed Master Plan for the Recreation Reserve and Racecourse Precinct.	●			L	P	P		P	P	●		
1.8 Council to work with the community on supporting the attraction and retention retail and food outlets and provide proactive assistance and advice to new and existing operators in relation to statutory and other business management requirements.	●	●	●	P		L				●		

	Timeframe			Responsibility / partnership – Lead (L), Partner (P)						Indicative investment		
	Short	Medium	Long	Council	State Govt	Community	VicRoads	Grampians Tourism	Other	Low	Medium	High
	0-2yrs	2-5yrs	5-10yrs							<\$100k	<\$500k	>\$500k
<b>1. Tourism and economic development ctd....</b>												
1.9 Continue to promote and support local and regional food and wine networks.	●	●	●	L		P				●		
1.10 Support the development of a Western Highway Discovery Trail and where possible, integrate into future VicRoads Highway planning and implementation strategies.		●	●	P		L	P	P			●	
<b>2. Gateway and streetscape treatments</b>												
2.1 Seek EOIs to interest to undertake a Township Design and Streetscape Plan to be undertaken take in a stage approach to align to future planning and implementation of the Western Highway Duplication and Great Western bypass project.	●	●		L		P	P	P		●		
2.2 Integrate design and implementation of gateway and township interpretation elements, signage and landscaping treatments into the proposed Streetscape Design Plan.	●	●		L		P	P	P		●		

	Timeframe			Responsibility / partnership – Lead (L), Partner (P)						Indicative investment		
	Short	Medium	Long	Council	State Govt	Community	VicRoads	Grampians Tourism	Other	Low	Medium	High
	0-2yrs	2-5yrs	5-10yrs							<\$100k	<\$500k	>\$500k
<b>3. Community assets and services</b>												
3.1 Seek EOIs for the development of a detailed Master Plan for the Recreation Reserve and Racecourse Precinct to include a business case and preliminary design and infrastructure costings. Ensure a robust program of community consultation and participation is included in project planning and management and delivery activities.	●			P	P	L		P	P	●		★ <sup>3</sup>
3.2 Seek EOIs for the development of a Master Plan for the Memorial Park as described to include a program of robust community consultation.	●			P	P	L	P	P		●		
3.3 Partner with the community to update the current Great Western community website with current information.	●			P	P							
3.4 Liaise with local real estate agents, schools and major employers to seek support for the promotion of the Great Western, Great Town information pack to potential new residents	●			P	P	L				●		

<sup>3</sup> Implementation phase

	Timeframe			Responsibility / partnership – Lead (L), Partner (P)						Indicative investment		
	Short	Medium	Long	Council	State Govt	Community	VicRoads	Grampians Tourism	Other	Low	Medium	High
	0-2yrs	2-5yrs	5-10yrs							<\$100k	<\$500k	>\$500k
<b>4. Living, lifestyle and planning</b>												
4.1 Incorporate policy and direction guidelines into the Northern Grampians Planning Scheme.	●			L	P	P				●		
4.2 Update the existing Great Western Urban Design Framework to reflect recommendations and incorporate into the Northern Grampians Planning Scheme	●			L	P	P				●		
4.3 In partnership with GWM Water, provide support and advice to existing and new residents on the processes for connection to the sewerage scheme	●			P		P			L	●		
4.4 Develop and incorporate Wastewater Management Guidelines for the sustainable management of onsite waste water within the township and modify the Local Planning Policy Framework accordingly.	●			L		P			P	●		
4.5 Updates and revisions to the UDF can be largely completed by NGSC and also integrate into current and future planned revisions and updates to the local planning scheme.	●			L	P	P				●		

	Timeframe			Responsibility / partnership – Lead (L), Partner (P)					Indicative investment			
	Short	Medium	Long	Council	State Govt	Community	VicRoads	Grampians Tourism	Other	Low	Medium	High
	0-2yrs	2-5yrs	5-10yrs							<\$100k	<\$500k	>\$500k
<b>5. Governance and other matters</b>												
5.1 Council to support the facilitation of a community governance forum with key community groups and associations to collectively determine how to progress and establish the proposed Great Western Future Plan Committee.	●	●	●	P		L				●		
5.2 An agreed Committee Terms of Reference to be developed to clearly define the purpose, role, responsibilities and governance framework of the Committee to be reviewed on an annual basis.	●											
5.3 Under the auspices of the proposed Great Western Future Plan Committee maintain and strengthen lines of dialogue and communication between the community, Council, VicRoads and other key agencies on issues that are important to the community in relation to the Western Highway Duplication and Great Western bypass projects.	●	●	●	P	P	L	P	P		●		

## Funding strategies

The following provides a summary of primary projects that will require a level of planning investment and funding. Implementation costings for infrastructure works are not known at this stage, as they will be informed by outcomes and recommendations from proposed planning activities. Given the cyclical nature of government budgets and funding programs, potential funding sources are provided based on what is understood to be available at the time of writing. Based on current knowledge, funding programs that could support proposed projects include:

- ▶ AusTrade's Demand-driver Infrastructure programme (tourism) that is currently under development with no guidelines or program details currently available;
- ▶ State Government's Regional Growth Fund including Putting Locals First, Local Government Infrastructure Program and the Local Community Initiatives Program;
- ▶ State Government's Sport and Recreation based funding such as the Community Facility Funding Program (Recreation Planning and Facility Feasibility);
- ▶ Tourism Victoria's Country Victoria Events Program; and
- ▶ Grampians Tourism discretionary project funds as well as incorporation of projects that may fall under their priority project investment strategies

As with any Government or other funding, the process for securing funds is highly competitive, subject to budget allocations and generally requires supporting contributions from Councils and / or communities of interest. The Future Plan provides grant information as a guide only. Funding may be subject to specific funding rounds and may also require the support of the relevant Regional Development Association Board.

### Summary of funding guidelines

**Table 6 – Possible funding program summary**

Program name	Department	Category / Purpose	\$ available	\$fund:\$contribution
Putting Locals First	Regional Development Victoria	Local Strategic and Project Planning	Up to \$30,000	\$3:\$1
Improved Local Infrastructure		Priority local infrastructure project implementation	\$300 - \$500k	\$2:\$1
Local Community Initiatives		Community-based skills and leadership development	Up to \$150,000	\$3:\$1
Community Facility Funding Program	Sport and Recreation Victoria	Major Facilities project implementation	Up to \$650k	\$1:\$1
		Minor facilities project implementation	Up to \$100k	\$2:\$1
		Planning – Facility Feasibility	Up to \$30,000	\$2:\$1
Country Victoria Events Program	Tourism Victoria	Potential and existing planning and development	Up to \$10,000	\$1:\$1

**Table 7 – Funding strategies**

Project	Indicative cost	Council	Community	State Govt	Other	Comments
Great Western Brand and Marketing Concepts development	\$12,000	\$4,000		\$8,000		
Great Trail Implementation Plan	\$20,000	\$5,000		\$15,000		
Township Design and Streetscape Plan	\$70,000	\$17,500	0	\$52,500		
Great Western Signage and Information Design Implementation	\$120,000	\$60,000	\$10,000	\$40,000	\$10,000*	*Grampians Tourism *Tourism Victoria *Tourism Australia
Great Western Events Development	\$20,000	\$10,000		\$10,000		Grampians Tourism *Tourism Victoria *Tourism Australia
Online and print Great Western Tourism marketing	\$25,000	\$5,000	\$5,000	\$10,000	\$5,000*	* Grampians Tourism *Tourism Victoria *Tourism Australia
Western Highway Discovery Trail and Open For Business Strategy	\$50,000	\$20,000*		\$10,000	\$20,000*	*Corridor Councils and VicRoads
Recreation Reserve and Racecourse Precinct Master Plan	\$55,000	\$20,000	\$5,000	\$30,000		
Great Western Memorial Park Master Plan	\$20,000	\$5,000		\$15,000		
Great Western, Great Lifestyle promotion packages	\$15,000	\$10,000	\$2,500		\$2,500*	*Business advertising revenues
Total*	\$407,000*	\$156,500	\$22,500	\$190,500	\$37,500	*Excludes costings for infrastructure and other works associated with recommendations and implementation of the final Recreation Reserve Master Plan and Streetscape Design Plan and Memorial Park Master Plan.



**SED**

# GREAT WESTERN ENGAGEMENT REPORT



Prepared by: Northern Grampians Shire

Communities Department  
2019



## Engagement Report 2019

### SUMMARY

The Great Western community participated in a month's long engagement activity to determine key priority projects to implement in their local community that support their current and future residents, businesses and visitors to the town.

The engagement project "Growing Great Western" was undertaken from June - August 2019, and comprised a range of methods to maximise participation across a range of groups, ages and experiences.

Previous consultation with the community and local stakeholders has resulted in the development of the Great Western Future Plan 2014 - 2024; this plan is essential in consideration when implementing findings of this engagement report - and can be found via [Great Western Future Plan 2014 - 2024](#) (appendix 2).

Local engagement activities have been undertaken to articulate community sentiment of Great Western, understand aspirations of the town in the future and to support the prioritisation and implementation of local projects.

Special acknowledgement and thanks to the Great Western Future Committee, Great Western Primary School community, Stawell Historical Society, the Great Western community and Northern Grampians Shire communities team. Your enthusiasm and passion for your community is to be commended as is your drive for Great Western's future.



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## 1. PURPOSE

The purpose of engagement was to determine local priority projects identified by the Great Western community. These were to include both community priorities for the development of Great Western and council investment in local infrastructure.

Engagement outcomes are to inform the following:

- Existing and future needs articulated by the community
- Potential impact of any future projects on the local community
- How local infrastructure and community assets are, and will continue to be, an integral component of local community life
- Identify future expansion of local spaces and community programs
- Scope and support future funding opportunities

## 2. INTRODUCTION

With a population of approximately 400 residents Great Western community responded significantly during the engagement period to provide a snapshot of community sentiment around local challenges, opportunities and priority projects.

During the community engagement period from June - August 2019 a total of:

- 96 survey responses were lodged (16 online and 80 hardcopy)
- 8 individual submissions received
- 782 comments heard
- More than 800 pieces of individual data collected and collated

Northern Grampians Shire Council (NGSC) officers have reviewed all consultation responses received and identified key feedback themes, as outlined in this report.

### 3. BACKGROUND

Previous community consultation had been undertaken with key stakeholders to develop the Great Western Future Plan 2014 - 2024. Recommendation from the plan included local governance and leadership to implement the plan which resulted in the establishment of the Great Western Future Committee (GWFC).

24% of the Great Western population participated in the online, or written survey. The majority of respondents were Great Western residents (97.7%) with the remaining (2.3) being visitors to Great Western.

The bulk (29%) of survey respondents were aged 35 - 44 years old, followed by under 16 year olds (17%), whilst participants aged over 55 years largely contributed during the open community sessions in the Great Western hall. The gender breakdown was relatively even with slightly more females (55%) than male (45%) participation.

The Growing Great Western engagement schedule had an effective reach across the local demographic and the mix of methodology ensured a range of ages and stages could contribute to local project ideas.

GWFC will be provided with the engagement report to determine what projects the community sees as local priorities. This will assist in determining where the GWFC will focus their efforts, implementation and advocacy to enhance local community sustainability and liveability.



## 4. ENGAGEMENT METHODOLOGY

Community engagement was conducted over a 10 week period from June to August 2019, and consisted of a variety of activities to provide opportunity and experiences for the Great Western community to participate in Growing Great Western.

Consistent questions were posed to participants in a variety of settings; online, community walks and open community sessions hosted in the Great Western hall.

Each engagement activity was based on 5 consistent themes to ensure an effective cross section of qualitative data representative of a range of ages and stages.

The key themes were based on:

- *Existing assets*: Highlight landmarks and local places that are important to you...
- *Visitors*: What do you want visitors to say about Great Western...
- *Community values*: What makes Great Western a great place to live...
- *Identity*: Is the “wine village” identity of Great Western important to you...
- *Future*: How would you spend \$10M on local projects to Grow Great Western...

ENGAGEMENT ACTIVITY	OVERVIEW
Engagement co design workshop	June 2019 Facilitated engagement codesign workshop in Great Western to determine key messages, local groups and intention of the community engagement design.
Media and online platforms	July 2019 Media release and video diary announcing the launch of the Growing Great Western community engagement.  Social Media posts and shares via local social media platforms GWFC NGSC GWPS  Local communication platforms Survey participation was promoted through local newsletters and notice boards. NGSC EngagiNG website page
Community Walks	29 July - 7 August 9 community walks were conducted at various times/days in Great Western on site to understand key issues of concern, consideration and ideas for future development projects.



## Engagement Report 2019

Growing Great Western Survey (appendix 1)	22 July - 31 August 96 surveys responses received ((80 written, 16 online) 8 individual submissions Several survey drop off points located throughout Great Western
Catch up with a Councillor	3 x scheduled Councillor conversations were held at the local cafe and pub where residents could drop by to have a conversation with their local public representative.
Community consultation open hall sessions	5 August - 16 August 13 pop up sessions (days) were held in the Great Western Hall during, and out of business hours. In excess of 780 comments (written, drawn, spoken) were recorded.  Sessions were hosted by Council officers for residents, visitors, community groups and businesses. <ul style="list-style-type: none"><li>• Historical society prepared a history of Great Western for display</li><li>• Great Western Primary School participated in providing children's perspective to engagement</li><li>• NGSC departments provided examples of streetscape materials, design, colour palette and use for participants to nominate their preferences.</li></ul>

### 4.1 Codesign Workshop

The engagement period commenced with a facilitated codesign workshop in Great Western with Great Western Future Committee (GWFC) representatives, local community leaders and officers from NGSC (planning, infrastructure and communities) departments. The purpose of the workshop was to ensure engagement methods were representative of local people, places and opportunities for a broad cross section of participation to support implementing priority project post engagement.

### 4.2 Growing Great Western Survey (appendix 1)

The primary engagement tool was a survey designed to provide participants with an opportunity to articulate local community strengths, sentiment, opportunities and improvements they would like to see in Great Western.

Simple demographic data was collected to monitor engagement reach across age, gender, experiences and if participants wanted to submit contact details to receive engagement fundings they could.

Open survey questions were intended to gain an understanding of the community's values, local sentiment and civic pride to consider future projects in Great Western.

The survey was available:

- Online via Northern Grampians Shire Council engagement page
- Hard copy available in Great Western at; local cafe, post office, school, pub and football/netball club
- Social media promotion and linked to the online form
- Great Western hall open sessions

#### 4.3 Open Hall Sessions

Sessions were hosted in the Great Western hall at various day, afternoon and evening sessions to ensure a broad cross section of the community could participate.

Open Hall sessions were promoted via social media platforms, local newsletters, notice boards, flyers and footpath signage on the days it was open.

The flexibility of these sessions allowed for opportunistic participants, especially visitors to Great Western who took advantage of providing feedback, mostly, verbally and completing a written survey.



**Above:** Great Western hall was styled in a welcoming manner for residents and visitors to provide feedback in a relaxed environment.



#### 4.4 Young People

There was strong engagement with the local Great Western Primary School (17% of overall survey respondents were aged under 16 years). NGSC communities team officers attended with the students onsite at the primary school and students and staff also participated in the open hall sessions during class time. Students were introduced to the purpose of engagement and asked a consistent series of open questions in a variety of ways

- What makes Great Western a great place to live, learn and visit
- What activities do you participate in Great Western
- What activities would you like to do in Great Western
- What do you want visitors to say about Great Western
- How would you spend \$10M in Great Western

Students were also led through hands-on activities in designing a safe and vibrant streetscape from a young person's perspective. This included traffic management, lighting, safe crossings and trees for amenity and appeal.

Community safety is a major concern for Great Western residents including community lighting, accessible pathways and traffic safety; for school aged children areas of particular concern are

- crossing the Western Highway
- way making throughout the township to participate in local activities (school, main street, memorial park, sporting and recreation facilities)

Student input from these sessions is included in the overall findings of this report.

*"To get to school I usually ride my bike to cross the big road (Western Highway), wait until it's all clear then jump on my bike, put my head down and ride as fast as I can to get all the way across (2 lanes of traffic) until I get to the other side." (Great Western resident - aged 10)*

## 5. FINDINGS

Following is an overview of the key findings as per the engagement undertaken - key themes and findings have been presented by the highest number of responses to the least [Appendix 4 provides a comprehensive breakdown of responses].

### 5.1 What makes Great Western a great place to live?

*"I love this great community." (survey respondent)*

Key theme	Key finding
Friendly and welcoming community	All ages are welcome - particularly family friendly
Community minded people	There is a great willingness of the local community to participate in Great Western's development into an enjoyable village for locals, visitors and new residents
People look after each other	Close knit community where all ages and stages are considered and cared for
Attractive natural surroundings	Connecting with nature is an important element of life in Great Western
Quiet and peaceful	The community enjoys the relaxed nature of the village atmosphere
Central location	Close proximity to Ararat, Stawell, the Grampians and regional centres for enhanced services, activities and facilities  Connection to Vline transport  Close proximity to secondary schools
Local primary school	School provides a hub for families and the community  Community are proud of the history of their school



## 5.2 Landmarks and local places of importance.

To determine the community sentiment and places of local significance survey participants were asked what places and local landmarks were of particular importance to them. Below are the collated responses

Key theme	Key finding
Great Western Football/Netball club	A place of local participation across all age groups for organised sporting programs as well as social activities and events.
Great Western Primary School	A local hub where families and community connect.
Memorial Park	Good facilities and amenities for locals and visitors. Playground, tennis courts and first point of call for visitors.
Local wineries	Seppelt's, Bests and Grampians Estate are important in Great Western's history. Underground cellars (at Seppelts) award winning winemakers are a unique local asset.
Places to eat	The pub, cafe and wineries are important places for locals to socialise and to cater for visitors with ease of access off the Western Highway.
My home	A strong sense of community, belonging and contributing to local life in Great Western.
Recreation reserve (racecourse, free camping)	The reserve is a place for events, horse racing, pleasure ride, large group gatherings and overnight visitors. A place of local importance that can be used for future activities.
Open space	Locals enjoy the connection to nature and rural lifestyle
Places to walk	Active participation is enjoyed on local roads, trails, reserves and the racecourse
Local history	Old buildings, stories, locations, wineries, underground drives and Seppelts vines (St Peters).



### 5.3 What activities do people participate in Great Western?

Key theme	Key finding
Great Western Football/Netball club	Locals and club supporters from outside Great Western participate in the club as players, spectators, volunteers and parents.
Local fundraising	Civic contribution to the community is evident through participation in the local school, fire brigade, rodeo, racing club and hall.
Memorial Park	Provides a family friendly space with a well equipped (junior) playground, amenities and there are tennis courts located on site.
Pub and cafe	A place of employment, socialising and welcoming visitors.
Cycling	Various options for visitors and residents to cycle.
Market	Quarterly community 'Makers Market', held at the Great Western hall, attracts a local and visiting crowd to Great Western.
Community outdoor cinema	Outdoor family cinema series run in Great Western locations
Pleasure ride	Community ran an annual recreational horse riding event hosted at the racetrack/recreation reserve that tours through local scenery.
Great Western Hall	Community hall hosts events, activities and provides a local community meeting place.
Scenic drives	The surrounding environment provides picturesque scenery and Great Western is part of the East Grampians Scenic route.
Horse racing	Local facilities and a volunteer base support participation in horse racing.



#### 5.4 What activities do people want to participate in Great Western?

Key theme	Key finding
Walking trails	A shared walk/cycle/run path throughout the township for locals and visitors connecting to <ul style="list-style-type: none"><li>- Local landmarks and facilities</li><li>- Historical sites</li><li>- Businesses</li><li>- wineries</li></ul>
Swim at a local pool	Swimming pool located in Great Western
Accommodation	More accommodation available in Great Western
Interpretive information	Wayfinding "I" sign for visitor information including <ul style="list-style-type: none"><li>- Historical information</li><li>- Local stories</li><li>- Places of interest</li><li>- Local flora and fauna</li></ul>
Memorial Park	<ul style="list-style-type: none"><li>- Larger and more challenging playground</li><li>- Tennis club and courts upgraded</li><li>- Public art space to create a welcoming and inviting entrance to town.</li></ul>
Older adults	Additional activities for older people available locally to reduce the need to travel to surrounding towns <ul style="list-style-type: none"><li>- Community mobile library van in town on a regular basis</li><li>- Bowls</li><li>- Dancing</li></ul>



### 5.5 What do you want visitors to say about Great Western?

The community of Great Western displays great pride in what it has to offer visitors. There is a strong focus on welcoming, hosting and further developing what the township has to offer to the visiting population.

*"It's a lovely friendly village focused on food and wine." (survey respondent)*

The unique history, landmarks and activities/events were a particular focus.

Key theme	Key finding
Friendly town	Visitors (and new residents) are made to feel welcome. Enjoyable time exploring local sites, with lots to see, do and explore
Quiet place	Enjoyed the provincial village feel of Great Western Experienced a connection to nature and the natural environment Clean, fresh country air
Food and wine	Great wineries Enjoyed local food and wine options Great hospitality
Character of the town	Loved the town's unique character Local arts and collectables available Vibrant Interesting local history
Local events and facilities	Enjoyed events throughout the year <ul style="list-style-type: none"><li>- Australia Day</li><li>- Winery events</li><li>- Rodeo (Easter)</li><li>- Day on the Green</li><li>- Football/netball season</li><li>- Makers Market</li></ul> Great playground and amenities Worthwhile stopping Enjoyed riding/walking between the wineries



## Engagement Report 2019

### 5.6 Is the wine village identity of Great Western important to you?



Yes 91%

*"(The) aesthetics of a wine village are important to the local identity."*

- Great Western was established because of the wine industry.
- It (wine) is the main drawcard, creating employment for many.
- It would be good if the streetscape works reflect the wine village similar to European villages.

No 9%

*"Great Western has a diverse history of wineries, gold, horses and pioneers."*

- Wine is part of Great Western's history along with gold, horses, pioneering, agricultural and railway engineering history.

### **5.7 What local projects would you spend \$10m on in Great Western?**

There was a strong response to this question from the community. Responses have been collated into common themes in order of highest number of responses to lowest.

There was an overwhelming response from the community to have a shared pathway for riding/cycling/walking to cater for the local and visiting population. An enhanced local experience, with an accessible pathway and building on the opportunity for cycling tourism, is a local project that residents showed great enthusiasm for. This is intended to enhance the connection with nature, local businesses, wineries and provide local infrastructure to participate in active recreation.

#### **Getting Around**

<b>Key theme</b>	<b>Key finding</b>
Shared pathway	A connected tracks and trails pathway through the township (walk/ride/run) to include <ul style="list-style-type: none"> <li>- local landmarks</li> <li>- Heritage trail</li> <li>- Wineries</li> <li>- Railway track</li> <li>- Bushland</li> <li>- Showcasing local buildings</li> </ul> Crushed rock surface to compliment the village theme.
Cycling tourism	Accessible ride/walk path from each end of town Great Western to Halls Gap rail trail



\* A shared pathway is a local project the Great Western community supports



## Engagement Report 2019

Developing the brand of Great Western that is reflective of the town's values, assets and identity was the second most consistent theme. Great Western has a proud local history built on wine, gold mining, agriculture and local education, with an active school community. Building the brand through contemporary signage, styling, marketing and media collateral to attract visitors and new residents is highly valued by the Great Western community.

Town entrance signage, wayfinding and streetscape design is to be informed from Great Western's brand. Detailed elements of the brand were identified by the community as per key findings below.

### Marketing Great Western

Key theme	Key finding
Great Western's history	Promote and share Great Western's history with <ul style="list-style-type: none"><li>- a local information centre</li><li>- Renewed plaques on historic buildings around town</li></ul>
Promoting Great Western	Printed and online marketing material to include <ul style="list-style-type: none"><li>- Accommodation</li><li>- Wineries</li><li>- Local history (wine, sheep, gold, horses, school)</li><li>- events</li></ul> Destination marketing with neighbouring towns/regions <ul style="list-style-type: none"><li>- Local trails and driving between Moyston, Grampians, wind farms, spa country</li><li>- Great Western as a weekend destination, rather than a stop over point or day trip</li></ul>
Great Western township branding	Interpretive signage (including historical trail) throughout the town  Wayfinding with local information signage at Memorial Park and Bests Rd Information area  Trail brochures  Advance signs prior to town entrance:



## Engagement Report 2019

	<ul style="list-style-type: none"><li>- Historic Wine Village 3km ahead</li><li>- Town features i.e. food, heritage trail, park</li></ul>
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Examples of town interpretive and wayfinding signage



Survey respondents and participants in the community hall forum provided enthusiastic contributions to inform future town design, streetscape and amenity development.

Reflecting a provincial village atmosphere is important to locals when considering future design, enhancements and development in Great Western. Undertaking streetscape design, and phased implementation with consideration for Western Highway project development, is a project the community is supportive of progressing in the short term.

The following elements are key community considerations for informing the future streetscape design and infrastructure development:

### Town Design

Key theme	Key finding
Town design sentiment	<ul style="list-style-type: none"><li>- Aesthetics that reflect provincial character</li></ul>
Footpaths	<ul style="list-style-type: none"><li>- Consistent footpath materials throughout the town (discuss with heritage architect)</li><li>- Pavers through the main street area and crushed rock that reflect a village theme elsewhere</li><li>- Access friendly paths for wheelchairs, children and walking frames</li></ul>
Streetscape	<ul style="list-style-type: none"><li>- Main street design that looks and feels like a village</li><li>- Consideration for creativity in design</li><li>- Quality repairs and restoration [for shop and business fronts - consideration for grants to assist]</li><li>- Planter box treatment for water trough at the pub [similar to Ararat's Langi Morgala museum]</li></ul>
Lighting	<ul style="list-style-type: none"><li>- Community lighting to assist walkers, riders and visitors that are bollard style solar/sensor LEDs</li><li>- Gooseneck provincial style</li></ul>
Safety	<ul style="list-style-type: none"><li>- Cross roads, pedestrian safety (particularly near the highway) included as part of the urban design</li><li>- Flood mitigation design planning</li></ul>



## Engagement Report 2019



Interpretation of streetscape materials to inform design: L - paved business area C - stylised bins reflective of town theme (grapes, horses, gold, sheep) R - provincial style street lighting

### Town Design continued...

Key theme	Key finding
Planning regulations	<ul style="list-style-type: none"> <li>- Inform building, renovations and additions to residential and commercial property</li> <li>- Design and development overlay to inform signage and maintain heritage consistency</li> <li>- Protect Great Western's history with a historical design/overlay</li> <li>- Flood mitigation design planning</li> </ul>
Landscaping	<ul style="list-style-type: none"> <li>- Trees and occasional seating would make the street more appealing and welcoming to park along both sides of the street.</li> <li>- Plant shade trees along Stephenson St</li> <li>- Regular mowing along Stephenson St</li> </ul>
Cubitt Street	<ul style="list-style-type: none"> <li>- Angle parking</li> <li>- Shade giving trees</li> <li>- Seating with weather protection</li> </ul>
Safety	<ul style="list-style-type: none"> <li>- School bus stop weather protection and seating</li> <li>- Traffic island across the highway towards the footy oval</li> <li>- Gum tree removal on Brunel street</li> <li>- Crossing the highway: Pedestrian crossing Reduce speed limit on the Western Highway</li> </ul>



## Engagement Report 2019

Future land use	<ul style="list-style-type: none"> <li>- Divide large blocks to accommodate more housing</li> </ul>
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Example of restored water trough to be included in streetscape restoration work of the Great Western main street

### Local Infrastructure

Key theme	Key finding
Amenity and services	<ul style="list-style-type: none"> <li>- Sewerage to every property</li> <li>- Address the drainage issues throughout the town</li> <li>- Kerb, channeling and concrete guttering beyond the main street</li> <li>- Mains gas</li> <li>- Green waste monthly collection</li> <li>- Quarterly free green waste vouchers to reduce bushfire risk</li> </ul>
Communication	<ul style="list-style-type: none"> <li>- Communication between Council and the community when local projects are being undertaken</li> </ul>
Traffic and speed management	<ul style="list-style-type: none"> <li>- Manage truck speeding down Stephenson St to the Ararat end of Great Western</li> <li>- Manage speed by closing hwy/Brunel street intersection</li> <li>- Speed humps installed on Stephenson street</li> <li>- Lower highway sign as it blocks RHT vision into Cubit St</li> </ul>



Memorial Park provides a central point in Great Western for residents to participate in community activities, recreation and socialising, and provides a welcoming rest site for visitors with amenities, parking and in close proximity to local businesses. There was a range of feedback on the current and future use of Memorial Park, as detailed below. A well designed precinct for local events, activities and hosting travellers are key elements to include in future planning of the park.

### Memorial Park

Key theme	Key finding
“Pop Up” Community events	<ul style="list-style-type: none"><li>- Markets</li><li>- Outdoor film nights</li><li>- Community social events; shared between local groups to host</li><li>- Public art installation</li><li>- Information board/interactive screen</li><li>- Food stalls and local wines</li><li>- Pizza oven and communal meeting space</li><li>- Petanque</li><li>- Skate park</li><li>- Extended playground</li><li>- Festivals: end of harvest, live music, beer and wine</li></ul>
Tennis courts	<ul style="list-style-type: none"><li>- Upgrade and fence the tennis court at the current location</li><li>- Mid week social and junior tennis</li><li>- Re-purpose the courts for outdoor games; tic, tac, toe and snakes and ladders</li></ul>
Visitor parking	<ul style="list-style-type: none"><li>- Retain as a visitor stop over point</li><li>- Caravan and camper parking at Brunel Street parking area</li></ul>



### Sport and Recreation

A recreation master plan has been developed and is currently being implemented. [appendix 3].

The following points were made during the engagement period.

Key theme	Key finding
Multipurpose	<ul style="list-style-type: none"><li>- All sporting activities to remain at the same hub (netball, football, soccer, tennis, cricket)</li><li>- Mid week social tennis</li><li>- Community arts</li><li>- Skate park</li><li>- Community asset for the whole town for events and fundraising</li><li>- Community pool/aquatics centre</li></ul>
Facility upgrade	<ul style="list-style-type: none"><li>- Female friendly facilities <i>“Female friendly facilities so under 12 girls don't have to use the men's WC”</i> (parent of under 12 cricketer).</li><li>- Sheltered areas for use during poor weather</li></ul>

## 6. GENERAL OBSERVATIONS

During the engagement period community feedback was received in various ways with a relatively even representation across age ranges.

Open sessions in the community hall were well received and the opportunity for face to face interactions were essential in understanding key community priorities. This provided a forum for discussion of local ideas on how residents and visitors want to experience Great Western in the future.

Ongoing updates of local projects, improvements, opportunities and works is important for the local community to stay informed, the Great Western Future committee are the central contact for communicating with residents.

## 7. CONCLUSIONS

The community values the village sentiment of Great Western and the legacy of its diverse local history including wine, gold, agriculture, horses and the local school. These stories are central to Great Western's identity and sharing them with residents, visitors and future residents is important to the local community.

Providing a visitor experience that is welcoming, friendly and hospitable through; local food, wine, history and connection to the natural environment is part of the unique offering that Great Western wants to capitalise on in the future. The community is positive about future development and opportunity that the Western highway by-pass will enable to create a provincial village experience - tailored to the contemporary traveller and future residents.



Engagement Report 2019

# APPENDICES

Great Western Engagement Report 2019

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## APPENDIX 1



Given name/s:

E-mail

Postcode

Gender  M  F  Prefer not to say

Age range  U16  16 - 24  25 - 34  35 - 44  45 - 54  55 - 64  65+

What makes Great Western a great place to live?

What landmarks, local places and activities are important to you?

What activities do you participate in at Great Western?

What activities would you like to do in Great Western but currently can't, and why?

What do you want visitors to say about Great Western?

Is the "wine village" identity of Great Western important to you?

Yes

No

why/why not

You have \$10M to "Grow Great Western" by spending on local projects. What/where would you spend your cash?

Additional comments:



## Appendix 2

### Great Western Future Plan

[Great Western Future Plan 2014 - 2024](#)

## Appendix 3

### Great Western Public Park and Garden Reserve Redevelopment Masterplan 2018 - 28

[Great Western Recreation master plan 2018 - 28](#)

## Appendix 4

### Survey and Open Hall session findings

#### Comments and survey results by participants

(all answers are presented from the highest number of responses to the lowest)

##### What makes Great Western a great place to live

- Friendly (including family friendly)
- Community minded people
- People look after each other
- Quiet and peaceful
- Attractive natural surroundings
- Food and wine
- Local Primary school
- Central location (conveniently close to Stawell, Ararat, Grampians and regional centres)
- Connection to larger centres (Vline stop) for access to Melbourne
- (There are) places to have a coffee locally
- (I can) pick up the paper
- Village atmosphere
- Close connection to secondary schools (Ararat and Stawell)
- Unique local history - grapes and gold

*"I love this great community."* (Great Western Primary School student)



## Engagement Report 2019

### What landmarks, local places and activities are important to you

- Footy/Netball club
- School
- Memorial Park
- Wineries: Seppelt's, Bests and Grampians Estate
- My home in Great Western
- Eateries: pub, cafe, Steel Cutters and Grampians Estate

*"My favourite thing to do is go to the pub with my family."*

*"Easy access off the highway to local places to eat."*

- Recreation reserve
- Open space
- Places to walk
- Post office
- local historical locations and stories
- Store
- Tennis courts
- Vines in front of Seppelts
- Horse racing
- Market

*"Bests and Seppelts are especially well known award winning winemakers, with a rich history.  
The underground cellars are unique and an amazing asset that needs to be marketed."*

- Art: the historic tollgate was a generic theme through the township
- Old buildings
- Underground drives
- Birdlife
- Accommodation: B&Bs, pub and motel, Allanvale, camping at the racecourse

*"It's all important and we must keep all types of activities and sports in the town."*



**What activities do you participate in at Great Western**

- Football and Netball Club (this included player, spectator, volunteer, parents)
  - pub and cafe
  - Memorial park
  - Market
  - Cycling
  - Local fundraising
  - Pleasure ride
  - Community outdoor cinema
  - Scenic drives
  - Great Western Hall
  - Horse racing
  - Races
  - Rodeo
  - School events
  - Purchase Petrol
  - Toilets
  - Fire brigade
- 
- Tennis
  - None - limited activities for older people (i.e. bowls, library, dancing) that people travel to bigger towns for
  - Pickers/treasure hunter style shop/site within Great Western



## Engagement Report 2019

### What activities would you like to do in Great Wetsern but currently can't/ and why

Walking trails

- walk/cycle/ride paths throughout the township for locals and visitors to enjoy

Connect with local landmarks, historical sites, facilities, businesses and wineries

Information map of town with information for:

Wayfinding, "I" sign visitor information

(3) Local interpretive information - museum or historical society

Tennis - club and courts not happening

More retail/reasons to spend an afternoon

(4) More accommodation available locally

(4) Swim at a local pool

*"A local swimming for the community would be a welcome addition to Great Western."*

(2) Larger more challenging playground

None - Great Western's future depends on young families and a thriving school. Local activities should reflect that.

Public art

Inviting public space

Gardens for people to visit and relax

Community mobile library van on a regular basis



## Engagement Report 2019

### What do you want visitors to say about Great Western

- (12) Friendly, inviting, welcoming
- (7) Quiet place
- (7) great wine
  
- (5) great food
- (5) Connected to nature/natural environment
- (4) loved the character of the town
- (4) lots to see and do
- (4) interesting local history
- (3) local art and collectables
- (3) Stayed longer than expected
- (3) Enjoyed local events: wineries, Australia Day, Rodeo, local events/activities, Day on the Green, Football/Netball season
  
- (2) Great accommodation
- (2) ride/walk between the wineries
- (2) Want to visit again
- (2) great playground and amenities
- (2) worth while stopping
- (2) Enjoyable stay

Clean, fresh country air

Vibrant

Great hospitality

"It's a lovely friendly village focused on food and wine."



## Engagement Report 2019

### Is the “wine village” identity of Great Western important to you

78 - Yes

(5) Great Western was established because of the wine industry. It is the main drawcard, creates employment for many.

*“Aesthetics of a wine village are important to the local identity.”*

Would be good if the streetscape works reflect the wine village similar to European wine villages

Deep in history and have some of the best wines in Australia that we should be proud of.

GW identity should incorporate wine and gold

Something special - inviting

Consider the eclectic history of wine, gold, ag (sheep/fine wool), railway engineering history

(4) *“Wine Village identity reflects the town well, the history is important.”*

12 - No

Great Western is tagged as a Wine Village due to local wineries and windermaker histories I don't feel it needs to be the main feature of the town.

Diverse history in Great Western of wineries, gold, horses and pioneers

6 - nil response



## Engagement Report 2019

### What local projects would you spend \$10M on in Great Western

#### Marketing Great Western

3 - Great Western marketing include:

accommodation, wineries, local history (wine, sheep, gold, horse, school)

4 - Printed material, website

4- Link destination marketing with other towns (spa country, local trails/drives Moyston, Grampians, wind farms)

Great Western township branding

- Interpretive signage (include historical trail) throughout the town
- Wayfinding with local information signage at memorial park and Bests Rd. Information area
- Trail brochures

Weekend destination, rather than a stopping point/day trip

#### Getting around

34 - responses directly related to a walk, ride, run shared pathway developed through Great Western and surrounds connecting include local landmarks (town centre, sport and recreation facilities, school, heritage trail and wineries)

horse carriage rides between wineries

9 - Cycling tourism

Accessible footpath from end to end of town

Walking tracks: railway track, bushland and areas of historical interest

Great Western to Halls Gap (like Beechworth to Bright rail trail)

#### Our History

12 - Focus on Great Western's history with:

- Tourist and local walking tracks
- Showcasing local buildings
- Information centre
- Historic plaques renewed on historic buildings around town

#### Our Future

(4) Main Street beautification (once bypass has happened)

Grey nomad friendly town

Grey waste disposal site

Wind farm tours

Variety of food businesses

Additional accommodation options

Museum

School's history

Post bypass rebuild the main township into a european style wine village.

Sustainable village - Consider different options for generating energy to off grid and generate its own energy from solar or waste to energy

Encourage more artisan food vendors



## Engagement Report 2019

### Memorial Park

#### "Pop up" community events

- |   |   |
|---|---|
| - Markets   | 5 |
| - Social events   | 4 |
| - Public art installation   | 4 |
| - Information board/interactive screen                                    | 3 |
| - Shared community activities to share the workload with all local groups | 3 |
| - Food stalls and local wines   | 2 |
| - Outdoor film nights   | 5 |

Community outdoor space with pizza oven and communal meeting space for local social events, petanque, skate park, playground

Renew the fence that is along the main road in the same colour.

#### Tennis

2 - upgrade and retain the tennis courts at the current site in memorial park

- Mid week social and junior tennis

5 - Memorial park Brunel St parking area for caravanners/campers etc

Visitors to stop, shop, enjoy Great Western - shared walking/cycling trail that can commence at any point (memorial park is a great place for visitors)

Retain as a visitor stop over point

Town's history (wine, gold, horses, Great Western railway engineering history

<http://mikes.railhistory.railfan.net/r010.html>)

3 - Interpretation centre (open weekends)

Wine Village Festival at the end of harvest/picking season

3 - public events space for live music, bands, beer and wine festivals

Repurpose the tennis courts for tic, tac, toe and snakes and ladders

### Town Design

#### Streetscape

- Give the main street the village look and feel

#### Aesthetics that reflect

- Great Western's provincial/provedore character
- (5) Historical design/overlay
- Creativity in design
- Quality repairs and restoration (consideration for grants to make this happen)

#### Lighting

- Similar to Linton's artistic lamp post project
- walkway community lighting to assist walkers, riders that are bollard style solar, sensored LEDs.

Get the bypass happening

Great Western Hall kitchen upgrade



## Engagement Report 2019

Planter box treatment for the water trough at the front of the pub (similar to Langi Morgala museum in Ararat)  
Cross roads, safety considerations included as part of the urban design

### Flood mitigation design planning

#### Planning regulations to

- inform building, renovation and additions to residential and commercial property
- Regarding storage of old cars, portable buildings, building of pallet fences and old building materials left out in the weather
- Design and development overlay to inform signage and maintain heritage consistency

#### Landscape

- Trees and seating on both sides of Cubitt Street from the corner of Brunel St across the Highway & continue up the pub side, past Salingers & back to Brunel St. Trees & occasional seating would make the street more appealing & welcoming to park along both sides of the street.
- Plant shade trees along Stephenson St
- Regular mowing along Stephenson St

#### Footpaths

- Consistent footpaths throughout the town (discussed with heritage architect)

#### Cubitt Street

- Angle parking
- Shade providing trees
- Seating
- Weather protection

#### School bus stop

- Covered and seating

#### Traffic island on the way to the footy oval

#### Safety

##### Gum tree removal on Brunel street

Crossing the highway is a huge safety risk for everyone; kids going to and from school, visitors, locals

- Zebra crossing from The Pub to Salingers
- Reduce speed to 40km on Main Rd (western hwy)

*"To get to school I usually ride my bike to cross the big road (Western Highway), wait until it's all clear then jump on my bike, put my head down and ride as fast as I can to get all the way across (2 lanes of traffic) until I get to the other side."* (Great Western resident - aged 10)



## Engagement Report 2019

### Wayfinding

Advance signs prior to town entrance

- "Historic wine village 3km ahead."
- promote what's in town: food, heritage trail, park etc

### Local infrastructure

2- Sewerage to every property

4 - drainage issues throughout the town

Divide the large blocks to accommodate more housing

2 - Kerb, channeling and concrete guttering in more streets than Main St

Mains gas

2- Footpath connecting through the town

Football facility upgrades - bigger facilities and new scoreboard

2 - Close hwy/Brunel street intersection to manage traffic speed

Repair corner of Paxton and Stephenson St - to stop heavy trucks speeding down Stephenson St to the Ararat end of Great Western

### Great Western hall refurbishments

5 - Renovate the hall

Commercial kitchen facilities that everyone can use

Upgrade the toilets

Stage - makeover to attract entertainers, musicians and theatre groups

Sound system, lighting and automatic stage curtain

Air conditioning

Repair and maintenance: internal cracks in the walls and repaint

External pressure clean

### Communication

Local flyers

Updates on what is happening locally in Great Western

Communication from Council when projects are being undertaken

### Sport and Recreation

7 - All sports activities to stay at the same hub (netball, football, soccer, tennis, cricket)

- Mid week social tennis

Community Arts

4 - Female friendly facilities

Community asset for whole town use; user friendly for events/activities in addition to sport, fundraising, design as a multifunctional use

Skate park included in the sport and rec precinct

Club Room upgrade

"Female friendly facilities so under 12 girls don't have to use men's WC." (Parent)

6 - community pool/aquatics centre

2 - Shelter areas at the ground for use during poor weather



### **Additional comments**

Safety: 3- Stephenson Street - install speed humps to ensure children's safety  
Reduce speed through town to 50km  
Lower sign on Hwy as it blocks vision when doing a RHT into Cubbit St coming from Ararat  
6- Pedestrian crossing across the highway  
5- Walkable footpaths that are friendly for wheelchairs, frames and children  
Improved parking/traffic management at Paxton street  
Street light at petrol station junction

Open up the old general store

Lolly shop

Provedore

Ice cream shop

Inflatable world

It's a friendly place and I always tell visitors to stop over in Great Wetsern for a break on their way to the Grampians.

Green waste management: monthly waste collection

Free green waste vouchers to reduce bushfire risk - quarterly

New residents to town; link to local trades people, local groups/clubs/activities, understanding rural culture.

*"Pay us a visit - have a look!"*

*"Football club is amazing and has grown heaps!"*

*"We shouldn't need to promote Great Western as a place to visit we should be supporting it as a functioning interesting place that people want to see."*

# Great Western Future Plan Implementation Plan 2020



## Experiencing Great Western

## Showcasing Great Western

## Enhancing Great Western

Priority projects	Council	Community	Partner Organisations	Progress
<b>1</b> Great Trail Project 2020 - 2024	Commission a Great Trail Implementation Plan Stage 1 - route, design, materials and costings	Inform the development of the Great Trail implementation plan Signage program as part of the Great Trail visitor experience	Grampians Tourism Promote the Great Trail as part of Great Western's visitor experience.  VicRoads Regulatory, signage and safety	Implementation Plan developed Stage 1
<b>2</b> Branding Strategy 2020 - 2022	Commission professional design concepts, brand messages, brand strategies and logos to integrate marketing.  Develop Great Western marketing collateral for online, print and media channels.  Promote and support local and regional food and wine networks.	Work with signage writers to develop signage program and interpretative information.  Enhance existing events to support the development of new local food wine activities.  Update Great Western community website.  Develop Great Western new residents information pack.	Grampians Tourism Great Western marketing and events Future tourism investment and product development.  VicRoads Signage program	Professional branding package Interpretive signage program Marketing collateral developed New residents information packs
<b>3</b> Living, lifestyle and planning 2020 - 2022	Update existing Great Western Urban Design Framework.  Modify Local Planning Policy Framework with Wastewater Management Guidelines.  Provide support and advice to existing and new residents for sewerage scheme connection.  Provide statutory and business management advice to attract and retain retail and food outlets.	Support the attraction and retention of retail and food outlets.	Grampians Wimmera Mallee Water	Urban design framework updated - commenced Local planning policy framework Guidelines for future businesses and residents
<b>4</b> Future Plans 2020 - 2024	Township Design and Streetscape Plan - with phased project stages for Western Highway duplication and Great Western bypass project.  Partner with community on the Recreation Reserve and Racecourse Precinct master plan- inc caravan and camping assessment.	EOIs for Memorial Park masterplan.  EOIs for Recreation Reserve and Racecourse Precinct master plan  Western Highway Discovery Trail, integrate into future VicRoads Highway planning and implementation strategies.	VicRoads Grampians Tourism Council	Streetscape and Township Design  Memorial Park Masterplan  Recreation Reserve and Racecourse Precinct master plan

**9.2. Boost Economic Growth**

Nil

### 9.3. Providing Sustainable Infrastructure

#### 9.3.1. Schedule 13 Permits

**Author/Position:** **Kelly Boladeras, Emergency Management Officer**

#### Purpose

The purpose of this report is to brief Council on the intention to cease issuing Schedule 13 Permits to burn from the 2020/21 Fire Danger Period onwards.

#### Summary

It is our intention that the Northern Grampians Shire Council cease issuing Schedule 13 Permits from the 2020/21 fire season onwards. Responsibility for the issuing of Schedule 13 Permits in the Northern Grampians Shire will be transferred to the CFA (District 16).

#### Recommendation

**That Council supports the decision to cease issuing Schedule 13 Permits to burn from the 2020/21 Fire Danger Period, and that this responsibility is transferred to the CFA (District 16).**

#### RESOLUTION

**That Council supports the decision to cease issuing Schedule 13 Permits to burn from the 2020/21 Fire Danger Period, and that this responsibility is transferred to the CFA (District 16).**

**Moved:** Cr Kevin Erwin

**Seconded:** Cr Tony Driscoll

**Carried**

## **Background/Rationale**

There is no legal requirement under the *CFA Act 1958* (the Act) for municipal councils to assess applications and issue Schedule 13 Permits.

Due to the resources available, Council is unable to inspect properties prior to the issuing of Schedule 13 Permits. Not undertaking a property inspection prior to the issuing of the permit leaves Council and its officers vulnerable to liability. Council officers do inspect properties in relation to Open Air Permits to Burn under the Local Law, however we only process on average 20 of these permits per year.

As the subject matter experts in relation to burn permits issued under the Act, and the responding agency for out of control burns on non-compliant properties during the Fire Danger Period, it is logical and practical for the CFA to take responsibility for issuing Schedule 13 Permits.

This decision would be consistent with the other two councils in our fire district, Ararat Rural City Council and Pyrenees Shire Council.

## **Legislation, Council Plan, Strategy and Policy Implications**

Under the *CFA Act 1958*, there is no legal requirement for councils to issue Schedule 13 Permits. Under this Act, either councils or CFA may issue these permits.

## **Options**

### **Option 1**

Council supports the intention to cease issuing Schedule 13 Permits and hand this responsibility to the CFA (District 16). **[recommended]**

### **Option 2**

Council does not support the intention to cease issuing Schedule 13 Permits and hand this responsibility to the CFA (District 16). **[not recommended]**

## **Implications**

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

## **Community Engagement**

Nil

## **Innovation and Continuous Improvement**

This proposed change in service delivery will result in savings in officer time and will reduce the liability risk to Council and staff in relation to the issuing of these permits.

## **Collaboration**

This item was raised at the recent Municipal Fire Management Planning Committee meeting on 17 June 2020. The committee was informed of our intention to cease issuing Schedule 13 Permits in the upcoming fire season.

CFA District 16 Assistant Chief Fire Officer Bernie Fradd noted that the CFA will not be arguing against this change, and that they have been aware that it was imminent. Mr Fradd expressed the CFA's appreciation of the Council continuing to issue these permits over the past few years and particularly last year. This has enabled District 16 administration to have a better transition and testing of new processes with only Pyrenees permits to issue last year (rather than all three municipalities in the district).

**Northern Grampians Shire Council  
20200803 Council Meeting**

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CFA St Arnaud Group Officer Wayne Rourke also added his thanks to the Council for undertaking this responsibility over the years. Mr Rourke agreed that it "makes sense for CFA to do this rather than Shire".

**Officer's Declaration of Interest**

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

Kelly Boladeras, Emergency Management Officer

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

**Attachments**

Nil

### 9.3.2. Local Roads and Community Infrastructure Program

**Author/Position:** **Trenton Fithall, Director Infrastructure**

#### **Purpose**

To designate projects under the Local Roads and Community Infrastructure Federal Program.

#### **Summary**

The Federal Government announced the Local Roads and Community Infrastructure Program. This funding is aimed to stimulate growth and create jobs in local communities following the impacts of COVID-19.

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments. Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to council-owned assets that are generally accessible to the public.

Under this program Council is eligible for \$1,857,984 worth of projects to be physically completed by 30 June 2021.

#### **Recommendation**

**That Council adopts the proposed projects for the federally funded Local Roads and Community Infrastructure Program:**

- North Park Precinct Projects, Stage #1 Netball Court Upgrade
- Lord Nelson Park Multipurpose Sporting Facility Redevelopment, Roadworks
- Stawell Park Precinct Program, Perimeter Fencing
- Stawell Park Precinct Program, Hard Surface Surrounds
- St Arnaud Civic Precinct, Market Square - Junior Play Area
- St Arnaud Civic Precinct, Market Square - Nature Play
- Halls Gap Action Plan, Heath Street Upgrades
- Revitalising St Arnaud to increase Public Activity, Streetscape
- Revitalising St Arnaud to increase Public Activity, Road Rehabilitation

#### **RESOLUTION**

**That Council adopts the proposed projects for the federally funded Local Roads and Community Infrastructure Program:**

- North Park Precinct Projects, Stage #1 Netball Court Upgrade
- Lord Nelson Park Multipurpose Sporting Facility Redevelopment, Roadworks
- Stawell Park Precinct Program, Perimeter Fencing
- Stawell Park Precinct Program, Hard Surface Surrounds
- St Arnaud Civic Precinct, Market Square - Junior Play Area
- St Arnaud Civic Precinct, Market Square - Nature Play
- Halls Gap Action Plan, Heath Street Upgrades
- Revitalising St Arnaud to increase Public Activity, Streetscape
- Revitalising St Arnaud to increase Public Activity, Road Rehabilitation

**Moved:** Cr Karen Hyslop  
**Seconded:** Cr Rob Haswell

**Carried**

## **Background/Rationale**

The Federal Government, Department of Infrastructure, Transport, Regional Development and Communications, announced the Local Roads and Community Infrastructure (LRCI) Program on 22 May 2020. The program is designed to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies. This funding is aimed to stimulate growth and create jobs in local communities following the impacts of COVID-19.

The LRCI Program will run from 1 July 2020 to 31 December 2021, with projects required to be physically completed by 30 June 2021.

The LRCI Program aims to assist a community-led recovery from COVID-19 by supporting local jobs. It is expected that councils will use local businesses and workforces to deliver projects under the LRCI Program where possible to ensure stimulus funding flows into local communities.

The Program supports a broad range of eligible projects so councils can fund the infrastructure that they need, support businesses and create employment opportunities across their communities.

The Australian Government has announced a total of \$500 million for the LRCI Program. Funding is available from July 2020.

The formula used to calculate a funding allocation has been modelled on funding allocations under the Roads to Recovery Program (R2R) and the local road component of the Financial Assistance Grants Program.

Co-contributions are not required under the LRCI Program, although, council may choose to invest its own funds on eligible projects.

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments. This could include projects involving any of the following associated with a road:

- traffic signs
- traffic control equipment
- street lighting equipment
- a bridge or tunnel
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station)
- facilities off the road that support the visitor economy
- road and sidewalk maintenance, where additional to normal capital works schedules

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of eligible works include:

- Closed Circuit TV (CCTV)
- bicycle and walking paths
- painting or improvements to community facilities
- repairing and replacing fencing
- improved accessibility of community facilities and areas
- landscaping improvements, such as tree planting and beautification of roundabouts;
- picnic shelters or barbecue facilities at community parks
- playgrounds and skate parks (including all ability playgrounds)
- noise and vibration mitigation measures
- off-road car parks (such as those at sporting grounds or parks)

Projects must be additional to council's existing work plan for 2020-21. Projects that have been brought forward from post 2020-21 work plans will be considered additional.

A list of proposed projects have been developed and presented at a Councillor briefing on the 22 June 2020. The proposed projects were shortlisted from Council's draft 10 Year Capital Program, considering the eligibility criteria and capacity to deliver within the set timeframes.

The proposed projects are:

- North Park Precinct Projects, North Park Stage #1 Netball Court Upgrade
- Lord Nelson Park Multipurpose Sporting Facility Redevelopment, Roadworks
- Stawell Park Precinct Program, Perimeter Fencing
- Stawell Park Precinct Program, Hard Surface Surrounds
- St Arnaud Civic Precinct, Market Square - Junior Play Area
- St Arnaud Civic Precinct, Market Square - Nature Play
- Halls Gap Action Plan, Heath Street Upgrades
- Revitalising St Arnaud to increase Public Activity, Streetscape
- Revitalising St Arnaud to increase Public Activity, Road Rehabilitation

The proposed projects and the delivery of them are in addition to projects already proposed within the Draft 2020-21 Council Budget. Therefore the additional project management requirements unallocated within the Draft Budget have been considered and allowed for within the proposal.

Other projects considered include:

- Stawell Cemetery Improvement Program
- Stawell Airport Upgrade
- Infrastructure Program future projects

It is estimated that the LRCI Program and proposed projects will reduce the Rate Subsidy demand on Council's Draft 10 Year Capital Program by approximately \$1.25M.

Adopting the proposed Project will enable Council Officers to submit a works schedule in accordance with the Grant Agreement and commence project delivery.

## **Legislation, Council Plan, Strategy and Policy Implications**

Council Plan 2017-21

North Park Precinct Master plan 2020

Lord Nelson Park Precinct Plan 2014

Stawell Parks Precinct Plan 2019

St Arnaud Civic Precinct Plan 2014

Market Square Precinct Plan 2019

Halls Gap Action Plan

Halls Gap Master-Plan for Commercial Investment and Public Land Development 2016

## **Options**

### **Option 1**

Adopt the proposed projects:

- North Park Precinct Projects, North Park Stage #1 Netball Court Upgrade
- Lord Nelson Park Multipurpose Sporting Facility Redevelopment, Roadworks
- Stawell Park Precinct Program, Perimeter Fencing
- Stawell Park Precinct Program, Hard Surface Surrounds
- St Arnaud Civic Precinct, Market Square - Junior Play Area
- St Arnaud Civic Precinct, Market Square - Nature Play
- Halls Gap Action Plan, Heath Street Upgrades

- Revitalising St Arnaud to increase Public Activity, Streetscape
  - Revitalising St Arnaud to increase Public Activity, Road Rehabilitation
- for the federally funded Local Roads and Community Infrastructure Program. **[recommended]**

## **Option 2**

Do not adopt the proposed projects for the Local Roads and Community Infrastructure Program. **[not recommended]**

## **Implications**

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

## **Community Engagement**

Projects considered within this report are those already proposed within Council's 2020-21 Draft Budget and are drawn from priorities or actions derived from different strategic planning. This planning undergoes its own form of community engagement at the time of its development.

If projects are adopted for the program, each project will be managed separately and undergo separate community engagement in their delivery.

## **Innovation and Continuous Improvement**

This report has considered the implications of the proposed works and the financial impact it has on future programs. Reducing the Rates Subsidy demand on Council's Draft 10 Year Capital Program was a significant consideration.

## **Collaboration**

Guidance has been sought from the Department of Infrastructure, Transport, Regional Development and Communications to provide guidance in regards to project eligibility.

## **Officer's Declaration of Interest**

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

Trenton Fithall, Director Infrastructure

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

## **Attachments**

Nil

## **9.4. Improve Organisational Effectiveness**

### **9.4.1. Investment Policy**

**Author/Position:** **Malcolm Lewis, Acting Manager Financial Services**

#### **Purpose**

The purpose of the document is to adopt the guiding principles for prudent investment of Council's surplus funds.

#### **Summary**

The policy includes guidance on the following principles:

- Council's cash flow requirements - in order to optimise use of available funds.
- Credit rating of investing institutions - ensuring the safety of Council's cash by applying the Standard & Poors rating for credit risk.
- Interest rate - maximising the income received from investing Council's available cash funds.
- Term of investment - investment term (number of months) is designed to align with cash flow needs.

The policy includes a new section on prohibitive investments that are to be avoided. Such investments are usually of a speculative nature or where there is a risk of losing the cash principal.

#### **Recommendation**

**That Council reviews and adopts the updated Investment Policy.**

#### **RESOLUTION**

**That Council reviews and adopts the updated Investment Policy.**

**Moved:** Cr Kevin Erwin

**Seconded:** Cr Tony Driscoll

**Carried**

## **Background/Rationale**

Annually, Northern Grampians Shire Council has various investments totalling between \$1 million and \$5 millions dollars. Council's investments must be made in accordance with section 143 of the *Local Government Act 1989* and while aiming to maximise return on investments, Council must ensure that sufficient levels of funds are available for the payment of goods and services, payroll and other liabilities as they fall due for payment.

Investment of surplus funds are made:

- in accordance with s143 *Local Government Act 1989*
- to maximise return on Council's funds while maintaining an acceptable level of risk; and
- to ensure that sufficient funds are available to service Council's commitments.

## **Legislation, Council Plan, Strategy and Policy Implications**

Section 143 of the *Local Government Act 1989*

### **Options**

#### **Option 1**

Council agrees to adopt the updated Investment Policy which includes the new section on prohibitive investments. **[recommended]**

#### **Option 2**

Council does not agree to adopt the updated Investment Policy. **[not recommended]**

### **Implications**

While there are no identified implications, the review and update of the Investment Policy is designed to mitigate the risk of loss of Council funds by investment in financial institutions with low risk credit ratings.

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

### **Community Engagement**

Nil

### **Innovation and Continuous Improvement**

Nil

### **Collaboration**

Nil

### **Officer's Declaration of Interest**

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

Malcolm Lewis, Acting Manager Financial Services

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

### **Attachments**

1. Investment Policy 2020 [9.4.1.1 - 5 pages]

# Investment Policy

June, 2020



Northern Grampians Shire Council  
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# Investment Policy



## Council Policy

**Responsible director**

Director Corporate Services

**Responsible officer**

Manager Financial Services

**Functional area**

Financial Services

**Date adopted by Council**

June 2020

**Review date**

June 2024

### Purpose

The purpose of the document is to set out guidelines for making decisions with respect to investing Council's surplus funds to ensure that investments:

- are made in accordance with s103 Local Government Act 2020
- are made to maximise return on Council's funds while maintaining an acceptable level of risk; and
- to ensure that sufficient funds are available to service Council's commitments.

### Background

Annually Northern Grampians Shire Council has various investments totalling between \$1 million and \$5 million dollars. Council's investments must be made in accordance with section 103 of the Local Government Act 2020 and while aiming to maximise return on investments Council must ensure that sufficient levels of funds are available for the payment of goods and services, payroll and other liabilities as they fall due for payment.

### Policy

#### Basic Principles

There are some basic principles that should be applied to all investment decisions:

- Council's cash flow requirements
- Credit rating of investing institution
- Interest rate
- Term of investment

#### **Cash Flow**

Prior to seeking quotes on investment options, Council must consider its cash position and its future outgoings, including creditor payments, payroll and other liabilities against incoming monies such as rates, grants and cash contributions. If it is deemed that Council will have excess funds following these outgoings for a sufficient period of time to invest (minimum 30 days) then these funds may be invested to maximise return.

***Credit Rating of Institution***

Council will consider the credit rating as set by Standard and Poors (or similar) of a financial institution and/or product prior to investment. (See Standard and Poors ratings below)

Council will only invest funds in short term investments with a credit rating of A1 or higher. For long term investments Council will only invest in products with a rating of A or higher. The ratings of A1 and A are given to institutions where they are considered to have a strong capacity to pay.

***Interest Rate***

Council will consider all factors when deciding on an investment which may mean the highest rate is not always selected.

***Term of Investment***

The term of investment will be determined following consideration of Council's cash flow requirements.

**Types of Investments**

Council will invest only with Approved Deposit Taking Institutions (ADI) which includes banks, building societies and credit unions. Although permitted under section 143(f) of the Local Government Act 1989 Council will not invest funds with managed investment schemes.

**Investment Register**

The Finance Coordinator is responsible for maintaining the Investment Register. The Investment Register will be updated following each investment and be reconciled to the ledger monthly as part of the monthly balance sheet reconciliation.

The Investment Register will include:

- Investment date
- Type of investment
- Maturity date
- Term of investment
- Financial institution
- Amount invested
- Interest rate
- Interest received

**Authority to Invest**

The Finance Coordinator, in consultation with the Manager Financial Services, has the discretion for the investment of short term funds, of up to 6 months. Investments between 6 months and 1 year are the responsibility of the Manager Financial Services, and investments made for periods over one year are the responsibility of the Director Corporate Services.

**Prohibited Investments**

This investment policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments;
- Principal only investment or securities that provide potentially nil or negative cashflow;
- Stand alone securities issued that have underlying futures, options, forward contracts and swaps of any kind;
- Prohibits the use of leveraging (borrowing to invest) of an investment.

**Standard & Poors Ratings Levels**

The difference between short term and long term depends on the investment market. For the investment market it is reasonable to consider short term to mean anything less than 365 days.

## Investment Policy

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### Short Term

- A1+ Extremely strong capacity to pay
- A1 Strong capacity to pay
- A2 Satisfactory capacity to pay
- A3 Adequate capacity to pay
- B Speculative
- C Currently vulnerable to nonpayment
- D Payment on an obligation due date is not made

### Long Term

- AAA Extremely strong capacity to pay
- AA Very strong capacity to pay
- A Strong capacity to pay
- BBB Adequate capacity to pay
- BB Uncertainties or adverse conditions could lead to inadequate capacity to pay
- B Adverse conditions likely to impair capacity to pay
- CCC Vulnerable to default
- CC High risk to default and expected default a virtual certainty
- C Highly vulnerable to nonpayment
- D Default

\*The ratings from 'AA' to 'CCC' may be modified by the addition of a plus (+) or minus (-) sign to show relative standing within the major rating categories.

### **Council Plan Objective/Strategy**

Improve organisational effectiveness to ensure compliance with all Acts and Regulations relevant to Council.

### **Legislation and Standards**

*Local Government Act 2020*

### **Responsibilities**

The Director Corporate Services and Manager Financial Services are responsible for the development and management of the policy.

### **Stakeholders**

Councillors, ELT and finance staff are directly affected by the policy; the Director Corporate Services and Manager Financial Services are responsible for implementation and compliance monitoring and must be consulted during development or revision of the policy and any associated procedures.

### **Review**

Monitoring and regular assessment of the policy are necessary to ensure the policy remains current with the Council's goals, processes, aims and requirements.

Assessment of the policy will be undertaken every four years to align with the Council term to ensure it remains current with the Council's goals, processes, aims and requirements and as a means by which to reduce Council's exposure to risk. Triggers for an earlier assessment include legislative changes and introduction of new systems or procedures.

### **Communication and implementation**

The policy will be communicated to Councillors and relevant staff and will be available in the EDRMS.

### **References**

*Local Government Act 2020 (Section 103)*

## Investment Policy

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*Corporations Act 2001*

*Banking Act 1959 Authorised Deposit Taking Institutions (ADI's)*

*Standard and Poors Credit Rating Agency.*

### **Privacy and Data Protection compliance**

This policy considers the *Privacy and Data Protection Act 2014* and the *Victorian Protective Data Security (VPDSS) Framework* and the risk of unauthorised disclosure of personal information. Council's procedures and IT systems will be used to protect security across the domains of information, personnel, ICT and physical.

### **Gender Equality Act 2020**

This policy considers relevant gender equality principles, workplace gender equality of rights, opportunities, responsibilities and outcomes and the promotion of gender equality in the policies, programs and services it delivers.

### **Charter of Human Rights compliance**

It is considered that this policy does not impact on any human rights identified in the *Charter of Human Rights & Responsibilities Act 2006*.

### **Definitions**

Nil

### **Review history**

Date	Review details	Action
25/09/2008		Council Policy Adopted
January 2015	Policy reviewed and updated	Reported to Briefing 02/02/2015
June 2020	New section added for prohibited investments	

#### 9.4.2. Audit and Risk Committee - Various

**Author/Position:** **Malcolm Lewis, Acting Manager Financial Services**

##### **Purpose**

To approve the establishment of the Audit and Risk Committee and the Audit and Risk Committee Charter pursuant to the new *Local Government Act 2020*.

##### **Summary**

Pursuant to the new *Local Government Act 2020*, Council is required to establish an Audit and Risk Committee and approve an Audit and Risk Committee Charter by 1 September 2020.

The Audit and Risk Committee is an independent advisory committee to Council, established to assist in the effective conduct of Council's responsibilities for good governance, the management of risk, financial reporting and maintenance of reliable systems and internal controls in order to facilitate the achievement of its organisational objectives in an efficient, effective and ethical manner.

The charter is supported by a set of guidelines. The Audit and Risk Committee Guidelines require that the chairperson be appointed by Council.

##### **Recommendation**

###### **That Council:**

- 1. approves the establishment of the Audit and Risk Committee.**
- 2. appoints the current members of the Council's Audit Committee to the Audit and Risk Committee for the following terms:**
  - Peter Knights to 30 June 2021
  - Tony Roberts to 1 September 2022
  - Lynn Jensz to 1 April 2022
- 3. approves the Audit and Risk Committee Charter.**
- 4. appoints Mr Peter Knights as the Audit and Risk Committee Chairperson for the 2020-21 financial year.**
- 5. sets the remuneration of the Audit and Risk Committee Chairperson from 1 July 2020 at \$2,500 per annum.**
- 6. sets the remuneration for the external independent Audit and Risk Committee members, excluding the Chairperson, from 1 July 2020 at \$250 per meeting attended.**

## **RESOLUTION**

###### **That Council:**

- 1. approves the establishment of the Audit and Risk Committee.**
- 2. appoints the current members of the Council's Audit Committee to the Audit and Risk Committee for the following terms:**
  - Peter Knights to 30 June 2021
  - Tony Roberts to 1 September 2022
  - Lynn Jensz to 1 April 2022
- 3. approves the Audit and Risk Committee Charter.**
- 4. appoints Mr Peter Knights as the Audit and Risk Committee Chairperson for the 2020-21 financial year.**
- 5. sets the remuneration of the Audit and Risk Committee Chairperson from 1 July 2020 at \$2,500 per annum.**
- 6. sets the remuneration for the external independent Audit and Risk Committee members, excluding the Chairperson, from 1 July 2020 at \$250 per meeting attended.**

**Northern Grampians Shire Council  
20200803 Council Meeting**

---

**Moved:** Cr Karen Hyslop  
**Seconded:** Cr Kevin Erwin

**Carried**

## **Background/Rationale**

The Audit and Risk Committee is an independent advisory committee to Council, established to assist in the effective conduct of Council's responsibilities for good governance, the management of risk, financial reporting and maintenance of reliable systems and internal controls in order to facilitate the achievement of its organisational objectives in an efficient, effective and ethical manner.

The Charter sets out the appropriate authority, composition, meeting requirements and responsibilities of the Committee to ensure good practice and compliance with the requirements of the *Local Government Act 2020*, and is supported by the Committee's Guidelines.

The committee charter must specify the functions and responsibilities of the Audit and Risk Committee including the following functions:

- Monitor the compliance of council policies and procedures with the overarching governance principles and the Act and any regulations and Ministerial directions.
- Monitor council financial and performance reporting.
- Monitor and provide advice on risk management and fraud prevention systems and controls.
- Oversee internal and external audit functions.

Composition of the committee is set out in the Charter as follows:

- The Committee will consist of at least three members, the majority of whom must be independent of Council.
- The Committee must include members who are Councillors of the Council.
- Members of Council staff must not be committee members.
- The Council will appoint the Committee members and the Chairperson.
- The Chairperson of the Committee must be independent.
- The majority of members of the Committee are required to demonstrate, collectively, expertise in financial management and risk and experience in public sector management.

Council must pay a fee to a member of an Audit and Risk Committee who is not a Councillor of Council. The Audit and Risk Committee Guidelines provide that election of the Chair and determination of remuneration for external independent members on the Audit and Risk Committee are to be considered annually by Council.

The appointment of each of the three independent members should be staggered to ensure that only one new appointment is made in any one financial year.

## **Legislation, Council Plan, Strategy and Policy Implications**

*Local Government Act 2020* Sections 53 and 54.

### **Option**

Appointment of an Audit and Risk Committee and approval of an Audit and Risk Committee Charter prior to 1 September 2020 is a mandatory requirement of the new *Local Government Act 2020*. **[recommended]**

### **Implications**

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

### **Community Engagement**

Nil

### **Innovation and Continuous Improvement**

The new Audit and Risk Committee Charter, while a mandatory requirement of the *Local Government Act 2020*, now provides a more comprehensive description of the functions of the Audit and Risk Committee.

### **Collaboration**

Local Government Victoria has provided guidance material regarding the composition of the Audit and Risk Committee Charter. LGV has worked collaboratively with all Victorian councils to enable them to meet the 1 September 2020 requirements for compliance with the LGA 2020. This was achieved through co-design engagement and support to the sector and fast-tracking the development of a pathway of documents and materials.

### **Officer's Declaration of Interest**

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

Malcolm Lewis, Acting Manager Financial Services

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

### **Attachments**

Nil

#### 9.4.3. Local Government Act 2020 - Adoption of Documents

**Author/Position:** **Mary Scully, Manager Governance & Civic Support**

##### **Purpose**

The purpose of this report is to formally adopt the following documents to comply with the *Local Government Act 2020*:

- Governance Rules
- Public Transparency Policy
- Council Expenses Policy

and make

- Common Seal and Miscellaneous Penalties Local Law 2020.

##### **Summary**

To comply with implementation dates set out in the *Local Government Act 2020* Council was required to:

1. develop, adopt and keep in force Governance Rules with respect to prescribed matters including the conduct of meetings, keeping of meeting records, the election of the Mayor and Deputy Mayor and conflict of interest disclosure procedures;
2. include the Council Election Policy in the Governance Rules;
3. adopt a public transparency policy;
4. adopt an expenses policy.

In the making of the Governance Rules it was necessary to make the Common Seal and Miscellaneous Penalties Local Law 2020.

##### **Recommendation**

**That Council:**

1. adopts its *Governance Rules, Public Transparency Policy and Council Expenses Policy* as attached;
2. having complied with the requirements of section 119(2) of the *Local Government Act 1989*, (the Act) resolves to make the *Common Seal and Miscellaneous Penalties Local Law 2020*,
3. gives notice of the making of the *Common Seal and Miscellaneous Penalties Local Law 2020* in the Victorian Government Gazette and a public notice in the Weekly Advertiser newspaper in accordance with section 119(3) of the Act;
4. sends a copy of the *Common Seal and Miscellaneous Penalties Local Law 2020* to the Minister for Local Government in accordance with section 119(3) of the Act.

## **RESOLUTION**

**That Council:**

1. adopts its *Governance Rules, Public Transparency Policy and Council Expenses Policy* as attached;
2. having complied with the requirements of section 119(2) of the *Local Government Act 1989*, (the Act) resolves to make the *Common Seal and Miscellaneous Penalties Local Law 2020*,
3. gives notice of the making of the *Common Seal and Miscellaneous Penalties Local Law 2020* in the Victorian Government Gazette and a public notice in the Weekly Advertiser newspaper in accordance with section 119(3) of the Act;
4. sends a copy of the *Common Seal and Miscellaneous Penalties Local Law 2020* to the Minister for Local Government in accordance with section 119(3) of the Act.

**Northern Grampians Shire Council  
20200803 Council Meeting**

---

**Moved:** Cr Tony Driscoll  
**Seconded:** Cr Kevin Erwin

**Carried**

## **Background/Rationale**

Council at its meeting on 6 July 2020 endorsed undertaking community consultation and the statutory process for adopting its Governance Rules, Public Transparency Policy and Council Expenses Policy and the making of the Common Seal and Miscellaneous Penalties Local Law 2020.

Community consultation was undertaken as required under the *Local Government Act 1989* and the closing date for submissions is **28 July**. At the time of preparing this report no submissions have been received and copies of any submissions received prior to this meeting will be circulated to Councillors. All submissions received must be considered prior to Council formally resolving on these matters.

## **Legislation, Council Plan, Strategy and Policy Implications**

*Local Government Act 1989*

*Local Government Act 2020*

## **Options**

To formally adopt the policy documents attached and complete the statutory process to make the new Local Law.

## **Implications**

Council must adopt these policy documents to comply with legislative requirements and the identified risk implications for not meeting legislative compliance are addressed in the report.

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

## **Community Engagement**

Community engagement was undertaken to involve the community in the decision-making process.

## **Innovation and Continuous Improvement**

The subject matter of the report is the result of a lengthy review of the Local Government Act to improve local government democracy, accountability and service delivery for all Victorians.

## **Collaboration**

The documents have been developed in consideration of the Governance Principles in section 9 of the LGA 2020 and templates provided by Local Government Victoria. LGV has worked collaboratively with all Victorian councils to enable them to meet the 1 September 2020 requirements for compliance with the LGA 2020. This was achieved through co-design engagement and support to the sector and fast-tracking the development of a pathway of documents and materials. Collaboration has also been undertaken with Maddocks Lawyers and officers have attended a series of meetings with other Governance professionals.

## **Officer's Declaration of Interest**

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

Mary Scully, Manager Governance & Civic Support

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

## **Attachments**

1. Governance Rules [9.4.3.1 - 53 pages]
2. Common Seal and Miscellaneous Penalties Local Law 2020 [9.4.3.2 - 6 pages]
3. Public Transparency Policy [9.4.3.3 - 31 pages]
4. Council Expenses Policy [9.4.3.4 - 11 pages]

# Governance Rules



August 2020



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## INTRODUCTION

### 1. Nature of Rules

These are the Governance Rules of the Northern Grampians Shire Council, made in accordance with section 60 of the *Local Government Act 2020*.

### 2. Date of Commencement

These Governance Rules commence on 3 August 2020.

### 3. Contents

These Governance Rules are divided into the following Chapters—

Chapter 1	Governance Framework
Chapter 2	Meeting Procedure for Council Meetings
Chapter 3	Meeting Procedure for Delegated Committees
Chapter 4	Meeting Procedure for Community Asset Committees
Chapter 5	Election Period Policy
Chapter 6	Disclosure of Conflict of Interest
Chapter 7	Miscellaneous

### 4. Definitions

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

<i>Act</i>	<i>means the Local Government Act 2020</i>
<i>Chief Executive Officer</i>	<i>means the Chief Executive Officer of Council</i>
<i>Community Asset Committee</i>	<i>means a Community Asset Committee established under section 65 of the Act</i>
<i>Council</i>	<i>means the Northern Grampians Shire Council</i>
<i>Councillor</i>	<i>means a person who is an elected member of the Council as defined under the Act</i>
<i>Council meeting</i>	<i>means a meeting of the Council at which all the Councillors are, subject to the Act, entitled to attend and vote, no other person is entitled to vote and a decision to do an act, matter or thing is made by a resolution of the Council</i>
<i>delegated committee</i>	<i>means a delegated committee established under section 63 of the Act</i>
<i>Mayor</i>	<i>means the Mayor of the Council</i>
<i>these Rules</i>	<i>means these Governance Rules</i>
<i>senior officer</i>	<i>means a member of the Executive Leadership Team</i>

## CHAPTER 1 - GOVERNANCE FRAMEWORK

### 1. Context

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

- 1.1 the overarching governance principles specified in section 9(2) of the *Act*; and
- 1.2 the following documents adopted or approved by *Council*—
  - 1.2.1 *Councillor Code of Conduct*
  - 1.2.2 *Election Period Policy*
  - 1.2.3 *Conflict of Interest Procedure*
  - 1.2.4 *Code of Conduct for Staff*
  - 1.2.5 *Audit and Risk Committee Charter*
  - 1.2.6 *Council Expenses Policy*
  - 1.2.7 *Public Transparency Policy*
  - 1.2.8 *Community Engagement Policy*
- 1.3 any relevant Ministerial Direction Guidelines prepared by the Minister for Local Government.

### 2. Decision Making

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

## CHAPTER 2 - MEETING PROCEDURE FOR COUNCIL MEETINGS

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## PART A - Introduction

### 1. Title

This Chapter will be known as the "Meeting Procedure Chapter".

### 2. Purpose of this Chapter

The purpose of this Chapter is to—

- 2.1 provide for the election of the *Mayor* and any Deputy Mayor;
- 2.2 provide for the appointment of any Acting Mayor;
- 2.3 provide for the procedures governing the conduct of *Council meetings*; and
- 2.4 set the rules of behaviour for those participating in or present at *Council meetings*.

### 3. Definitions and Notes

- 3.1 In this Chapter, the following words—

<i>absolute majority</i>	<i>means the number of councillors or members which is greater than half the total number of the members of a Council or committee</i>
<i>agenda</i>	<i>means the notice of a meeting setting out the business to be transacted at the meeting</i>
<i>amendment</i>	<i>means a proposed alteration to improve the terms of a motion, without being contradictory</i>
<i>Chair</i>	<i>means the Chairperson of a meeting and includes an acting, a temporary and a substitute Chairperson</i>
<i>delegated committee</i>	<i>means a delegated committee established by council under s.63 of the Act to exercise any power of a council</i>
<i>division</i>	<i>means a formal count and recording of the names of those for, and those against and abstaining from voting on a motion</i>
<i>minutes</i>	<i>means the collective record of proceedings of meetings</i>
<i>municipal district</i>	<i>means the municipal district of the Council</i>
<i>notice of motion</i>	<i>means a notice setting out the text of a motion which a Councillor proposes to move at the next relevant meeting</i>
<i>notice of rescission</i>	<i>means a notice of motion to rescind a resolution made by Council</i>
<i>point of order</i>	<i>means an objection made by a Councillor that any matter or situation currently before a Council meeting is contrary to these Rules, or is a defamatory, derogatory, irrelevant, or improper statement</i>
<i>quorum</i>	<i>means the minimum number of members of the Council or committee required by the Act and these Rules to be present in order to constitute a valid Council or committee meeting</i>
<i>resolution</i>	<i>means a formal decision made at a meeting of a delegated committee</i>
<i>unscheduled Council meeting</i>	<i>means a meeting that is not part of the advertised existing schedule of meetings</i>
<i>vote</i>	<i>means expression of opinion by a show of hands</i>
<i>written</i>	<i>includes duplicated, lithographed, photocopied, printed and typed, and extends to both hard copy and soft copy form, and writing has a corresponding meaning</i>

- 3.2 Introductions to some Parts, headings and notes are explanatory notes and do not form part of this Chapter. They are provided to assist understanding.

## Part B - Election of Mayor

### 4. When Required

The *Chief Executive Officer* must facilitate the election of the *Mayor* in accordance with the provisions of the *Act*.

### 5. Method of Voting

The election of the *Mayor* must be carried out by a show of hands or following a *resolution* made in accordance with Rule 83, an electronic method that enables those observing (in attendance and those watching a live stream broadcast) to see who a *Councillor* has voted for at the time the *vote* is taken.

### 6. Determining the Election of Mayor

- 6.1 The election of the *Mayor* must be conducted in accordance with the *Act* and *these Rules*.
- 6.2 At a meeting that is open to the public, the *Councillors* must elect a *Councillor* to be the *Mayor* of the *Council*.
- 6.3 At any meeting to elect the *Mayor*, the *Chief Executive Officer* will be the *Chair* and must open the meeting, invite nominations for the office of *Mayor* and confirm acceptance of the nomination with the nominee.
- 6.4 The election of the *Mayor*, or of a temporary or acting *Chair*, must be carried out by a show of hands.
- 6.5 Subject to sub-Rules 6.6 and 6.7.2, the *Mayor* must be elected by an *absolute majority* of the *Councillors*.
- 6.6 If an *absolute majority* cannot be obtained at the meeting, the *Council* may resolve to conduct a new election at a later specified time and date.
- 6.7 Once nominations for the office of *Mayor* have been received, the following provisions will govern the election of the *Mayor*—
  - 6.7.1 the nomination of a candidate for office must be moved and seconded by a *Councillor* other than the nominee and accepted by the nominee;
  - 6.7.2 where only one *Councillor* is a candidate for *Mayor* the meeting must declare that *Councillor* to be duly elected as *Mayor*;
  - 6.7.3 where two or more nominations are received, a *vote* must be taken and the *Councillor* who receives the number of *votes* equal to or greater than half the *councillors* of the *Council* must be declared elected;
  - 6.7.4 where two candidates have been nominated and no candidate receives the number of votes equal to half the *Councillors* of the *Council*, a second *vote* will be conducted;
  - 6.7.5 where, after a second *vote*, two candidates have been nominated and no candidate receives the number of *votes* equal to half the *Councillors* of the *Council* the *Chief Executive Officer* will seek the meeting to resolve to conduct a new election at a meeting to be held at 6pm the following day;
  - 6.7.6 in the event that no candidate receives an *absolute majority* of the *votes*, and it is not resolved to conduct a new election at a later date and time, the candidate with the fewest number of *votes* must be declared to be a defeated candidate. The *Councillors* present at the meeting must then *vote* for one of the remaining candidates;
  - 6.7.7 if one of the remaining candidates receives an *absolute majority* of the *votes*, he or she is duly elected. If none of the remaining candidates receives an *absolute majority* of the *votes*, the process of declaring the candidates with the fewest number of *votes* a defeated candidate and voting for the remaining candidates must be repeated until one of the candidates receives an *absolute majority* of the *votes*.

That candidate must then be declared to have been duly elected;

- 6.7.8 If a lot is conducted, the *Chief Executive Officer* will have the conduct of the lot and the following provisions will apply:
- (a) each candidate will draw one lot;
  - (b) the order of drawing lots will be determined by the alphabetical order of the surnames of the *Councillors* who received an equal number of *votes* except that if two or more such *Councillors'* surnames are identical, the order will be determined by the alphabetical order of the *Councillors'* first names; and
  - (c) as many identical pieces of paper as there are *Councillors* who received an equal number of *votes* must be placed in a receptacle. If the lot is being conducted to determine who is a defeated candidate, the word "Defeated" shall be written on one of the pieces of paper, and the *Councillor* who draws the paper with the word "Defeated" written on it must be declared the defeated candidate (in which event a further *vote* must be taken on the remaining candidates unless there is only one candidate remaining, in which case that candidate will be declared to have been duly elected).

## 7. **Election of Deputy Mayor and Chairpersons of Delegated Committees**

Any election for—

- 7.1 any office of Deputy Mayor; or
  - 7.2 Chair of a *delegated committee*
- will be regulated by Rules 4-6 (inclusive) of this Chapter, as if the reference to the—
- 7.3 *Chief Executive Officer* is a reference to the *Mayor*; and
  - 7.4 *Mayor* is a reference to the Deputy Mayor or the Chair of the *delegated committee* (as the case may be).

## 8. **Appointment of Acting Mayor**

- 8.1 If *Council* has not established an office of Deputy Mayor and there is a vacancy in the office of the *Mayor* or if the *Mayor* is unable for any reason to attend a *Council meeting* or part of a *Council meeting* or is incapable of performing the duties of the office of *Mayor* for any reason, including illness, the *Council* must—
  - 8.1.1 resolve that a specified *Councillor* be so appointed as the Acting Mayor for a specified period; or
  - 8.1.2 follow the procedure set out in Rules 5 and 6 (inclusive) of this Chapter, at its discretion.

## Part C - Meetings Procedure

*Introduction: This Part is divided into a number of Divisions. Each Division addresses a distinct aspect of the holding of a meeting. Collectively, the Divisions describe how and when a meeting is convened, when and how business may be transacted at a meeting.*

### 9. Purpose

- 9.1 *Council* holds scheduled meetings and *unscheduled Council meetings* when required to conduct the business of the *Council*.
- 9.2 *Council* is committed to transparency in decision making and, in accordance with the *Act*, *Council* and *delegated committee* meetings are open to the public unless the *Council* or *delegated committee* considers it necessary to close the meeting to the public because of the following circumstances—
  - (a) the meeting is to consider confidential information; or
  - (b) for security reasons; or
  - (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.
- 9.3 If the circumstances specified in sub-Rules 9.2(b) and (c) apply, 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.
- 9.4 For the purposes of 9.3, the arrangements may include provision to view the proceedings on the internet or on closed circuit television.
- 9.5 If 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/s for determining to close the meeting by reference to the grounds specified in the definition of *confidential information* in section 3(1); and
  - (b) an explanation of why the specified ground/s applied.

### 10. Apologies and Absences

- 10.1 A *Councillor* who is unable to attend a meeting may submit an apology—
  - (a) in writing to the *Chair*, who will advise the meeting;
  - (b) by seeking another *Councillor* to submit it at the meeting on their behalf;
- 10.2 An apology submitted to a meeting will be recorded in the *minutes*.
- 10.3 A *Councillor* intending to take a leave of absence should submit it in writing to the *Mayor*.
- 10.4 The *Mayor* will seek to have any leave of absence request received included in the *agenda* of the next *Council meeting*.
- 10.5 A leave of absence not included in a *Council meeting agenda* may still be considered by the *Council* if a *written* request has been received by the *Mayor* prior to the meeting.
- 10.6 *Council* will not necessarily withhold its approval of a leave of absence request.
- 10.7 A *Councillor* who has not submitted an apology or had a leave of absence approved who is not in attendance at a *Council meeting* will be recorded as absent.

### Division 1 - Notices and Agendas

*Overview: Council meetings are held regularly to conduct the ongoing business of the Council and unscheduled meetings may be held from time to tim(e). It is important that the community is made aware of the times, dates and locations of Council and delegated committee meetings and the matters the Council will consider. The timing of this notice should give the community adequate time to make arrangements to attend the meeting or view via the livestream if available.*

*An agenda for each Council meeting must be provided to Councillors in advance so that they can prepare adequately for the Council meeting. The agenda contains the order of business and the professional advice of the organisation, with a recommendation for Council to consider.*

*The agenda is made available to the public via Council's website and at Customer Service Centres.*

## **11. Dates and Times of Meetings**

- 11.1 The date, time and place of all *Council meetings* are to be fixed by the *Council* from time to time and reasonable notice (at least seven days unless urgent or extraordinary circumstances prevent *Council* complying with this minimum) of such meetings must be provided to the public.
- 11.2 Advertising of *Council meetings* can be done as a schedule of meetings either annually or at various times throughout the year, or just prior to each meeting unless extraordinary circumstances exist.
- 11.3 The *Council* may alter the date, time and place of any *Council meeting* which has been fixed and must provide reasonable notice (at least seven days unless urgent or extraordinary circumstances prevent *Council* complying with this minimum) of the change to the public.

## **12. Urgent or Extraordinary Circumstances**

- 12.1 If urgent or extraordinary circumstances prevent the *Council* from complying with the minimum of seven days notice, the *Council* will—
  - 12.1.1 give such notice as is practicable via the *Council* website and social media streams as well as at each Customer Service Centre; and
  - 12.1.2 specify in the minutes the urgent or extraordinary circumstances which prevented the *Council* from complying.
- 12.2 In the case of an emergency, the *Chief Executive Officer* or, in the absence of both, a *senior officer*, may postpone a *Council meeting*, provided every reasonable attempt is made to notify every *Councillor* of the postponement.
- 12.3 The *Chief Executive Officer* or *senior officer* must submit a full written report of the circumstances requiring his or her action in respect of the emergency postponement at the next *Council meeting*.

## **13. Unscheduled Council Meetings**

- 13.1 *Council* may by *resolution* call an *unscheduled Council meeting*.
- 13.2 The *Mayor* or at least three *Councillors* may by a *written notice* to the *Chief Executive Officer* call an *unscheduled Council meeting*.
- 13.3 A *written notice* to call an *unscheduled Council meeting* must—
  - 13.3.1 specify the business to be transacted;
  - 13.3.2 be delivered to the *Chief Executive Officer* in sufficient time to enable at least 24 hours notice to be given to each *Councillor*.
- 13.4 The *Chief Executive Officer* must determine the time and date for the meeting, giving consideration to—
  - 13.4.1 the urgency of the business to be transacted;
  - 13.4.2 the availability of *Councillors*; and
  - 13.4.3 a reasonable notice period for persons whose rights or interests may be impacted by the business to be transacted.
- 13.5 The *Chief Executive Officer* must arrange for notice of the meeting on *Council's website*.
- 13.6 Any *resolution* of *Council* to call an unscheduled meeting must specify the date and time and place of the *unscheduled Council meeting* and the business to be transacted.

The date and time of the *unscheduled Council meeting* must not be prior to 6pm on the day following the *Council meeting* at which the *resolution* was made.

- 13.7 The *Chief Executive Officer* must call an *unscheduled Council meeting* to elect a *Mayor* following a *Council election declaration*, in accordance with the *Act*.
- 13.8 The *unscheduled Council meeting* for the election of a *Mayor* following an election may also consider the role of Deputy Mayor and any other matters as determined by the *Chief Executive Officer*.
- 13.9 Only the business specified in the *Council resolution*, or written notice, may be considered at an *unscheduled Council meeting*, unless all *Councillors* are present and unanimously agree to deal with any other matter.

#### **14. Notices and Agendas**

- 14.1 The notice for any *Council meeting*, incorporating or accompanied by an *agenda* of the business to be dealt with, must state the date, time and place of the meeting and the business to be dealt with and must be delivered or sent electronically to each *Councillor* for scheduled *Council meetings* at least five working days the week prior to the meeting. A period of less than five working days may be justified if exceptional circumstances exist.
- 14.2 The notice for any *unscheduled Council meeting* must state the date, time and place of the meeting and the business to be dealt with and must be sent by electronic medium, post or otherwise delivered to each *Councillor* giving as much time as is reasonably practicable prior to the meeting.
- 14.3 An *agenda* for each *Council meeting* will be made available on Council's website—
  - (a) no less than 48 hours before the meeting for a *Council meeting*;
  - (b) no less than 24 hours before an *unscheduled Council meeting*;
- 14.4 An *agenda* for an *unscheduled Council meeting* must be made available electronically to every *Councillor* at least 48 hours before the meeting. A period of less than 48 hours may be justified if exceptional circumstances exist.
- 14.5 Reasonable notice of each *Council meeting* must be provided to the public. *Council* may do this—
  - 14.5.1 for *meetings* which it has fixed by preparing a schedule of meetings annually, arranging publication of such schedule in a newspaper generally circulating in the *municipal district*; and
  - 14.5.2 for any meeting by giving notice on its website; and
    - (a) in each of its Customer Service Centres; and/or
    - (b) in at least one newspaper generally circulating in the *municipal district*.

#### **15. Leave of Absence**

Notices and other *Council meeting* papers will continue to be made available to *Councillors* electronically during the period of absence.

## Division 2 - Quorums

*Overview: No business can be transacted at a Council meeting or a delegated committee meeting unless a majority of the Councillors or members of the delegated committee (as the case may be) is present (quorum). If there is no quorum at the commencement of a meeting or if a quorum cannot be maintained during a meeting, the meeting is to be adjourned to another date and/or time.*

### 16. Inability to Obtain a Quorum

If after 30 minutes from the scheduled starting time of any *Council meeting*, a *quorum* cannot be obtained:

- 16.1 the meeting will be deemed to have lapsed;
- 16.2 the *Mayor* must convene another *Council meeting*, the *agenda* for which will be identical to the *agenda* for the lapsed meeting; and
- 16.3 the *Chief Executive Officer* must give all *Councillors* *written* notice of the meeting convened by the *Mayor*.

### 17. Inability to Maintain a Quorum

- 17.1 If during any *Council meeting*, a *quorum* cannot be maintained then Rule 16 will apply as if the reference to the meeting is a reference to so much of the meeting as remains.
- 17.2 Sub-Rule 17.1 does not apply if the inability to maintain a *quorum* is because of the number of *Councillors* who have a conflict of interest in the matter to be considered.

### 18. Adjourned Meetings

- 18.1 *Council* may adjourn any meeting to another date or time but cannot in the absence of disorder or a threat to the safety of any *Councillor* or member of *Council* staff adjourn a meeting in session to another place.
- 18.2 The *Chief Executive Officer* must give *written* notice to each *Councillor* of the date, time and place to which the meeting stands adjourned and of the business remaining to be considered.
- 18.3 If it is impracticable for the notice given under sub-Rule 18.2 to be in *writing*, the *Chief Executive Officer* must give notice to each *Councillor* by telephone or in person.

### 19. Cancellation or Postponement of a Meeting

- 19.1 The *Chief Executive Officer* may, in the case of an emergency necessitating the cancellation or postponement of a *Council meeting*, cancel or postpone a *Council meeting*.
- 19.2 The *Chief Executive Officer* must present to the immediately following *Council meeting* a *written* report on any exercise of the power conferred by sub-Rule 19.1.

### 20. Time Limits for Meetings

- 20.1 A meeting cannot be continued for more than 30 minutes (or a further 30 minutes, if a majority of *Councillors* has already *voted* to continue it for 30 minutes).
- 20.2 In the absence of such continuance, the meeting must stand adjourned to a time, date and place announced by the *Chair* immediately prior to the meeting standing adjourned. In that event, the provisions of sub-Rules 18.2 and 18.3 apply.

### Division 3 - Minutes

*Overview: The minutes of a meeting must contain details of the proceedings and resolutions made, be clearly expressed, be self-explanatory and incorporate relevant reports or a summary of the relevant reports considered in the decision-making process. The minutes of a Council meeting must be submitted to the next appropriate Council meeting for confirmation.*

#### 21. Keeping of Minutes

- 21.1 The *Chief Executive Officer* is responsible for the keeping of *minutes* of *Council meetings* on behalf of the *Council*.
- 21.2 The *Chief Executive Officer* is responsible for making the *minutes* of *Council meetings* available to *Councillors* and members of the public by—
  - 21.2.1 uploading *minutes* for *Councillors* to view electronically within seven business days;
  - 21.2.2 posting *minutes* on *Council's* website in the week following the *Council meeting*;
  - 21.2.3 providing electronic copies of *minutes* on request;
  - 21.2.4 providing hard copies of *minutes* at *Council* offices on request.

#### 22. Confirmation of Minutes

- 22.1 At every *Council meeting*, the *minutes* of the preceding *Council meeting* must be dealt with as follows:
  - 22.1.1 a copy of the *minutes* must be delivered to each *Councillor* no later than 48 hours before the meeting;
  - 22.1.2 if no *Councillor* indicates opposition, the *minutes* must be declared to be confirmed;
  - 22.1.3 if a *Councillor* indicates opposition to the *minutes*—
    - (a) he or she must specify the item or items with which he or she is dissatisfied;
    - (b) the objected item or items must be considered separately and in the order in which they appear in the *minutes*;
    - (c) the *Councillor* objecting must move accordingly without speaking to the motion;
    - (d) the motion must be seconded;
    - (e) the *Chair* must ask:  
“Is the motion opposed?”
    - (f) if no *Councillor* indicates opposition, then the *Chair* must declare the motion carried without discussion and then ask the second of the questions described in sub-Rule 22.1.3(k);
    - (g) if a *Councillor* indicates opposition, then the *Chair* must call on the mover to address the meeting;
    - (h) after the mover has addressed the meeting, the seconder may address the meeting;
    - (i) after the seconder has addressed the meeting (or after the mover has addressed the meeting if the seconder does not address the meeting), the *Chair* must invite debate by calling on any *Councillor* who wishes to speak to the motion, providing an opportunity to alternate between those wishing to speak against the motion and those wishing to speak for the motion;
    - (j) if, after the mover has addressed the meeting, the *Chair* invites debate and no *Councillor* speaks to the motion, the *Chair* must put the motion; and
    - (k) the *Chair* must, after all objections have been dealt with, ultimately ask:  
“The question is that the *minutes* be confirmed” or  
“The question is that the *minutes*, as amended, be confirmed”.  
and he or she must put the question to the vote accordingly;

- 22.2 a *resolution of Council* must confirm the *minutes* and the *minutes* must, if practicable, be signed by the *Chair* of the meeting at which they have been confirmed.
- 22.3 The confirmed *minutes* will be recorded in the *Council's* electronic document records management system and the meeting minutes index updated.
- 22.4 Unless otherwise resolved or required by law, *minutes* of a *delegated committee* requiring confirmation by *Council* must not be available to the public unless confirmed by *Council*.

**23. No Debate on Confirmation of Minutes**

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

**24. Deferral of Confirmation of Minutes**

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

**25. Form and Availability of Minutes**

- 25.1 In keeping the *minutes* of any *Council meeting*, the *Chief Executive Officer* (or other person authorised by the *Chief Executive Officer* to attend the meeting and to take the *minutes* of such meeting) must keep *minutes* of each *Council meeting*, and those *minutes* must record—
  - 25.1.1 the date, place, time and nature of the meeting and if was commenced, adjourned, resumed and concluded;
  - 25.1.2 the names of *Councillors* and whether they are PRESENT, an APOLOGY, on LEAVE OF ABSENCE, etc;
  - 25.1.3 the names of members of Council staff present;
  - 25.1.4 the arrival and departure times of *Councillors* during the course of the *Council meeting* (including any temporary departures or arrivals);
  - 25.1.5 disclosure of any interest and any declaration of a conflict of interest made under the *Act*;
  - 25.1.6 every motion and *amendment* moved, including the mover of the motion or *amendment*;
  - 25.1.7 every motion and *amendment* seconded, including the seconder of the motion or *amendment*;
  - 25.1.8 the outcome of every motion and *amendment*, that is,
    - (a) whether it was put to the *vote*;
    - (b) if it was put to the *vote*, the result of the *vote* (namely CARRIED, LOST, WITHDRAWN, LAPSED OR AMENDED);
  - 25.1.9 procedural motions (which might be highlighted);
  - 25.1.10 where a valid *division* is called, a table of the names of every *Councillor* and the way their *vote* was cast, either FOR or AGAINST, and abstentions;
  - 25.1.11 details of failure to achieve or maintain a *quorum* and any adjournment whether as a result of lack of a *quorum* or otherwise;
  - 25.1.12 details of any petitions made to the *Council*;
  - 25.1.13 the time and reason for any adjournment of the meeting or suspension of standing orders and resumption;
  - 25.1.14 when requested by a *Councillor*, a record of their support of, opposition to, or abstention from voting on any motion, noting that under s.61(5) of the *Act* that a *Councillor* present at the meeting who does not *vote* is taken to have *voted* against the question;

- 25.1.15 a summary of any question asked and the response provided as part of public question time;
  - 25.1.16 inclusion in confidential reports the relevant ground or grounds designated Confidential under section 3(1) of the *Act* as to why the reports are deemed to be confidential; and
  - 25.1.17 any other matter, which the *Chief Executive Officer* thinks should be recorded to clarify the intention of the meeting or assist in the reading of the *minutes*.
- 25.2 In addition, the *minutes* should—
- 25.2.1 be page numbered;
  - 25.2.2 contain consecutive item numbers which are clearly headed with subject titles; and
  - 25.2.3 be indexed and be supplemented by an annual cumulative index.

## **26. Availability of Minutes**

- 26.1 The *Chief Executive Officer* must ensure that the *minutes* of any *Council meeting* are:
  - 26.1.1 published on the Council's website; and
  - 26.1.2 available for inspection at Council's office during normal business hours.
- 26.2 Nothing in Rule 25.3 requires *Council* or the *Chief Executive Officer* to make public any *minutes* relating to a *Council meeting* or part of a *Council meeting* closed to members of the public in accordance with section 66 of the *Act*.
- 26.1 A person in the gallery must not operate film, photograph or use tape-recording or other equipment to reproduce sound and/or images at any meeting without first obtaining the consent of the *Chair*.
- 26.2 The consent of the *Chair* may be revoked at any time during the course of a meeting by the *Chair* stating that consent has been revoked and ordering that the recording ceases.

## **Division 4 - Business of Meetings**

*Overview: The business to be transacted at a Council meeting is contained in the agenda provided to Councillors and available to the public on Council's website. The Chief Executive Officer oversees preparation of the agenda to determine the content and order of business to facilitate open, efficient and effective processes of government. The role of the Mayor includes providing advice to the Chief Executive Officer when the Chief Executive Officer is setting the agenda for Council meetings. Council can admit an item of urgent business if it has arisen after distribution of the agenda and cannot be reasonably deferred to the next meeting.*

## **27. Agenda and Order of Business**

- 27.1 The *agenda* for and the order of business for a *Council meeting* is to be determined by the *Chief Executive Officer* so as to facilitate and maintain open, efficient and effective processes of government.
- 27.2 The business of a *Council meeting* must be conducted in the following order unless the *Council* otherwise resolves.
  - 27.2.1 Opening of meeting and reading of Affirmation
  - 27.2.2 Apologies and requests for leave of absence
  - 27.2.3 Confirmation of minutes
  - 27.2.4 Business arising from previous minutes
  - 27.2.5 Disclosures of interest and declarations of conflict of interest
  - 27.2.6 Presentations/awards
  - 27.2.7 Items brought forward
  - 27.2.8 Presentations of petitions and joint letters
  - 27.2.9 Consideration of reports of officers

- 27.2.10 Notices of motion or rescission
- 27.2.11 Reports from committees/*Councillors*
- 27.2.12 Urgent business
- 27.2.13 Public question time
- 27.2.14 Closure of meeting pursuant to section 66 of the *Act*.
- 27.3 Notwithstanding sub-rule 27.2, the *Chief Executive Officer* may vary the order of business if he or she thinks it appropriate to do so.
- 27.4 Once an *agenda* has been sent to *Councillors*, the order of business for that meeting may only be altered by a *resolution* of the *Council*.
- 27.5 The *Chief Executive Officer* shall include any matter on an *agenda*, which he or she thinks should be considered by the meeting.
- 27.6 The *Council* may resolve to bring an item that appears later on the *agenda* forward to an earlier part of the meeting.
- 27.7 If the *agenda* for a *Council meeting* makes provision for urgent business, business can be admitted as urgent business by *resolution* of the *Council*.
- 27.8 *Council* must only admit business as urgent business if the business—
  - 27.8.1 cannot safely or conveniently be deferred to the next *Council meeting*;
  - 27.8.2 involves a matter of urgency, as determined by the *Chief Executive Officer*;
  - 27.8.3 cannot be addressed through an operational service request process;
  - 27.8.4 does not—
    - (a) substantially affect the levels of council service
    - (b) commit the *Council* to significant expenditure not included in the adopted budget
    - (c) establish or amend council policy
    - (d) commit the *Council* to any contractual arrangement.
- 27.9 The *Chief Executive Officer* will advise the *Mayor* of any matter he or she determines appropriate for *Council* to consider admitting as urgent business.

## Division 5 - Motions and Debate

*Overview: This part describes the procedure for introducing a motion or amendment, the rules of debate, foreshadowing a motion or amendment and the duty of the Chairperson in relation to accepting motions and amendments. It also describes the process for a Councillor to lodge a notice of motion for consideration and/or indicating they will raise a matter at the next Council meeting.*

*A Councillor may move any motion related to an item included in the agenda. In the interest of transparency and informed decision making, motions or amendments should not introduce new matters to a debate that have not been the subject of the report or background of the motion being considered by Council. Motions are required to be submitted in writing so they can be displayed to the meeting.*

*As a resolution must be able to be acted upon, a motion must clearly state what is intended and what its effect will be if it becomes the decision. This provides clarity for the implementation of Council decisions.*

*This Part also describes the circumstances and procedures under which a Council decision can be rescinded or altered.*

**28. Chairperson's Duty**

The *Chair* must not accept any motion, *amendment*, statement or question which—

- 28.1 is defamatory or embarrassing to any *Councillor*, member of Council staff or member of the public;
- 28.2 is abusive or objectionable in language or nature;
- 28.3 is vague or unclear in its intention;
- 28.4 is outside the powers of the *Council*;
- 28.5 is not relevant to an item of business on the *agenda* and has not been admitted as urgent business;
- 28.6 purports to be an *amendment* but is not; or
- 28.7 is a direct negative of the question before the meeting.

**29. Introducing a Motion or an Amendment**

- 29.1 The procedure for moving any motion or *amendment* is—

- 29.1.1 the mover must state the motion without speaking to it;
  - 29.1.2 the motion must be seconded by a *Councillor* other than the mover;
  - 29.1.3 if a motion is not seconded, the motion will lapse for want of a seconder; and
  - 29.1.4 if the motion or *amendment* is seconded, the *Chair* will then request—
    - (a) the mover to address the *Council* on the motion;
    - (b) the seconder to address the *Council* on the motion (who may, without speaking on the motion, reserve his or her address until later in debate);
    - (c) any *Councillor* opposed, to debate the motion; and
    - (d) any other *Councillors* for and against the motion to debate in turn;

before putting the motion to a *vote*, declaring the result of that *vote*.

- 29.2 A *Councillor* may speak once on the motion except for the mover of a motion who has a right of reply in accordance with Rule 29, after which the motion must be put to the meeting for the *vote*.

**30. Right of Reply**

- 30.1 The mover of a motion which has not been amended may, once debate has been exhausted, exercise a right of reply to matters raised during debate but must not raise any new matters.
- 30.2 After any right of reply has been taken, the motion must be immediately put to the *vote* without any further discussion or debate.
- 30.3 No right of reply is available where an *amendment* is before the meeting.

**31. Moving an Amendment to a Motion**

- 31.1 With the leave of the *Chair*, both the mover and the seconder of a motion may agree to an alteration to a motion before the meeting proposed by another *Councillor* without the need to formally amend the motion.
- 31.2 Otherwise 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.
- 31.3 A motion to confirm a previous *resolution* of *Council* cannot be amended.
- 31.4 An *amendment* may be moved or seconded by any *Councillor*, other than the mover or seconder of the original motion.

- 31.5 A *Councillor* may speak on any *amendment* once, whether or not they have spoken to the original motion but debate must be confined to the terms of the *amendment*.
- 31.6 An *amendment* must not be directly opposite to the motion.
- 31.7 Any one *Councillor* cannot move more than two *amendments* in succession.

**32. How many Amendments may be Proposed**

- 32.1 Any number of *amendments* may be proposed to a motion but only one *amendment* may be accepted by the *Chair* at any one time.
- 32.2 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.

**33. An Amendment Once Carried**

- 33.1 If the *amendment* is carried, the motion as amended then becomes the question before the meeting (known as the 'substantive Motion') and the amended motion must then be put.
- 33.2 The mover and seconder of the *amendment* are deemed to be the mover and seconder of the motion before the meeting.
- 33.3 If the *amendment* is lost, the debate in respect of the original motion resumes from where it left off.
- 33.4 A *Councillor* who has already spoken on the original motion must not speak again unless to continue the debate as if the *amendment* had not been put.
- 33.5 The mover of the original motion retains the right of reply to that motion.

**34. Foresighting Motions**

- 34.1 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.
- 34.2 A motion foreshadowed may be prefaced with a statement that, in the event that a particular motion before the meeting is resolved in a certain way, a *Councillor* intends to move an alternative or additional motion.
- 34.3 A motion foreshadowed has no procedural standing and is merely a means to assist the flow of the meeting.
- 34.4 It is not required to have foreshadowed motions recorded in the *minutes* until the foreshadowed motion is formally moved.
- 34.5 The *Chair* is not obliged to accept foreshadowed motions.

**35. Withdrawal of Motions**

- 35.1 Once a motion or *amendment* is seconded it cannot be withdrawn, except with the leave of the Chairperson prior to the motion being put to the *vote*.
- 35.2 If the majority of *Councillors* objects to the withdrawal of the motion, it may not be withdrawn.

**36. Separation of Motions**

- 36.1 Where a motion or *amendment* contains more than one part, a *Councillor* may at any time before a *vote* is taken request the *Chair* to put the motion to the *vote* in separate parts.
- 36.2 The *Chair* may decide to put any motion to the *vote* in several parts.
- 36.3 The *Chair* may consent to or refuse such a request in his or her absolute discretion.

**37. Motions moved in a Block**

The *Chair* may allow like motions to be moved, or request *Councillors* to move like items, in a block (en bloc), only if the motions note actions already taken and will not commit *Council* to further action, spending or changes to policy.

**38. Councillor Must Rise when Speaking**

- 38.1 A *Councillor* need not rise when moving a motion or *amendment* but except in the case of sickness or physical disability, must rise when addressing the meeting.
- 38.2 The *Chair* may remain seated when speaking at a meeting.

**39. Priority of Address**

In the case of competition for the right to speak, the *Chair* must decide the order in which the *Councillors* concerned will be heard.

**40. Motions in Writing**

- 40.1 The *Chair* may require any motion to be submitted in writing where it is lengthy or unclear or for any other reason.
- 40.2 The *Chair* may suspend the meeting while the motion is being *written* or *Council* may defer the matter until the motion has been *written*, allowing the meeting to proceed uninterrupted.

**41. Repeating Motion and/or Amendment**

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

**42. Debate Must be Relevant to the Motion**

- 42.1 Debate must always be relevant to the question before the meeting, and if not, the *Chair* must request the speaker to confine debate to the subject of the motion.
- 42.2 If after being requested by the *Chair* to confine debate to the motion before the meeting, the speaker continues to debate irrelevant matters, the *Chair* may direct the speaker to be seated and not speak further in respect of the motion. The speaker must immediately comply with any such direction.
- 42.3 A speaker to whom a direction has been given under sub-Rule 42.2 must comply with that direction.

**43. Notices of Motion Must be Listed on Agenda**

- 43.1 *Councillors* may ensure that an issue is listed on an *agenda* by lodging a *notice of motion*.
- 43.2 A *notice of motion* cannot be accepted by the *Chair* unless it has been listed on the *agenda* for the meeting at which it is proposed to be moved.
- 43.3 A *notice of motion* must be in *writing* signed by a *Councillor*, and be lodged with or sent to the *Chief Executive Officer* to allow sufficient time for him or her to include the *notice of motion* in *agenda* papers for a *Council meeting* and to give each *Councillor* at least 48 hours notice of such *notice of motion*.
- 43.4 The *Chief Executive Officer* must list the *notice of motion* on the *agenda* for the next *Council meeting* and, if more than one, in the order they were received.
- 43.5 The *Chief Executive Officer* at his or her discretion may provide comments to the *Council* on the motion to assist the *Council's* deliberation.

**44. Procedure**

- 44.1 A *notice of motion* must relate to the objectives, role and functions of *Council* as outlined in the *Act*.
- 44.2 A *Councillor* may give *notice of motion* on any matter he or she wants discussed at a *Council meeting* by delivering a signed *notice of motion* outlining the subject and the motion proposed for discussion, to the *Chief Executive Officer*.
- 44.3 A *notice of motion* may be withdrawn by the *Councillor* who lodged it by a request *in writing* received prior to the publication of the *agenda* for which the *notice of motion* was intended. Otherwise, the item must be dealt with at the relevant *Council meeting*.

**45. Rejection of a Notice of Motion**

- 45.1 The *Chief Executive Officer* may reject any *notice of motion* which—
  - 45.1.1 is vague or unclear in intention;
  - 45.1.2 is identical or substantially similar to a *notice of motion* that has been considered by the *Council* and lost in the preceding three months;
  - 45.1.3 is defamatory;
  - 45.1.4 may be prejudicial to any person or to the *Council*;
  - 45.1.5 is objectionable in language or nature;
  - 45.1.6 is beyond the powers of the *Council* to pass;
  - 45.1.7 is submitted during the election period;
  - 45.1.8 is a matter subject to a *Council* decision-making process which has commenced but is not yet complete; or
  - 45.1.9 if passed would result in *Council* otherwise acting invalidly.
- 45.2 The *Chief Executive Officer* may reject a proposed *notice of motion* that—
  - 45.2.1 relates to a matter than can be addressed through the operational customer request process;
  - 45.2.2 relates to a matter that has been previously resolved by *Council* or is acted upon.
- 45.3 If the *Chief Executive Officer* rejects a *notice of motion* under sub-Rule 45 he or she will inform the *Councillor* who lodged the *notice of motion* in writing of that rejection and the reasons for it no later than nine business days before the meeting at which it is intended to be considered. The *Councillor* may submit a revised motion within 24 hours from the time of rejection.
- 45.4 A *notice of motion* must call for a *Council* report if the *notice of motion* proposes any action that—
  - 45.4.1 impacts the levels of Council service;
  - 45.4.2 commits *Council* to expenditure that is not included in the adopted Council budget;
  - 45.4.3 proposes to establish, amend or extend Council policy;
  - 45.4.4 proposes to impact the rights of any person who has not had the opportunity to contribute their views;
  - 45.4.5 commits *Council* to any contractual arrangement;
  - 45.4.6 concerns any litigation in respect of which *Council* is a party.
- 45.5 The motion moved must not be substantially different to the motion published in the *agenda*, however, may be amended by *resolution* of the *Council*.
- 45.6 The full text of any *notice of motion* accepted by the *Chief Executive Officer* must be included in the *agenda* and outline the policy, financial and resourcing implications if the *notice of motion* is passed.

**46. Register of Notices**

The *Chief Executive Officer* must cause every *notice of motion* received to be sequentially numbered, dated and maintained in a register.

**47. May be Moved by any Councillor and Amended**

A *notice of motion* listed on an agenda may be moved by any *Councillor* present and, except where the *notice of motion* is to confirm a previous *resolution* of the *Council*, may be amended.

**48. If Motion is not Moved**

If a *notice of motion* is not moved at the *Council meeting* at which it is listed lapses.

**49. Confirmation of Previous Resolution**

If a *notice of motion* to confirm a previous *resolution* of the *Council* cannot be carried in its original form, it is lost.

**50. If Lost**

Unless the *Council* resolves to re-list at a future meeting a *notice of motion* which has been lost, a similar motion cannot be put before the *Council* for at least three months from the date it was last lost.

**Division 6 - Rescission Motions**

**51. Procedure**

- 51.1 A *notice of rescission* is a form of *notice of motion*. Accordingly, all provisions in this Chapter regulating *notices of motion* equally apply to *notices of rescission*.
- 51.2 A *Councillor* may propose a *notice of rescission* provided—
  - 51.2.1 it has been signed and dated by at least three *Councillors*;
  - 51.2.2 the *resolution* proposed to be rescinded has not been acted on; and
  - 51.2.3 the *notice of rescission* is delivered to the *Chief Executive Officer* within 24 hours of the *resolution* having been made setting out—
    - (a) the *resolution* to be rescinded;
    - (b) the meeting and date when the *resolution* was carried.
- 51.3 A *resolution* will be deemed to have been acted upon if—
  - 51.3.1 its contents have or substance has been formally communicated to a person whose interests are materially affected by it; or
  - 51.3.2 statutory process has commenced so as to vest enforceable rights in or obligations on the *Council* or any other person.
- 51.4 The *Chief Executive Officer* or an appropriate member of Council staff must defer implementing a *resolution* which—
  - 51.4.1 has not been acted on; and
  - 51.4.2 is the subject of a *notice of rescission* which has been delivered to the *Chief Executive Officer* in accordance with sub-Rule 51.2.3;unless deferring implementation of the *resolution* would have the effect of depriving the
- 51.5 The *Chief Executive Officer*, or a member of Council staff with responsibility for the subject matter of a *resolution*, may implement a *resolution* of *Council* at any time after the close of the meeting at which it was made.

**52. If Lost**

If a motion for rescission is lost, a similar motion may not be put before *Council* for at least one month from the date it was last lost, unless *Council* resolves that the *notice of rescission* be re-listed at a future meeting.

**53. If Not Moved**

If a *notice of motion* to rescind or amend a previous *resolution* of the *Council* is not moved at the meeting for which it is listed, it will lapse and will be treated for the purposes of *these Rules* as a *notice of motion* which has been lost.

**54. May be Moved by Any Councillor**

A motion for rescission listed on an *agenda* may be moved by any *Councillor* present but be moved in the form it was listed and must not be amended.

**55. When not required**

- 55.1 Unless sub-Rule 55.2 applies, a motion for rescission is not required where the *Council* wishes to change a previous decision relating to a *Council* policy.
- 55.2 The following standards apply if *Council* wishes to change policy—
  - 55.2.1 If a policy has been in force in its original or amended form for less than 12 months, a *notice of rescission* must be presented to *Council*; and
  - 55.2.2 any intention to change a *Council* policy, which may result in a significant impact on any person, should be communicated to those affected and this may include publication and consultation, either formally or informally.

**56. Speaking Times**

- 56.1 Unless a motion for an extension of speaking time has been carried, the maximum speaking times are—
  - 56.1.1 the mover of a motion – five minutes;
  - 56.1.2 the mover of a motion when exercising his or her right of reply – two minutes;
  - 56.1.3 any other speaker – three minutes.

**57. By Resolution of the Council**

- 57.1 An extension of speaking time may be granted by *resolution* of the *Council* but only one extension is permitted for each speaker on any question.
- 57.2 A motion for an extension of speaking time cannot be accepted by the *Chair* if another speaker has commenced his or her debate.
- 57.3 Any extension of speaking time must not exceed three minutes.

**58. Right to ask Questions**

- 58.1 A *Councillor* may, when no other *Councillor* is speaking, ask any question concerning or arising out of the motion or *amendment* before the *Chair*.
- 58.2 The *Chair* has the right to limit questions and direct that debate be commenced or resumed.

**59. Interruption for Point of Order**

A *Councillor* who has the floor must not be interrupted unless called to order, or given notice by the *Chair* his speaking time has elapsed or is about to elapse, or when he or she must sit down and remain silent until the *Councillor* raising the *point of order* has been heard and the *point of order* dealt with.

## Division 7 - Procedural Motions

### 60. Procedural Motions

- 60.1 Unless otherwise prohibited, a procedural motion may be moved at any time and must be dealt with immediately by the *Chair*.
- 60.2 A procedural motion may not be moved or seconded by the *Chair*.
- 60.3 A procedural motion requires a seconder.
- 60.4 Notwithstanding any other provision in *these Rules*, a procedural motion must be dealt with in accordance with the procedures set out in the following Procedural Motions Table.

**Procedural Motions Table**

Procedural Motion	Form	Mover and Seconder	When Motion Prohibited	Effect if Carried	Effect if Lost	Debate permitted on Motion
Deferral of a matter to a future meeting	That the debate on this matter be deferred until (insert meeting/date) to allow (purpose of deferral)	Any Councillor who has not moved or seconded the original motion or otherwise spoken to the original motion	(a) During the election of the Mayor/Deputy Mayor (b) During the election of a Chairperson (c) When another Councillor is speaking	Consideration/debate on the motion and/or any amendment is postponed to the stated date and the item is re-listed for consideration at the resolved future meeting, where a fresh motion may be put and debate(d)	Debate continues unaffected	Yes
Closure (of debate)	That the motion be now put	Any Councillor who has not moved or seconded the original motion or otherwise spoken for/against the original motion	During the nominations for Chairperson	Motion or amendment is put to the vote immediately without debate - subject to any Councillor exercising his or her right to ask any question concerning or arising out of the motion.	Debate continues unaffected	No
Laying a motion on the Table (pausing debate)	That the motion be laid on the table	Any Councillor who has not spoken for/against the motion	During the election of the Mayor/Deputy Mayor.	Motion and/or any amendment is not further discussed or voted on until: (a) Council resolves to take the question from the table at the same meeting; or (b) The matter is placed on a subsequent agenda and Council resolves to take the question from the table	Debate continues unaffected	No
Taking a motion from the table (resume debate on a matter)	That the motion in relation to xx be taken from the table	Any Councillor	When no motion is on the table	Debate on the item resumes	Debate of the item remains paused	No
Alter the order of business	That the item listed as xx on the agenda be considered	Any Councillor	(a)At a meeting to elect the Mayor/Deputy Mayor or	Alters the order of business for the meeting	Items are considered in the order as	No

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	before/after the item listed as xy		(b)During any debate		listed in the agenda	
Suspension of Standing Orders	That Standing Orders be suspended to (reason must be provided)	Any Councillor		(a)The rules of the meeting are temporarily suspended for the specific reason given in the motion. (b) No debate or decision on any matter, other than a decision to resume Standing Orders is permitted	The meeting continues unaffected	No
Resumption of Standing Orders	That Standing Orders be resumed	Any Councillor	When standing Orders have not been suspended	The temporary suspension of the rules of the meeting is removed	The meeting cannot continue	No
Consideration of confidential matter(s) (Close the meeting to members of the public)	That in accordance with section 66(2)(a) of the <i>Local Government Act 2020</i> the meeting be closed to members of the public for the consideration of Item x.x is confidential as it relates to [insert reason]	Any Councillor	During the election of the Mayor/Deputy Mayor	The meeting is closed to members of the public	The meeting continues to be open to the public	Yes
Re-open the meeting	That the meeting be reopened to members of the public	Any Councillor		The meeting is reopened to the public	The meeting remains closed to the public	No

## Division 8 - Points of Order

*Overview: A point of order is taken when a Councillor draws the attention of the Chairperson to an alleged irregularity in the proceedings. Valid points of order, the process for raising and ruling on a point of order, and the procedure if there is dissent on the Chair's ruling are described in this section.*

### 61. Chair to Decide

The *Chair* must decide all points of order by stating the provision, rule, practice or precedent which he or she considers applicable to the point raised without entering into any discussion or comment.

### 62. Procedure for Point of Order

- 62.1 A *Councillor* raising a *point of order* must—
  - 62.1.1 state the *point of order*; and
  - 62.1.2 state any section, Rule, paragraph or provision relevant to the *point of order* before resuming his or her seat
- 62.2 The *Chair* may request a *Councillor* provide an explanation in respect of the *point of order* raised.

**63. Valid Points of Order**

- 63.1 A *point of order* may be raised in relation to—
  - 63.1.1 an act that is contrary to *these Rules*;
  - 63.1.2 a motion which has not been accepted by the *Chair*;
  - 63.1.3 a question of procedure or clarification of fact;
  - 63.1.4 a *Councillor* who is or appears to be out of order;
  - 63.1.5 any act of disorder; or conduct in contravention of the *Councillor Code of Conduct*;
  - 63.1.6 abusive or objectionable language or comments;
  - 63.1.7 a matter that is outside the powers of *Council*; and
  - 63.1.8 any debate which is irrelevant to the motion before the meeting.
- 63.2 A *point of order* takes precedence over all other business, including procedural motions.

**64. Chairperson May Adjourn to Consider**

- 64.1 The *Chair* may adjourn the meeting to consider a *point of order* but otherwise he or she must rule on it as soon as it is raised.
- 64.2 No *Councillor* may debate a *point of order* or the merits of a *point of order*.
- 64.3 All other matters before the meeting are to be suspended until the *point of order* is decided.

**65. Dissent from Chair's Ruling**

- 65.1 A *Councillor* may move a motion to the effect that the meeting dissent from the *Chair's* ruling by moving:  
“That the *Chair's* ruling [setting out that ruling or part of that ruling] be dissented from”.
- 65.2 A motion of dissent in the *Chair's* ruling shall, if seconded, be given priority to all other items of business.
- 65.3 When a motion of dissent in accordance with this Rule is moved and seconded, the following process must be followed—
  - 65.3.1 the *Chair* must leave the *Chair* and a temporary *Chair* must take his or her place to preside while the motion of dissent is being considered;
  - 65.3.2 the temporary *Chair* must invite the mover of the motion of dissent to outline the reasons for his or her dissent and the *Chair* must reply.
- 65.4 The temporary *Chair* must put the motion in the following form:  
“That the *Chair's* ruling be dissented from”.
- 65.5 If the *vote* is in the negative, the *Chair* resumes the *Chair* and the meeting proceeds.
- 65.6 If the *vote* is in the affirmative, the *Chair* must then resume the *Chair*, reverse or vary (as the case may be) his or her previous ruling and proceed.
- 65.7 The defeat of the *Chair's* ruling is in no way a motion of censure or no-confidence in the *Chair*, and should not be so regarded by the meeting.

**66. 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.

**Division 9 - Voting At Meetings**

*Overview: At the conclusion of debate on a matter before the meeting, the Chairperson must put the question, motion or amendment to the vote. Each Councillor is entitled to one vote and voting must be able to be seen by those participating in the meeting and those observing the meeting. The vote is determined by a majority of the Councillors present at the meeting at the time the vote is taken voting in favour of the motion. If a vote is tied, the Chairperson generally has a casting vote. A Councillor can abstain from voting.*

*Sometimes a Councillor may want his or her vote recorded; this is provided for in this section, along with the procedure when a Councillor calls for a division on a vote which is when how each Councillor voted is recorded.*

*Provision is made for the introduction of an electronic voting system as long as Council has resolved to implement the system and all participants in the meeting and those observing a meeting are able to see which way Councillor has voted on a matter at the time the vote is taken.*

**67. How Motion is Determined**

To determine a motion before a meeting, the *Chair* must first call for those in favour of the motion or *amendment* and then those opposed to the motion or *amendment* before declaring the result to the meeting.

**68. Silence**

Voting must take place in silence.

**69. Recount**

The *Chair* may direct that a *vote* be recounted to satisfy himself or herself of the result.

**70. By Show of Hands**

Voting on any matter must not be in secret and will be by a show of hands any method resolved by *Council* that enables those in attendance and those watching a livestream broadcast, if provided for, to clearly see which way a *Councillor* has *voted* at the time a *vote* is taken.

**71. Procedure for a Division**

- 71.1 Immediately after any question is put to a meeting and before the next item of business has commenced, a *Councillor* may call for a *division*.
- 71.2 When a *division* is called for, the *vote* already taken must be treated as set aside and the *division* shall decide the question, motion or amendment.
- 71.3 When a *division* is called for, the *Chair* must—
  - 71.3.1 first ask each *Councillor* wishing to *vote* in the affirmative to raise a hand and, upon such request being made, each *Councillor* wishing to *vote* in the affirmative must raise one of his or her hands. The *Chair* must then state, and the *Chief Executive Officer* or any authorised officer must record the names of those *Councillors* voting in the affirmative.
  - 71.3.2 then ask each *Councillor* wishing to *vote* in the negative to raise a hand and, upon such request being made, each *Councillor* wishing to *vote* in the negative must raise one of his or her hands. The *Chair* must then state, and the *Chief Executive Officer* or any *authorised officer* must record, the names of those *Councillors* voting in the negative.

**72. No Discussion Once Declared**

Once a *vote* on a question has been taken, no further discussion relating to the question is allowed unless the discussion involves—

- 72.1 a *Councillor* requesting, before the next item of business is considered, that his or her opposition to a *resolution* be recorded in the *minutes* or a register maintained for that purpose; or
- 72.2 foreshadowing a *notice of rescission* where a *resolution* has just been made, or a positive motion where a *resolution* has just been rescinded.

## Division 10 - Community Participation and Behaviour

*Overview: As outlined in the purpose of these Governance Rules, Council meetings are held for Council to make its decisions. There are provisions for Council to respond to questions from the community and for the public to make submissions to Council. At each meeting there is an opportunity for members of the public to ask questions of the Council. Assistance will be available for any community member seeking or requiring support to write their question(s).*

*Petitioning is a long-established process for members of the community to demonstrate community support for a request or views on a matter, and for that request or view to be presented directly to Council.*

*This Part sets out the procedures to be followed to submit a question or petition and to address the meeting including the behaviours expected of Councillors, members of Council staff and members of the public at Council meetings.*

*Council may suspend standing orders to have the opportunity to discuss issues outside the ordinary constraints of these Rules.*

*This Part provides for the adoption of policies, guidelines and procedures to live stream or broadcast and record meetings to improve public participation.*

### 73. Addressing the Meeting

- 73.1 *Council* may allocate time to enable any member of the community to address the *Council* at a *Council meeting* or other alternative time in accordance with any *Council meeting* policy.
- 73.2 Sub-Rule 73.1 does not apply where the *Council* has resolved to close the meeting in respect of a matter under section 66 of the *Act*.
- 73.3 Except for the *Chair* and *Chief Executive Officer*, any *Councillor* or person who addresses the meeting must, except in the case of sickness or physical disability, stand and direct all remarks through the *Chair*.
- 73.4 The *Chair* may permit any *Councillor* or person to remain seated while addressing the *Chair*.
- 73.5 Any person, including a *Councillor* and member of Council staff, addressing the *Chair* must refer to the *Chair* as—
  - 75.5.1 Madam Mayor;
  - 75.5.2 Mr Mayor;
  - 75.5.3 Madam Chairperson; or
  - 75.5.4 Mr Chairperson.as the case may be.
- 73.6 All *Councillors*, other than the *Mayor*, must be addressed as Cr ..... (surname).
- 73.7 All members of Council staff and members of the public, as appropriate, must be addressed as Mrs, Ms, Miss or Mr ..... (surname).

### 74. Conduct at Meetings by Visitors

- 74.1 Any member of the public 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 *Chair* whenever called on to do so.
- 74.2 Silence must be preserved by visitors in the gallery (other than by a person in the gallery who is invited to address the meeting) at all times during a meeting.
- 74.3 Visitors at a meeting must not interject, jeer, call a *point of order*, *vote* or take part in the debate or disrupt the meeting and must behave in a respectful and appropriate manner that allows the meeting to proceed without disruption.

**75. Chair May Adjourn a Disorderly Meeting**

If the *Chair* is of the opinion that disorder at the *Council* table or in the gallery makes it desirable to adjourn the *Council meeting*, he or she may adjourn the meeting to a later time on the same day or to some later day as he or she thinks proper. In that event, the provisions of sub-Rules 18.2 and 18.3.

**76. Chair may Remove**

- 76.1 The *Chair* must call to order any person, including a *Councillor*, who—
  - 76.1.1 is disruptive, or unruly during any meeting; or
  - 76.1.2 who says anything which is defamatory, abusive or objectionable in language or nature,and may direct that person to remain silent and/or to resume their seat.
- 76.2 The *Chair* may order and cause the removal from the gallery of any person, other than a *Councillor*, who disrupts any *Council meeting* or fails to comply with a direction.
- 76.3 In causing a person's removal, the *Chair* may ask the *Chief Executive Officer*, an *Authorised Officer* or a member of Victoria Police to remove the person.
- 76.4 The *Chair* who is the *Mayor* can direct a *Councillor* to leave a *Council meeting* if the behaviour of the *Councillor* is preventing the *Council* from conducting its business.

**77. Suspension of a Councillor**

- 77.1 The *Council* may by resolution suspend a *Councillor* from a *Council meeting* for the balance of that meeting.
- 77.2 A *Councillor* cannot be suspended unless—
  - 77.2.1 the *Chair* has warned the *Councillor* that he or she is engaging in improper or disorderly conduct, or that his or her actions are disrupting the business of *Council*; and
  - 77.2.2 the *Council* resolves that the *Councillor*'s conduct following the *Chair*'s warning is continuing and that the *Councillor* should be suspended.
- 77.3 The *Chair*, or the *Council*, in the case of a suspension of a *Councillor*, may ask the *Chief Executive Officer* or a member of Victoria Police to remove from the Chamber any person who breaches *these Rules* and who has been suspended or ordered to leave the gallery.

**78. Suspension of Standing Orders**

*Overview:* Standing orders are the rules made to govern the procedure at *Council meetings* contained in *these Rules*. The standing orders cover a range of matters including the order of business, rules of debate, procedural motions and election procedures.

- 78.1 *Council* may decide to suspend standing orders at a *Council meeting* to discuss the issues surrounding an item on the *agenda* without the ordinary constraints of *these Rules*.
- 78.2 The provisions of *these Rules* may be suspended for a particular purpose by *resolution* of the *Council*—
  - 78.2.1 to enable full discussion of any issue without the constraints of formal meeting procedure; or
  - 78.2.2 to enable the formalities of meeting procedure to be temporarily disposed of while an issue is discussed.
- 78.3 The provisions of *these Rules* must not be suspended purely to dispense with the processes and protocol of the government of the *Council*. An appropriate motion would be:  
“That standing orders be suspended to enable discussion on .....”

- 78.4 Once the discussion has taken place and before any motions can be put, the *Council* must resolve to resume the provisions of *these Rules*. An appropriate motion would be:  
“That standing orders be resumed.”
- 78.5 No substantive or procedural motion may be accepted by the *Chair* or be lawfully dealt with during any suspension of standing orders, other than a motion to resume standing orders.

**79. Public Question Time**

- 79.1 *Council* will hold Public Question Time at *Council meetings*.
- 79.2 This Rule only applies to *Council meetings* listed in the schedule of meetings set by *Council* annually and, for the avoidance of doubt, does not apply to *unscheduled Council meetings*.
- 79.3 Question time shall not exceed 15 minutes.
- 79.4 A person can ask a maximum of three questions at any one meeting and the presentation of each question shall not exceed two minutes.
- 79.5 The *Chair* may accept or reject a question related to the formal question put to the meeting.
- 79.6 Questions will not preempt debate on a matter listed on the *agenda*.
- 79.7 Questions with notice can be submitted by 12 noon on the Monday one week prior to a *Council meeting*, online or in writing by mail or hand delivery to one of the Council offices.
- 79.8 Questions without notice can be submitted on a Questions Without Notice form which must be handed to the *Chair* before the start of each *Council meeting*. Copies of the form will be made available at the meeting.
- 79.9 If the person asking the question cannot attend the *Council meeting* for which their question has been submitted personally, they may nominate another person to ask their question on their behalf.
- 79.10 The person asking the question shall, if able, stand and direct their question to the *Chair*. Prior to asking the question the person must state their name and address. If necessary they may provide a very brief background to their question (30-50 seconds).
- 79.11 The *Chair* may summarise a question before putting it to the *Council meeting*.
- 79.12 The *Chair* may disallow a question if it—
  - 79.12.1 is phrased as a statement, rather than a question;
  - 79.12.2 relates to matters outside the duties, functions and powers of *Council*;
  - 79.12.3 is defamatory, abusive or offensive;
  - 79.12.4 deals with a subject matter already answered; or
  - 79.12.5 is aimed at embarrassing a *Councillor* or member of Council staff.
- 79.13 The *Chair* or *Councillor* or member of Council staff to whom a question is referred may—
  - 79.13.1 decline to answer the question;
  - 79.13.2 have the question put on notice for the next *Council meeting*; or
  - 79.13.3 agree to provide the questioner with a *written response* after the *Council meeting*.
- 79.14 During the allocated time questions will be accepted on topics that need not relate to the *agenda*.
- 79.15 Answers to questions shall be confined to the substance of the question asked and its relationship to matters of concern to the *Council*.
- 79.16 A question will not be debated.
- 79.17 Subject to this Rule 79, Public Question Time will be conducted in accordance with any policy adopted by the *Council* from time to time.
- 79.18 Details of question time must be minuted.
- 79.19 A written response will be given for all public questions.

**80. Petitions and Joint Letters**

- 80.1 This Rule does not apply to unscheduled *Council meetings*.
- 80.2 A petition or joint letter received by the *Council* or an individual *Councillor* must be lodged with the *Chief Executive Officer* at least ten days before a *Council meeting* to ensure sufficient time to include the item on the *agenda*.
- 80.3 The petition or joint letter must—
  - 80.3.1 be in writing;
  - 80.3.2 contain the request of the petitioners or signatories;
  - 80.3.3 be signed by at least 12 people;
  - 80.3.4 not be defamatory, indecent, abusive or objectionable in language or content; and
  - 80.3.5 not relate to matters beyond the powers of *Council*.
- 80.4 Every petition or joint letter must be signed by the persons whose names are appended to it by their names or marks, and, except in cases of incapacity or sickness, by no one else and the address of every petitioner or signatory must be clearly stated.
- 80.5 Any signature appearing on a page which does not bear the text of the whole of the petition or request may not be considered by *Council*.
- 80.6 Any petition or joint letter that does not comply with sub-rules 82.2 or 82.3 will not be tabled at a *Council meeting* and will be forwarded directly to the appropriate member of *Council* staff for action.
- 80.6 Where the petition or joint letter relates to a current planning or subdivision application, the petition will be considered as an objection in accordance with the *Planning and Environment Act 1989* and will not be tabled at a *Council meeting* as a separate matter.
- 80.8 Any *Councillor* presenting a petition or joint letter will be responsible for ensuring that he or she is familiar with the contents and purpose of the petition or joint letter and that it does not contain language disrespectful to *Council*.
- 80.9 Every *Councillor* presenting a petition or joining letter to *Council* must:
  - 80.9.1 write or otherwise record his or her name at the beginning of the petition or joint letter; and
  - 80.9.2 confine himself or herself to a statement of the persons from whom it comes, the number of signatories to it, the material matters expressed in it and the text of the prayer or request.
- 80.10 The *Chief Executive Officer* must arrange for petitions and joint letters to be submitted to the next practicable *Council meeting* following their receipt.
- 80.11 Unless *Council* determines to consider it as an item of urgent business, no motion (other than a motion to receive the same) may be made on any petition, joint letter, memorial or other like application until the next *Council meeting* after that at which it has been presented.
- 80.12 If a petition or joint letter relates to an operational matter, *Council* must refer it to the *Chief Executive Officer* for consideration.
- 80.13 Where a petition or joint letter has been allowed to lay on the table, the *Chief Executive Officer* may refer it to the appropriate member of *Council* staff for a report prior to it next being considered by the *Council*, as deemed appropriate by the *Chief Executive Officer* in his or her discretion.
- 80.14 A copy of the text of the petition or joint letter must be included in the *minutes* of the *Council meeting* at which it was tabled.
- 80.15 A petition or joint letter may nominate a person to whom a reply may be sent, but if no person is nominated the *Council* will reply to the first person whose signature appears on the petition or joint letter.
- 80.16 Only the text of the petition or joint letter and the number of signatories will be included in the *agenda* for the *Council meeting* at which it will be considered.

80.17 Nothing in this Rule shall prevent the *Chief Executive Officer* from determining that an electronic or online petition will be submitted to a *Council meeting* or the *Council* resolving to consider a petition as urgent business.

**81. Engagement of Public**

*Council* may adopt policies, guidelines and procedures from time to time relating to public participation, including live streaming or broadcasting and recording of meetings and the use of available technology and systems, to ensure the smooth and efficient conduct of *Council meetings*.

**82. Joint Meetings of Councils**

*Overview: Regional collaboration provides benefits through collective procurement, increased advocacy and alignment for major projects. While on some matters that are worked on in partnership it is possible for the participating councils to make their own decisions and determinations, in some circumstances, it may be beneficial to hold joint council meetings as are provided for in the Act.*

- 82.1 The *Council* may resolve to participate in a joint meeting of councils to consider—
  - 82.1.1 collaborative projects;
  - 82.1.2 collaborative procurement;
- 82.2 If the *Council* has resolved to participate in a joint meeting, the *Chief Executive Officer* will agree on governance rules with the participating councils.
- 82.3 Where the *Council* is the lead council on a matter to be brought for consideration at a joint meeting, the *Mayor* will be nominated to Chair the joint meeting.
- 82.4 At least a majority of Councillors will be appointed to represent *Council* at a joint meeting.
- 82.5 Consistent information will be provided to Councillors prior to any joint meeting and every endeavour will be made by the *Chief Executive Officer* to facilitate a joint briefing.
- 82.6 A joint briefing arranged in accordance with sub-Rule 84.5 may be held electronically.
- 82.7 The provisions of the *Act*, except section 61(3), (4) and (5)(d) apply accordingly.
- 82.8 Subject to subsections 62(2) and (6) of the *Act*, the procedures for conducting a joint meeting are to be determined by the councils holding the joint meeting.

**Division 11 - Miscellaneous**

**83. Meetings Conducted Remotely**

If—

- 83.1 by law a meeting may be conducted electronically; and
- 83.2 *Council* decides that a meeting is to be conducted electronically,  
the *Chair* may, with the consent of the meeting, modify the application of any of the Rules in this Chapter to facilitate the more efficient and effective transaction of the business of the meeting.

**84. Procedure not provided in this Chapter**

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

**85. Criticism of members of Council Staff**

- 85.1 The *Chief Executive Officer* may make a brief statement at a *Council meeting* in respect of any statement by a *Councillor* made at the *Council meeting* criticising him or her or any member of *Council* staff.

- 85.2 A statement under sub-Rule 85.1 must be made by the *Chief Executive Officer*, through the *Chair*, as soon as is practicable after the *Councillor* who made the statement has resumed his or her seat.

## CHAPTER 3 - MEETING PROCEDURE FOR DELEGATED COMMITTEES

*Overview: Council may establish delegated committees as part of its governance framework. Delegated committees can comprise Councillors, members of Council staff and others and must be chaired by a Councillor. As Council may delegate specific powers, duties and functions to delegated committees, their meeting procedures need to be formal.*

*Delegated committees have specific powers (delegations) and to ensure public transparency in their operations, members must declare interests. They operate under a delegation of the Council (albeit for limited purposes) and members are subject to many of the same requirements as Councillors, such as conflict of interest, personal interest returns and standards of conduct.*

*Members are subject to many of the same requirements as Councillors, such as conflict of interest, personal interest returns and standards of conduct.*

### 1. Purpose

The purpose of this Chapter is to—

- (a) provide for the procedures governing the conduct of *delegated committee* meetings; and
- (b) set the rules of behaviour for those participating in or present at *delegated committee* meetings.

### 2. Definitions and Notes

In this Chapter—

<i>delegated committee</i>	<i>means a delegated committee established by council under s.63 of the Act to exercise any power of a council</i>
<i>Instrument of Delegation</i>	<i>means an instrument of delegation made by the Council under section 11(1)(a) of the Act</i>
<i>joint delegated committee</i>	<i>means a delegated committee of two or more councils that have resolved to establish the joint delegated committee under s.64 of the Act, to exercise any power of a council</i>

### 3. Meeting Procedure Generally

- 3.1 A *delegated committee* exercises the powers, duties or functions of the *Council*, therefore is subject to the same governance rules as *Council*.
- 3.2 Except as provided in this Chapter, and unless the contrary intention appears, if the Council establishes a *delegated committee* all the provisions of Chapter 2 apply to meetings of *delegated committees*.
- 3.3 A reference in Chapter 2 to—
  - 3.3.1 a *Council meeting* is to be read as a reference to a meeting of a *delegated committee*;
  - 3.3.2 a Councillor is to be read as a reference to a member of the *delegated committee*;
  - 3.3.3 the *Mayor* is to be read as a reference to the *Chair* of the *delegated committee*.
- 3.4 A *delegated committee* must also act in accordance with its *Instrument of Delegation* by *Council*.

#### **4. Meeting Procedure Can be Varied**

Notwithstanding sub-Rule 3.2, if *Council* establishes a *delegated committee* that is not composed solely of *Councillors*—

- 4.1 *Council* may; or
- 4.2 the *delegated committee* may, with the approval of *Council* resolve that any or all of the provisions of Chapter 2 are not to apply to a meeting of the *delegated committee*, in which case the provision or those provisions will not apply until *Council* resolves, or the *delegated committee* with the approval of *Council* resolves, otherwise.

#### **5. Election of Committee Chairperson**

- 5.1 The *Chair* of a *delegated committee* must be a *Councillor*.
- 5.2 The procedure outlined in Rule 15 of *these Rules* will be used to elect Chairpersons for all *delegated committees* of *Council* unless their *Instrument of Delegation* states otherwise.
- 5.3 The *Chief Executive Officer* will conduct the election of the *delegated committee Chair*.

#### **6. Meetings to be Open to the Public**

- 6.1 *Delegated committee* meetings are open to the public unless the *Chair* of the *delegated committee* considers it necessary to close the meeting to the public because of the following circumstances—
  - 6.1.1 the meeting is to consider confidential information; or
  - 6.1.2 for security reasons; or
  - 6.1.3 it is necessary to do so to enable the meeting to proceed in an orderly manner.
- 6.2 If the circumstances in sub-Rule 6.1(b) and (c) apply, the meeting can only be closed to the public if the *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.
- 6.3 For the purposes of sub-Rule 6.2, the arrangements may include provision to view the proceedings on the internet or on closed circuit television.
- 6.4 If the *delegated committee* determines that a meeting is to be closed to the public to consider confidential information, the *delegated committee* must record in the *minutes* of the meeting that are available for public inspection—
  - 6.4.1 the ground or grounds for determining to close the meeting to the public;
  - 6.4.2 an explanation of why the specified ground or grounds applied.

#### **7. The Order of Business**

The business of a *delegated committee* meeting must be conducted in the following order unless the committee otherwise resolves—

- 7.1 Opening
- 7.2 Apologies
- 7.3 Confirmation of Minutes
- 7.4 Business arising from previous minutes
- 7.5 Disclosures of interest and declarations of conflict of interest
- 7.6 General Business
- 7.7 Close

## 8. Apologies and absences

- 8.1 Members of a *delegated committee* who are unable to attend a meeting may submit an apology—
  - (a) in writing to the *Chair*, who will advise the meeting; or
  - (b) by seeking another member of the committee to submit it at the meeting on their behalf.
- 8.2 An apology submitted to a meeting will be recorded in the *minutes*.
- 8.3 A member who has not submitted an apology who is not in attendance at a meeting will be recorded as absent.

## 9. Voting at Meetings

- 9.1 A *delegated committee* established by a *Council*—
  - 9.1.1 must include at least two *Councillors*; and
  - 9.1.2 may include any other persons appointed to the *delegated committee* by the *Council* who are entitled to *vote*.
- 9.2 A question before a *delegated committee* meeting is to be determined as follows—
  - 9.2.1 each member present who is entitled to *vote* is entitled to one *vote*;
  - 9.2.2 voting at a meeting must not be in secret, but if the meeting is closed to the public, a committee member is not required to divulge their *vote* to the public;
  - 9.2.3 the question is determined in the affirmative by a majority of the committee members present at a meeting at the time the *vote* is taken voting in favour of the question;
  - 9.2.4 if the number of *votes* in favour of the question is half the number of committee members present at the meeting at the time the *vote* is taken, the *Chair* has a second *vote*;
  - 9.2.5 for the purpose of determining the result of a *vote*, a committee member present at the meeting who does not *vote* is to be taken to have *voted* against the question.
- 9.3 Voting on any matter will be by a show of hands.
- 9.4 At any meeting a committee member may immediately after the *Chair* has put any motion or *amendment* to the *vote* and has announced the result of that *vote*, ask that his or her opposition to the motion be recorded in the minutes.

## 10. Meeting Procedure

- 10.1 A meeting of a *delegated committee* must be chaired by a *Councillor* appointed by the *Council* or the *Mayor*.
  - 10.2 If the member who is appointed *Chair* is not present at the meeting, a member who is present at the meeting and is appointed by the members of the committee who are present at the meeting, must take the *Chair*.
  - 10.3 A *quorum* at a meeting of a *delegated committee* is an *absolute majority*.
  - 10.4 A member of a *delegated committee* to whom a delegation is given under section 11(1)(a) of the *Act* can only exercise the delegation while acting as a member of the *delegated committee* at a meeting of the *delegated committee*.
  - 10.5 The *Chair* of a *delegated committee* may change the date, time and place of any committee meeting and must provide reasonable notice to members of the committee.
  - 10.6 The *Chair* of a *delegated committee* may call a special committee meeting and must give 48 hours notice to members of the committee and must specify the purpose of the meeting.
- 
- 10.7 Meeting *minutes* will be recorded and provided to members of the committee.

- 10.8 Members of a *delegated committee* are subject to the same conflict of interest requirements as *Councillors* and must declare interests as set out in Chapter 7.
- 10.9 Members of a *delegated committee* are subject to the same conduct rules as *Councillors*.
- 10.10 A *resolution* of a *delegated committee* holds the same weight as a *resolution* of *Council*, provided it falls within the committee's delegated powers.
- 10.11 Meetings of a *delegated committee* can be held remotely using available technology.

**11. Joint Delegated Committees**

- 11.1 The provisions of the *Act*, with the exception of section 61(3), (4) and (5)(d), apply for meetings of a *joint delegated committee*.
- 11.2 A meeting of a *joint delegated committee* must be chaired by a Councillor from one of the councils that has resolved to establish the *joint delegated committee* who is present at the meeting and is appointed by the members of the *joint delegated committee* who are present at the meeting.
- 11.3 A *joint delegated committee* must include at least one Councillor from each of the councils that has resolved to establish the joint delegated committee.
- 11.4 A *quorum* at a meeting of a *joint delegated committee* is constituted by the number of members that is equal to at least a majority of the members constituting the *joint delegated committee*.
- 11.5 Unless anything in the *Instrument of Delegation* provides otherwise, the conduct of a meeting of a *joint delegated committee* is to be determined by the councils that have resolved to establish the *joint delegated committee*.

**12. Reporting Requirements**

- 12.1 A *delegated committee* must report the minutes of all committee meetings to the next practicable *Council meeting*.
- 12.2 All other reporting requirements for a *delegated committee* are to be specified by the *Council* in the *Instrument of Delegation*.

## CHAPTER 4 - MEETING PROCEDURE FOR COMMUNITY ASSET COMMITTEES

*Overview: The Act provides for Council to establish a Community Asset Committee for the management of a community asset such as a hall. Council may appoint members of the community to the committee. These committees receive delegation of Council's powers, duties and functions from the Chief Executive Officer and the powers delegated must be limited in the amount and purpose of any financial delegation.*

*Community asset committees have specific powers (delegations) and to ensure public transparency in their operations, members must declare interests. They operate under delegation of the council (albeit for limited purposes) and members are subject to many of the same requirements as Councillors, such as conflict of interest, personal interest returns and standards of conduct.*

### 1. Purpose

The purpose of this Chapter is to provide for the procedures governing the conduct of *community asset committee* meetings.

### 2. Definitions and Notes

In this Chapter—

<i>community asset committee</i>	<i>means a committee appointed under section 65 of the Act for the purpose of managing a community asset</i>
<i>Instrument of Delegation</i>	<i>means an instrument of delegation made by the Chief Executive Officer under section 47(1)(b) of the Act</i>

### 3. Application Generally

Unless anything in the *Instrument of Delegation* provides otherwise, the conduct of a meeting of a *community asset committee* is at the discretion of the *community asset committee*.

### 4. Appointment of Committee

- 4.1 *Council* may establish a *community asset committee* and appoint as many members to the committee as they consider necessary to enable the committee to achieve the purpose of managing a community asset.
- 4.2 The *Chief Executive Officer* may by *Instrument of Delegation* delegate any power, duty or function of the *Council* that has been delegated to him or her to a *community asset committee*.
- 4.3 A delegation to members of the *community asset committee* is to be exercised subject to the terms and conditions specified by the *Chief Executive Officer* which must include—
  - 4.3.1 the specified limit on any financial delegation and the specified purpose for which the financial delegation may be used;
  - 4.3.2 compliance with specified governance requirements to ensure appropriate standards of probity are met;
  - 4.3.3 specified monitoring and reporting of the activities and performance of the community asset committee.
- 4.4 Meetings of a *community asset committee* do not have a requirement to be chaired by *Councillor* or *Mayor* and any member can be elected as *Chair* from the membership unless the *Instrument of Delegation* states otherwise.

## 5. Meetings

- 5.1 Meetings of a *community asset committee* are not open to the public unless the *Council* provides for in the committee *Instrument of Delegation*.
- 5.2 Meetings of a *community asset committee* can be held remotely using available technology.
- 5.3 A member of a *community asset committee* to whom a delegation is given under section 11(1)(a) of the *Act* can only exercise the delegation while acting as a member of the *community asset committee* at a meeting of the *community asset committee*.
- 5.4 An exercise of a power or the performance of a duty or function of the *Council* by a member of a *community asset committee* is a 'resolution of *Council*'.
- 5.5 Members of a *community asset committee* are subject to the same conflict of interest requirements as *Councillors* and must declare interests as set out in Chapter 7.
- 5.6 Members of a *community asset committee* are subject to the same conduct rules as *Councillors*.

## 6. Reporting Requirements

- 6.1 A *community asset committee* must report the *minutes* of all committee meetings to the next practicable *Council meeting*.
- 6.2 All other reporting requirements including the level of spend, for a *community asset committee* are specified by the *Chief Executive Officer* in the *Instrument of Sub-Delegation*.
- 6.3 The *Chief Executive Officer* must submit an annual report on the activities of a *community asset committee* to the *Council*.

## CHAPTER 5 - ELECTION PERIOD POLICY

### 1. Purpose

A *Council* must include an election period policy in its Governance Rules under section 69 of the *Act*.

The purpose of this Chapter is to set out the *Council's* policy to govern decision making in the lead up to Council elections, the use of council resources and publications, media and communications issues and Councillor behaviour. The policy will ensure the transparency and accountability of the *Councillors*, members of Council staff and candidates during an election period and compliance with the *Act*.

### 2. Definitions and Notes

In this Chapter—

<i>election candidates</i>	<i>means all sitting Councillors who will be considered as being election candidates until the close of nominations</i>
<i>electoral matter</i>	<i>means matter which is intended or likely to affect voting in an election, but does not include any electoral material produced by or on behalf of the election manager for the purposes of conducting an election. It includes matter that contains an express or implied reference to, or comment on the election, a candidate in the election or an issue submitted to, or otherwise before, the voters in connection with the election</i>
<i>electoral material</i>	<i>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</i>
<i>election period</i>	<i>means the legislative 'caretaker' period that—</i> <i>(a) starts at the time that nominations close on nomination day (from 12 noon on 22 September 2020); and</i> <i>(b) ends at 6 p.m. on election day (Saturday 24 October 2020)</i>

### 3. Policy

#### 3.1 *Council's* Election Period Policy:

- 3.1.1 governs decision making during a local government election period, including what may be considered at a *Council meeting* and what *Council* decisions are prohibited;
  - 3.1.2 prohibits any *Council* decision during the *election period* that would enable the use of *Council* resources in a way that is intended to influence or is likely to influence voting at the election, including Federal, State or *Council* elections;
  - 3.1.3 sets out the conditions for any community engagement required to be undertaken during an *election period*, including consultations, civic events and activities of *delegated committees* established by the *Council*;
  - 3.1.4 sets out the requirements for any *Council* publications during a local government election period – including the website, social media, newsletters and advertising – to ensure the *Council* does not publish materials that relate to issues that are the subject of election campaigns;
  - 3.1.5 defines roles and responsibilities in relation to who is the spokesperson for *Council* during an *election period*;
  - 3.1.6 sets out the requirements for a *Councillor* or member of *Council* staff who is a candidate in an election including a Federal, State or *Council* election.
- 3.2 At least once in each *Council* term and, not later than 12 months prior to the commencement of an *election period*, *Council* will review its election period policy.

- 3.3 The *Election Period Policy* forms part of *these Rules*.
- 3.4 The operation of any *delegated committee* and *community asset committee* shall be suspended upon the commencement of the *election period* ahead of a general *Council* election.
- 3.5 Any outstanding committee reports/minutes may still be reported to a *Council meeting* during the *election period*.
- 3.6 *Council* committees shall resume meeting following the election and the appointment by the incoming *Councillors* to each committee.

#### 4. Candidates

- 4.1 A person is not qualified to be a councillor if the person is a member of the Victorian or Commonwealth Parliament.
- 4.2 A member of Council staff who has not taken leave to stand is not qualified to nominate as a candidate(e)
- 4.3 A member of Council staff who wishes to nominate as a candidate at a Federal, State or Local election can seek approval in writing from the *Chief Executive Officer* for the duration of the election period for that election to:
  - 4.3.1 take leave from their office or position; and
  - 4.3.2 not perform any of the duties of their position.
- 4.4 A person who is a Councillor of a *Council* cannot nominate as a candidate for an election as a Councillor of any council unless at the time of the nomination the person will cease to hold office as a Councillor on or before the election day for that election.
- 4.5 A person who has nominated as a candidate for an election as a Councillor of a council cannot nominate as a candidate for any other election as a Councillor unless at the time of the nomination the person has withdrawn the previous nomination.
- 4.6 A person must not nominate as a candidate for more than one election of Councillors to be held on the same day.
- 4.7 A person cannot nominate as a candidate for an election as a Councillor unless the person has completed the prescribed training.
- 4.8 If a Councillor becomes aware they have ceased to be qualified to be a Councillor of the *Council* under section 34 of the *Act*, the Councillor must immediately give notice in writing to the *Chief Executive Officer*.

#### 5. Decision Making

- 5.1 *Council* may at its discretion decide to implement 'caretaker arrangements' earlier than nomination day.
- 5.2 Given the relatively short election period, the *Council* will reschedule most decisions until after the new *Council* commences its term, or if that is not appropriate, bring decisions forward so they are determined before the *election period* starts.
- 5.3 *Council* will continue to hold *Council meetings* during the *election period*.
- 5.4 *Council* is prohibited from making any *Council* decision during the election period for a general election that—
  - (a) relates to the appointment or remuneration of a *Chief Executive Officer* but not to the appointment or remuneration of an Acting Chief Executive Officer;
  - (b) commits the *Council* to expenditure exceeding one percent of the *Council's* income from general rates, municipal charges and service rates and charges in the preceding financial year; or
  - (c) the *Council* considers could be reasonably deferred until the next *Council* is in place; or
  - (d) the *Council* considers should not be made during an *election period*.

- 5.5 *Council* is prohibited from making any *Council* decision during the *election period* for a general election or a by-election that would enable the use of *Council* resources in a way that is intended to influence, or is likely to influence, voting at the election. (s.69(3) LGA)
- 5.6 Other types of decisions that the *Council* will not make during an election period are—
  - 5.6.1 Allocating community grants or other forms of direct funding to community organisations.
  - 5.6.2 Major planning scheme amendments.
  - 5.6.3 Changes to strategic objectives or strategies in the Council Plan.
  - 5.6.4 Any decisions of a significant nature and which would unnecessarily bind an incoming council.
- 5.7 *Council* commits that any other decision will be considered only if absolutely necessary for council operational purposes or pursuant to a statutory requirement.
- 5.8 It is noted that to avoid making certain decisions during an election (other than decisions prohibited under section 69(2) of the *Act*) is not legally binding; however, if it becomes important to make a decision contrary to this policy during the *election period*, the necessity will need to be demonstrated to the community.
- 5.9 Should the *Council* make any decision in contravention of sub-Rules 5.4 (a) and (b), the decision is invalid. [s.69(2)(a) and (b) LGA]
- 5.10 Any person who suffers any loss or damage as a result of acting in good faith on a *Council* decision that is invalid by virtue of section 69(4) of the *Act* is entitled to compensation from the *Council* for that loss or damage.
- 5.11 Papers prepared for *Council meetings* during the election period will be carefully vetted by the *Chief Executive Officer* to ensure that no agenda item is included that could potentially influence voters' intentions at the forthcoming election or could encourage *Councillor* candidates to use the item as part of their electioneering.
- 5.12 *Council* commits that all *Councillors* will refrain from moving motions or raising matters at a meeting that could potentially influence voting at the election.

## 6. Use of Council resources

- 6.1 Public resources must not be used in any way that is intended to; or is likely to affect the result of any Federal, State or Local Council election.
- 6.2 A *Councillor* or member of Council staff must not use Council resources in any way that would influence the way people vote in elections or give a *Councillor* any inappropriate real or perceived electoral advantage.
- 6.3 A *Councillor* will be treated in the same way as any other candidate with respect to access to Council resources.
- 6.4 The following guidelines will ensure that due propriety is observed in the use of and access to staff, property, equipment and other resources during the *election period*—
  - 6.4.1 A *Councillor* or member of Council staff must not use Council resources to intentionally or recklessly print, publish or distribute or cause, permit or authorised 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.
  - 6.4.2 A *Councillor* will continue to be provided with resources during the election period to continue to perform his or her elected role.
  - 6.4.3 *Council* resources, including officers, support staff, email services, equipment (ipads, photocopiers, motor vehicles), branding and stationery, are only to be used for normal *Council* business and are not to be used for any election campaign activities.

- 6.4.4 Members of Council staff must—
- (a) avoid assisting any *Councillor* in ways that are or could create a perception that they are being used for electoral purposes;
  - (b) report any interest in being involved privately in the election campaign of any candidate to the *Chief Executive Officer*;
  - (c) not provide any information to any candidate or prospective candidate other than information that is available to the general public and will direct all election enquiries to the Returning Officer;
  - (d) report to the *Chief Executive Officer* when the use of resources might be construed as being related to a candidate's election campaign;
  - (e) not make any public statement that relates to an election issue unless such statements have been approved by the *Chief Executive Officer*.
- 6.4.5 A *Councillor* must—
- (a) not use Council resources for any election campaign activities except as provided for under this policy;
  - (b) not use Council funded mobile phones or email addresses or Council provided photographs for electioneering;
  - (c) 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;
  - (d) not ask Councillor support staff to undertake any tasks indirectly or directly connected with a *Councillor* candidate's election campaign;
  - (e) not exert undue influence over the timing of works or the delivery of Council services that may result in political gain for electoral purposes.

## 7. Public Consultation

- 7.1 Consultation is an integral part of the *Council's* policy development process and operations, however there are concerns that consultation undertaken close to a general election may become an election issue in itself and influence voting, issues raised through the consultation and decisions that follow may also unreasonably bind the incoming *Council*.
- 7.2 Normal *Council* events are not prohibited in the election period; however, *Council* will keep these events to a minimum. *Council* will continue with normal community consultation and scheduling of Council events during the *election period*, but consultations and events will avoid express or implicit links to the election.
- 7.3 Where events occur and whether or not a *Councillor* is to make a speech, each *Councillor* will be reminded that they are representing the *Council* and are not to use the opportunity for electioneering.
- 7.4 Functions or events for the purpose of electioneering must not be resourced or publicised by the *Council*.

## 8. Equitable Access to Council Information

Each *Councillor* will be treated in the same way as other candidates with respect to access to *Council* held information. The following guidelines will ensure that due propriety is observed in the use of and access to information during the election period—

- 8.1 A *Councillor* may continue to automatically access Council held documents during the *election period*, but only as is necessary for them to perform their elected role and functions.
- 8.2 Information and briefing material prepared and provided to a *Councillor* must be necessary to the carrying out of his or her role and must not be used for election purposes.
- 8.3 Any document made available to a *Councillor* will also be made available to candidates.
- 8.4 Applications for access to Council information by all parties will be processed by the Manager Governance & Civic Support who will ensure that information made available to one candidate is accessible to all candidates.

## 9. Prohibitions on Publications

- 9.1 *Council* will not publish any material with public funds that might influence or be seen to influence people's voting decisions.
- 9.2 All publications including Council newsletters, advertisements and notices, media releases, leaflets, letters, reports, publicity for a Council function or event and brochures and mail outs during the election period **will not** contain *electoral matter*. This also applies to the publication of such material on the Council website.
- 9.3 A *Councillor* or member of Council staff will not print, publish or distribute or cause, permit or authorise to be printed, published or distributed, *electoral material* unless the name and address of the person who authorised the electoral material is clearly displayed on its face.
- 9.4 A *Councillor* or member of Council staff will not print, publish or distribute, or cause, permit or authorise to be printed, published or distributed any matter or thing that they know, or should reasonably be expected to know, is likely to mislead or deceive a voter in relation to the casting of the vote of the voter.
- 9.5 Council staff will avoid all publication activity, including updated or new information added to the Council's website during the election period except where printing, publishing or distributing a document is essential for the conduct of Council operations.
- 9.6 *Council* will not publish material which links *Councillor* candidates with particular Council achievements, commitments or programs.
- 9.7 All requests for publications during the *election period* will be decided on a case by case basis by the Manager Governance & Civic Support to ensure compliance with the *Act* and this policy. Relevant matters to be considered when undertaking an assessment to determine whether or not the publication complies are:
  - 9.7.1 Who wants the material published?
  - 9.7.2 What is the content of the material?
  - 9.7.3 In what form is it to be published?
  - 9.7.4 In what context is it to be published?
  - 9.7.5 At what time is it to be published?
  - 9.7.6 What does the publication seek to achieve?
- 9.8 *Council* can publish materials on electoral processes or availability of Council services.

## 10. Media and communications

- 10.1 All official media statements will only be made by the *Chief Executive Officer*.
- 10.2 Media Releases, social media posts or other media statements will not refer to a specific *Councillor* or feature any photograph, quote or name of any incumbent *Councillor* during the election period.
- 10.3 Where it is necessary to make or clarify any public statement, comment on sensitive or political issues or identify a spokesperson in relation to an issue, the matter must be referred to and approved by the *Chief Executive Officer*.
- 10.4 Media statements dealing with their election campaign must be issued by a *Councillor* privately. Statements must be clearly communicated as personal opinion and not undermine the standing of the *Council* in the community.
- 10.5 Members of Council staff will not provide advice or assistance in the preparation of media releases, social media posts or other media statements that contain *electoral material*.
- 10.6 Members of Council staff must not make any public statement that can be interpreted as a political comment or have influence on the electoral process.
- 10.7 The Media and Communications Officer will undertake constant monitoring of social media sites during the *election period* to ensure no *electoral matter* is posted.

- 10.8 The Council website will not be used to convey information that could be regarded as *electoral matter* but will contain information about the election process.
- 10.9 The *Council* website will be checked at the start of the *election period* to ensure that any information prominently displayed that might be regarded as likely to influence how people vote will be removed. Profiles of each *Councillor* will also be removed but contact details and photos will remain.

**11. Other**

- 11.1 A 'Caretaker Statement' will be included in every report submitted to the *Council* for a decision.
- 11.2 *Electoral material*, including pamphlets, posters and notices will not be visible or available at any Council premises, including libraries, during the election period. The only exception to this is material issued by the Victorian Electoral Commission for the purpose of conducting the election.
- 11.3 A *Councillor* may use the title 'Councillor' in their election material as they continue to hold the position in the *election period*; however, to avoid confusion a *Councillor* must ensure that any election publication using the title 'Councillor' clearly indicates that it is their own material and does not represent *Council*.
- 11.4 Requests for information which require significant resources to be devoted to making a response or which might be perceived to support an election campaign will be referred to the *Chief Executive Officer* for consideration.
- 11.5 Claims for the reimbursement of expenses incurred during the *election period* shall only relate to expenditure incurred whilst conducting *Council* business in accordance with the *Council Expenses Policy* and not election activities.

## CHAPTER 6 - DISCLOSURE OF CONFLICT OF INTEREST

*Overview: The Act defines general and material conflicts of interest and provides exemptions for remoteness and interests in common with a substantial proportion of ratepayers along with other specific circumstances. This Chapter sets out how and when conflicts of interest are to be disclosed at a meeting of the Council, a delegated committee, a community asset committee or a meeting under the auspices of the Council and that are not Council meetings such as a Councillor Briefing, an informal meeting of councillors or a meeting of an advisory committee.*

### 1. Introduction

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

### 2. Purpose

The purpose of this Chapter is to set out the procedure for the disclosure of a *conflict of interest* by—

- 2.1 a *Councillor*, member of a *delegated committee* and a member of a *community asset committee* under sections 130 and 131 of the *Act*;
- 2.2 a member of Council staff when providing information in respect of a matter within the meaning of section 126(1) of the *Act*.
- 2.3 a *Councillor*, member of a committee or member of staff attending a *Council-auspiced meeting*.

### 3. Definitions and Notes

In this Chapter—

<i>conflict of interest</i>	<i>as defined in section 126 of the Act</i>
<i>Council-auspiced meeting</i>	<i>means a meeting of the kind described in section 131(1) of the Act, and includes a meeting referred to in Rule 1 of Chapter 8 (whether such a meeting is known as a 'Councillor Briefing' or by some other name)</i>
<i>delegated committee</i>	<i>a member of a delegated committee includes a councillor</i>
<i>family member</i>	<i>means—</i> <ol style="list-style-type: none"><li>(a) <i>a spouse or domestic partner of the relevant person; or</i></li><li>(b) <i>a parent, transparent, sibling, child, grandchild, step-parent, step sibling or step-child of the relevant person or of their spouse or domestic partner;</i></li><li>(c) <i>any other relative that regularly resides with the relevant person</i></li></ol>
<i>general conflict of interest</i>	<i>the person's private interests could result in that person acting in a manner that is contrary to their public duty</i>
<i>material conflict of interest</i>	<i>if an affected person would gain a benefit or suffer a loss depending on the outcome of the matter, directly or indirectly</i>
<i>matter</i>	<i>means a matter with which a council, delegated committee, community asset committee or a member of council staff is concerned and that will require—</i> <ol style="list-style-type: none"><li>(a) <i>a power to be exercised, or a duty or function to be performed, or a decision to be made, by the council, delegated committee or community asset committee in respect of the matter; or</i></li></ol>

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

	(b) <i>a power to be exercised, or a duty or function to be performed, or a decision to be made by a member of council staff in respect of the matter</i>
<i>private interests</i>	<i>means any direct or indirect interest of a relevant person that does not derive from their public duty and does not include an interest that is only a matter of personal opinion or belief</i>
<i>public duty</i>	<i>means the responsibilities and obligations that a relevant person has to members of the public in their role as a relevant person</i>
<i>relevant person</i>	<i>means a person who is a—</i> <i>(a) Councillor; or</i> <i>(b) member of a delegated committee who is not a Councillor; or</i> <i>(c) member of council staff</i> <i>and for the purposes of these Rules includes a person who is a member of a community asset committee and a Council-auspiced committee, including the Audit and Risk Committee.</i>

#### 4. Obligations

- 4.1 A *relevant person* is required to—
  - 4.1.1 avoid all situations which may give rise to a *conflict of interest*;
  - 4.1.2 identify any *conflict of interest*; and
  - 4.1.3 disclose or declare any *conflict of interest*.
- 4.2 A *relevant person* is required to disclose the *conflict of interest* in the manner required by these Rules.

#### 5. Disclosure of Conflict of Interest

- 5.1 This Chapter applies to a *conflict of interest* in respect of a *matter*—
  - 5.1.1 to be considered at a *Council meeting*; or
  - 5.1.2 to be considered at a meeting of a *delegated committee*; or
  - 5.1.3 to be considered at a meeting of a *community asset committee*; or
  - 5.1.4 to be considered at a *Council-auspiced meeting*; or
  - 5.1.5 that arises in the course of the exercise of a power of delegation by a member of Council staff; or
  - 5.1.6 that arises in the course of the exercise of a statutory function under the *Act* or any other *Act*.

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

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

- 6.1 is present must disclose that *conflict of interest* by explaining the nature of the conflict of interest to those present at the *Council meeting* immediately before the *matter* is considered; or
- 6.2 intends to be present must disclose that *conflict of interest* by providing to the *Chief Executive Officer* before the *Council meeting* commences a *written notice*—
  - 6.2.1 advising of the conflict of interest;
  - 6.2.2 explaining the nature of the *conflict of interest*; and
  - 6.2.3 detailing, if the nature of the *conflict of interest* involves a *Councillor's* relationship with or a gift from another person, the—
    - (a) name of the other person;

- (b) nature of the relationship with that other person or the date on receipt, value and type of gift received from the other person; and

- (c) nature of that other person's interest in the *matter*;

and then immediately before the *matter* is considered at the meeting announcing to those present that he or she has a *conflict of interest* and that a *written* notice has been given to the *Chief Executive Officer* under this sub-Rule.

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

## 7. Disclosure of Conflict of Interest at a Delegated Committee Meeting

A member of a *delegated committee* who has a *conflict of interest* in a *matter* being considered at a *delegated committee* meeting at which he or she—

- 7.1 is present must disclose that *conflict of interest* by explaining the nature of the *conflict of interest* to those present at the *delegated committee* meeting immediately before the *matter* is considered; or
- 7.2 intends to present must disclose that *conflict of interest* by providing to the *Chief Executive Officer* before the *delegated committee* meeting commences a *written* notice—
  - 7.2.1 advising of the *conflict of interest*;
  - 7.2.2 explaining the nature of the *conflict of interest*; and
  - 7.2.3 detailing, if the nature of the *conflict of interest* involves a member of a *delegated committee*'s relationship with a gift from another person the:
    - (a) name of the other person;
    - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and
  - 7.2.4 nature of that other person's interest in the *matter*,

and then immediately before the *matter* is considered at the meeting announcing to those present that he or she has a *conflict of interest* and that a *written* notice has been given to the *Chief Executive Officer* under this sub-Rule.

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

## 8. Disclosure of Conflict of Interest at a Community Asset Committee Meeting

A *Councillor* who has a *conflict of interest* in a *matter* being considered at a *community asset committee* meeting at which he or she—

- 8.1 is present must disclose that *conflict of interest* by explaining the nature of the *conflict of interest* to those present at the *community asset committee* meeting immediately before the *matter* is considered; or
- 8.2 intends to present must disclose that *conflict of interest* by providing to the *Chief Executive Officer* before the *community asset committee* meeting commences a *written* notice—
  - 8.2.1 advising of the *conflict of interest*;
  - 8.2.2 explaining the nature of the *conflict of interest*; and
  - 8.2.3 detailing, if the nature of the *conflict of interest* involves a member of a *Councillor's* relationship with a gift from another person the:
    - (a) name of the other person;
    - (b) nature of the relationship with that other person or the date of receipt, value and type of gift received from the other person; and

8.2.4 nature of the other person's interest in the *matter*,  
and then immediately before the *matter* is considered at the meeting announcing to those present that he or she has a *conflict of interest* and that a *written notice* has been given to the *Chief Executive Officer* under this sub-Rule.

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

**9. Disclosure at a Meeting Conducted Under the Auspices of Council**

A Councillor who has a *conflict of interest* in a *matter* being considered by a meeting under the auspices of *Council* at which he or she is present must—

- 9.1 disclose that *conflict of interest* by explaining the nature of the *conflict of interest* to those present at the meeting immediately before the *matter* is considered;
- 9.2 absent himself or herself from any discussion of the *matter*; and
- 9.3 as soon as practicable after the meeting concludes, provide to the *Chief Executive Officer* a *written notice* recording that the disclosure was made and accurately summarising the explanation given to those present at the meeting.

**10. Disclosure by Members of Council Staff Preparing Reports for Meetings**

10.1 A member of Council staff who, in his her capacity as a member of Council staff, has a *conflict of interest* in a *matter* in respect of which he or she is preparing or contributing to the preparation of a report for the consideration of a—

- 10.1.1 *Council meeting*;
- 10.1.2 *delegated committee meeting*;
- 10.1.3 *community asset committee meeting*

must, immediately upon becoming aware of the *conflict of interest*, provide a *written notice* to the *Chief Executive Officer* disclosing the *conflict of interest* and explaining the nature of the *conflict of interest*.

10.2 The *Chief Executive Officer* must ensure that the report referred to in sub-Rule 10.1 records the fact that a member of Council staff disclosed a *conflict of interest* in the subject matter of the report.

10.3 If the member of Council staff referred to in sub-Rule 10.1 is the *Chief Executive Officer*—  
10.3.1 the *written notice* referred to in sub-Rule 10.1 must be given to the *Mayor*; and  
10.3.2 the obligation imposed by sub-Rule 10.2 may be discharged by any other member of Council staff responsible for the preparation of the report.

**11. Disclosure of Conflict of Interest by Member of Council Staff in the Exercise of Delegated Power**

11.1 A member of Council staff who has a *conflict of interest* in a *matter* requiring a decision to be made by the member of Council staff as delegate must, immediately upon becoming aware of the conflict of interest, provide a *written notice* to the *Chief Executive Officer* explaining the nature of the *conflict of interest*.

11.2 If the member of Council staff referred to in sub-Rule 11.1 is the *Chief Executive Officer* the *written notice* must be given to the *Mayor*.

**12. Disclosure by a Member of Council Staff in the Exercise of a Statutory Function**

- 12.1 A member of Council staff who has a *conflict of interest* in a *matter* requiring a statutory function to be performed under an Act by the member of Council staff must, upon becoming aware of the *conflict of interest*, immediately provide a *written* notice to the *Chief Executive Officer* explaining the nature of the *conflict of interest*.
- 12.2 If the member of Council staff referred to in sub-Rule 12.1 is the *Chief Executive Officer* the *written* notice must be given to the *Mayor*.

**13. Retention of Written Notices**

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

**14. Recording**

*Conflict of interest* disclosures are recorded in the meeting *minutes*. For any *written* disclosure to the *Chief Executive Officer* it will be recorded in the *minutes* that a *written* disclosure was also provided. The record will be reported to a *Council meeting* and incorporated in the *Council minutes*.

**15. Exemptions**

A *conflict of interest* does not arise if any of the following applies—

- 16.1 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*;
- 16.2 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 interest held by the other residents, ratepayers or electors;
- 16.3 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;
- 16.4 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;
- 16.5 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;
- 16.6 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*;
- 16.7 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.

## CHAPTER 7 - MISCELLANEOUS

### 1. Purpose

The purpose of this Chapter is to provide for various matters not already designated in other Chapters.

### 2. Definitions

In this Chapter—

*advisory committee* means a committee established by the council, that provides advice to—  
(a) the council; or  
(b) a member of council staff who has been delegated a power, duty or function of the council;  
that is not a delegated committee

### 3. Advisory Committees

*Advisory committees provide advice to Council but any final decision for action or expenditure is taken by Council in a Council Meeting. An advisory committee can comprise Councillors, members of council staff and others; however, the Chairperson does not necessarily have to be a Councillor. Less formal procedures will apply to advisory committee meetings than delegated committees. Members are not subject to the same requirements as Councillors such as conflicts of interest, personal interest returns and standards of conduct.*

The meeting procedure in Chapter 2 in *these Rules* may apply for an *advisory committee* with any necessary modifications.

### 4. Other Committees

*Overview: Council can establish any other committee that meets its needs, provided it has no delegated powers of council and does not manage a community asset on behalf of the council.*

Unless anything in the Charter or Terms of Reference provides otherwise, the conduct of other committee meetings is at the discretion of each committee.

Other committees include but are not limited to—

- 4.1 Portfolio *advisory committees* to provide advice to a specific area of policy or service.  
Examples include:
  - (a) disability;
  - (b) transport;
  - (c) reconciliation action plan;
  - (d) environmental management;
  - (e) economic development;
  - (f) sport and recreation;
  - (g) public art.
- 4.2 Project *advisory committees* that may be time-limited.
- 4.3 Program or grant *advisory committees* that advise *Council* on the awarding of grants or program funding but are not responsible for the final decision.
- 4.4 Program funding committees that are not responsible for the final decision.
- 4.5 Reference committees or groups to provide input into a decision where members are representative of the community that will be affected by decisions or actions. Examples include:
  - (a) older persons;
  - (b) youth;
  - (c) disability inclusion.

- 4.6 Steering committees to provide advice to inform a Council decision on a project. Examples include—
  - (a) activity/community centre steering committee;
  - (b) special events;
  - (c) providing advice on reserves or parks (not directly managing them).

## 5. **Informal Meetings of *Councillors***

If there is a meeting of *Councillors* that—

- 5.1 is scheduled or planned for the purpose of discussing the business of *Council* or briefing *Councillors*;
- 5.2 is attended by at least one member of Council staff; and
- 5.3 is not a *Council meeting*, *delegated committee* meeting or *community asset committee* meeting

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

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

## 6. **Confidential Information**

- 6.1 If, after the repeal of section 77(2) of the *Local Government Act 1989*, the *Chief Executive Officer* is of the opinion that information relating to a meeting is confidential information within the meaning of the *Act*, he or she may designate the information as confidential information specifying the relevant ground or grounds applying under section 3(1) and the *Council* has not passed a *resolution* that the information is not confidential. The *Chief Executive Officer* can advise *Councillors* and/or members of Council staff in writing accordingly.
- 6.2 Information which has been designated by the *Chief Executive Officer* as confidential information within the meaning of the *Act*, and in respect of which advice has been given to *Councillors* and/or members of Council staff in writing accordingly, will be presumed to be confidential information.
- 6.3 For the purposes of *these Rules* the *Council* can by resolution designate that confidential information that ceases to be confidential is no longer confidential information.

## 7. **Review of Governance Rules**

- 7.1 *Council* may amend *these Rules*.
- 7.2 A review of *these Rules* will be undertaken every four years to align with the Council term to ensure they remain current with legislative changes and introduction of new systems or procedures.
- 7.3 *Council* must ensure that a process of community engagement is followed in amending *these Rules*.
- 7.4 Sub-Rule 7.3 does not apply if the *Council* is developing and adopting or amending a Governance Rule that only adopts a Ministerial good practice guideline.

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# Draft Common Seal and Miscellaneous Penalties Local Law 2020



August 2020

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## PART 1 - PRELIMINARY

### 1. Title

- 1.1 This Local Law is the Northern Grampians Shire Council's *Common Seal and Miscellaneous Penalties Local Law 2020* and referred to below as this Local Law.

### 2. Purpose of this Local Law

- 2.1 The purpose of this Local Law is to:

- 2.1.1 regulate the use of the common seal;
- 2.1.2 regulate the types of offences and penalties applicable to Council meetings; and
- 2.1.3 revoke the Northern Grampians Shire Council's *Meeting Procedure Local Law 2020* made by Council on 3 February 2020.

### 3. The power to make this Local Law

- 3.1 The Council's power to make this Local Law is contained in Section 14 of the *Local Government Act 2020* and Part 5 and, in particular, section 111(1) of the *Local Government Act 1989*.
- 3.2 The Local Law was prepared following due consideration of the *Charter of Human Rights and Responsibilities Act 2006*.

### 4. Commencement and Revocations

- 4.1 In this clause, "commencement date" means the first working day following the gazettal of the Local Law in the Victoria Government Gazette.
- 4.2 This Local Law comes into operation on the commencement date and shall apply to, and have operation throughout the municipal district of the Northern Grampians Shire.
- 4.3 On the commencement of this Local Law, the *Northern Grampians Shire Council's Meeting Procedure Local Law No 2020* is revoked and will cease to operate.
- 4.4 This Local Law ends on the 10th anniversary of the commencement date, unless revoked sooner.

### 5. Definitions

- 5.1 In this Local Law, unless inconsistent with the context:

<i>Chief Executive Officer</i>	<i>means the Chief Executive Officer of Council</i>
<i>common seal</i>	<i>means the common seal of the Council</i>
<i>Council</i>	<i>means the Northern Grampians Shire Council</i>
<i>Councillor</i>	<i>means a person who is an elected member of the Council as defined under the Act</i>
<i>Mayor</i>	<i>means Mayor of the Council</i>
<i>Offence</i>	<i>means an act or default contrary to this Local Law</i>
<i>Penalty units</i>	<i>means penalty units as prescribed in the Sentencing Act 1992</i>
<i>senior officer</i>	<i>means a member of the Executive Leadership Team</i>

## PART 2 - COMMON SEAL

### 6. Unauthorised use of Common Seal

- 6.1 A person must not use the common seal except on the authority of Council or otherwise in accordance with this Local Law.

### 7. Witnessing use of the Common Seal

- 7.1 The *common seal* must be affixed in the physical presence of two witnesses.
- 7.2 Signatures of witnesses to the affixing of the *common seal* cannot be applied digitally.
- 7.3 The affixing of the *common seal* to any document must be attested to by the signatures of both—
- 7.3.1 the *Mayor* and the *Chief Executive Officer* or any other *senior officer*, or
- 7.3.2 in the absence of the *Mayor* by another *Councillor* and the *Chief Executive Officer* or any other *senior officer*.

### 8. Delegation

- 8.1 Council can authorise the use of the common seal by resolution or delegation.
- 8.2 *Council* delegates to the *Chief Executive Officer* the power to authorise the use of the *common seal* on behalf of *Council* subject to the following—
- 8.2.1 the seal must not be used for matters for which the *Chief Executive Officer* is not delegated power as detailed in the conditions and limitations of the *Instrument of Delegation* from *Council* to the *Chief Executive Officer* as adopted from time to time; and
- 8.2.2 the *Chief Executive Officer* is first satisfied that any provisions of the *Act* required to be complied with in relation to the subject matter of the document have been complied with.
- 8.3 The *Chief Executive Officer* must not delegate or purport to delegate the function conferred by 7.1.

### 9. Form of Sealing Clause

- 9.1 The common seal cannot be affixed digitally.
- 9.2 Where the common seal is affixed to a document on the authority of the *Council* and/or *Chief Executive Officer* the sealing clause must contain the words to the following effect—

**THE COMMON SEAL of the Northern Grampians Shire Council was hereunto affixed this day of YYYY in the presence of:** )  
..... )  
..... )  
..... )

..... Mayor/Councillor

..... Chief Executive Officer/Senior Officer

### 10. Use of common seal

- 10.1 The common seal can be affixed to routine documents for ceremonial purposes.
- 10.2 The common seal must:
- 10.2.1 bear the name of the Council and any other word, letter, sign or device the Council determines should be included; and
- 10.2.2 be kept at the Council office.

## **PART 3 - OFFENCES AND PENALTIES**

### **11. Unauthorised use of Common Seal**

11.1 Any person who uses the common seal without authority is guilty of an offence.

*Penalty: 5 penalty units*

### **12. Chairperson may Remove**

12.1 The Chair may order and cause the removal from the gallery of any person, other than a Councillor, who disrupts any Council meeting or fails to comply with a direction.

12.2 The Chair must call to order any person, including a Councillor, who:

12.2.1 is disruptive, or unruly during any meeting; or

12.2.2 who says anything which is defamatory, abusive or objectionable in language or nature, and may direct that person to remain silent and/or to resume their seat.

12.3 Any person, other than a Councillor, who has been called to order and directed by the Chairperson to leave the gallery and who fails to comply with the Chairperson's direction, is guilty of an offence.

*Penalty: 5 penalty units*

12.4 Any person, including a Councillor, who has been called to order and directed by the Chairperson to remain silent and/or to resume his or her seat and who fails to comply with the Chairperson's direction is guilty of an offence.

*Penalty: 5 penalty units*

### **13. Offences**

In addition to any other offences created by this Local Law, it is an offence:

13.1 for any person not to withdraw a remark which is considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable in language, substance or nature upon being directed by the Chairperson to do so;

*Penalty: 5 penalty units*

13.2 for any person not to apologise when called upon by the Chairperson to do so for a remark which is considered by the Chairperson to be defamatory, indecent, abusive, offensive, disorderly or objectionable in language, substance or nature; and

*Penalty: 5 penalty units*

13.3 for any person to fail to obey a direction of the Chair relating to the conduct of the meeting or the maintenance of order.

*Penalty: 5 penalty units.*

13.4 Where any provision in this Local Law requires that something may not be done at all, any person who does that act is guilty of an offence.

13.5 Where any provision in this Local Law requires that something must be done, any person who fails to do that act is guilty of an offence.

13.6 Any person who contravenes this Local Law is guilty of an offence, and liable to a penalty, unless stated otherwise in this Local Law:-

13.6.1 for an initial offence, not exceeding 10 penalty units;

13.6.2 for a subsequent offence, not exceeding 30 penalty units; and

13.6.3 for a continuing offence, of one penalty unit for each day after conviction for an offence during which the contravention continues.

**14. Signing Petitions – Offence**

14.1 Any person who fraudulently signs a petition or joint letter which is presented to the Council is guilty of an offence.

*Penalty: 10 penalty units*

14.2 A speaker who has been required by the Chairperson to be seated and not speak further in respect of the matter then before the Chair must immediately comply with that requirement.

*Penalty: 5 penalty units.*

**15. Penalties**

15.1 This Local Law sets out penalties for infringement notice purposes which may be issued as an alternative to prosecution in respect of offences against this Local Law where the Council or its authorised officers determine to proceed by infringement notice.

**16. Infringement Notice**

16.1 The Chief Executive Officer or a member of Victoria Police may serve an infringement notice on a person whom the officer believes has committed an offence against this Local Law.

16.2 The form of an infringement notice shall be in the form as described in section 13 of the *Infringements Act 2006*.

16.3 To avoid prosecution a person to whom an infringement notice has been issued must pay to Council the amount specified in the notice within 28 days.

**PART 4 - CERTIFICATION**

This Local Law was made by resolution of Northern Grampians Shire Council on 3 August 2020.

Public Notice of the proposal to make and confirmation for the making of this Local Law was inserted in the Weekly Advertiser and North Central News on 1 July 2020 and 12 August, 2020.

Notice of the proposal to make and the making of this Local Law was included in the Victorian Government Gazettes dated 2 July 2020 and 6 August 2020.

A copy of this Local Law was sent to the Minister for Local Government on 7 August 2020.

..... Mayor/Councillor

..... Chief Executive Officer/Senior Officer

# Public Transparency Policy



August 2020



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# Public Transparency Policy



## Council Policy

**Responsible director**

Director Corporate Services

**Responsible officer**

Manager Governance & Civic Support

**Functional area**

Governance

**Date adopted by Council**

3 August 2020

**Review date**

August 2021

## Purpose

Councils must adopt a Public Transparency Policy under section 57 of the *Local Government Act 2020* (the Act).

## Background

Councils must adopt and maintain a Public Transparency Policy under section 57 of the *Local Government Act 2020* to give effect to the following Public Transparency Principles outlined in section 58 of the Act—

### 58. The public transparency principles

The following are the public transparency principles—

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

## Policy

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 s.58(b)<sup>1</sup> specify which Council information must be publicly available, including all policies, plans and reports required under the Act or any other Act;
- (d) include any other matters prescribed by the regulations.

---

<sup>1</sup> S.58 states Council information must be publicly available unless the information is confidential by virtue of this Act or any other Act or public availability of the information would be contrary to the public interest.

**1. Council decision-making—**

- a. will be undertaken in accordance with the Act and the Governance Rules;
- b. will be conducted in an open and transparent forum, unless in accordance with the provisions in the Act and Governance Rules; and
- c. will be informed through community engagement and deliberative engagement practices.

**2. Council meetings—**

Council must keep a council or delegated committee meeting **open** to the public unless Council or the committee considers it necessary to close the meeting to the public because a circumstance specified below applies:

- (a) the meeting is to consider confidential information<sup>2</sup>; or
- (b) security reasons; or
- (c) it is necessary to do so to enable the meeting to proceed in an orderly manner.

**3a. Publicly available information—**

Council must make a variety of information publicly available under the Act and other Acts. The listing attached as **Addendum 1** also informs the community of the ways in which the information is made publicly available.

**3b. Matters for which public notice<sup>3</sup> must be given—**

Council must give public notice of a variety of matters under the Act and other Acts which requires it to make publicly available documents and process. The listing of matters for which public notice is given is attached as **Addendum 2**.

**3c. Council must resolve to adopt—**

Council must make and resolve to adopt a variety of policy, plans and other information under the Act and other Acts. The listing of the information Council must adopt is attached as **Addendum 3**.

**3d. FOI Part II Statement - Publication of Certain Documents & Information**

A list of publicly available information is provided in the **Part II Statement** in accordance with the *Freedom of Information Act 1982*. This statement which is published on the Council's website and available at Council offices requires government agencies and local councils to publish six statements designed to assist members of the public in accessing the information it holds. The Statement is reviewed in January each year.

[Statement 1: Organisations and Functions](#)

[Statement 2: Categories of Documents](#)

[Statement 3: FOI Arrangements](#)

[Statement 4: Publicity Services](#)

[Statement 5: Procedures and Guidelines](#)

[Statement 6: Report Literature](#)

**3e. Council must undertake *deliberative engagement* practices for the development of the following documents—**

- i. Council Plan
- ii. Community Vision
- iii. Financial Plan
- iv. Asset Plan
- v. Any matters prescribed by the Regulations.

---

<sup>2</sup> 'Confidential Information' is defined in section 3 of the *Local Government Act 2020*.

<sup>3</sup> Ways in which public notice is given are on the Council website [www.ngshire.vic.gov.au](http://www.ngshire.vic.gov.au), print media (North Central News, Weekly Advertiser, Stawell Times News, Herald Sun), social media (Facebook, Twitter, Instagram, YouTube, LinkedIn) and radio (Ace Radio MIXX FM 1089 3WM)

**3f. Council must undertake *community engagement* for the following activities—**

- i. Land leases
- ii. Electoral representation reviews (Joint undertaking by Council and Victorian Electoral Commission)
- iii. Community Engagement Policy development
- iv. Making of Local Laws
- v. Budget preparation
- vi. Policy development
- vii. Governance Rules development and amendment
- viii. Purchase or compulsory acquisition of land by the Council
- ix. Sale or exchange of land
- x. Making any decision to change the system to value land used by the Council

**4. Ways to access information**

- a. Council will make information understandable and accessible to members of the municipal community. At a minimum, information will be made available on Council's website <https://www.ngshire.vic.gov.au>, at the Council's offices during office hours or by a written or verbal request.
- b. A Council officer is available to assist you with any enquiry.
- c. Council will respond to all requests for information.
- d. The *Freedom of Information Act 1982* (FOI Act) gives the right of access to documents that councils hold. The Council is committed to, where possible, proactive and informal release of information in accordance with the Freedom of Information Professional Standards issued by the Victorian Information Commissioner. Read more at [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au). All requests for documents must be directed to the relevant officer in the first instance. The Freedom of Information Officer will make a decision on the release of documents not already publicly available to the community in line with the FOI Act.
- e. Council must have regard to the principles underpinning the *Freedom of Information Act 1982* which establishes a "*general right of access to information ... limited only by exceptions and exemptions necessary for the protection of essential public interests and making available to the public information about the operation of agencies and, in particular, ensuring that rules and practices affecting members of the public in their dealings with agencies are readily available....*" (s.3 FOI Act)

**5. Information not available**

Council will make information publicly available unless—

- a. the information is confidential by virtue of this Act or any other Act; or
- b. public availability of the information would be contrary to the public interest.

**6. Confidential Information**

Confidential information<sup>4</sup> is defined in section 3 of the *Local Government Act 2020*. It includes the types of information listed in the following table.

Type	Description
Council business information	Information that would prejudice the Council's position in commercial negotiations if prematurely released.
Security information	Information that is likely to endanger the security of council property or the safety of any person if released.
Land use planning information	Information that is likely to encourage speculation in land values if

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<sup>4</sup> Council can by resolution designate that 'confidential information' that ceases to be confidential is no longer 'confidential information'.

## Public Transparency Policy

	prematurely released.
Law enforcement information	Information that would be reasonably likely to prejudice the investigation into an alleged breach of the law or the fair trial or hearing of any person if released.
Legal privileged information	Information to which legal professional privilege or client legal privilege applies.
Personal information	Information which would result in the unreasonable disclosure of information about any person or their personal affairs, if released.
Private commercial information	Information provided by a business, commercial or financial undertaking that relates to trade secrets or that would unreasonably expose the business, commercial or financial undertaking to disadvantage if released.
Confidential meeting information	Records of council and delegated committee meetings that are closed to the public to consider confidential information.
Internal arbitration information	Confidential information relating to 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 LGA	Information that was confidential information for the purposes of section 77 of the <i>Local Government Act 1989</i> .

Note: Council can by resolution designate that 'confidential information' that ceases to be confidential is no longer 'confidential information'.

### **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 the initial communication with the council is not successful in resolving the problem, please refer to Council's [Complaints Resolution Policy](#).

### **Council Plan Objective/Strategy**

Improve Organisational Effectiveness - Improve transparency and public information.

### **Legislation and Standards**

*Local Government Act 2020*

*Freedom of Information Act 1982*

*NGSC Community Engagement Policy*

*Privacy & Data Protection and Health Records Policy*

*Complaints Resolution Policy*

*Governance Rules*

*FOI Part II Statement*

### **Responsibilities**

Party/Parties	Roles and responsibilities
Council	Champion the commitment and principles for public transparency through leadership, modelling practice and decision-making.

## Public Transparency Policy

Executive Leadership Team	Champion behaviours that foster transparency and drive the principles through policy, process and leadership.
Senior Management Team	Manage areas of responsibility to ensure public transparency, good governance and community engagement is consistent with this policy.
All staff	<ul style="list-style-type: none"><li>• Public transparency is the responsibility of all employees as appropriate to their role and function</li><li>• All staff respond to requests for information and facilitate provision of information in consultation with their Manager, the Privacy Officer and Freedom of Information (FOI) Officer and in alignment with council policy</li></ul>
Manager Governance & Civic Support	<ul style="list-style-type: none"><li>• To monitor implementation of this policy and conduct periodic reviews to drive continuous improvement</li><li>• Monitor implementation of this policy</li><li>• Perform the duties of FOI Officer</li><li>• Perform the duties of Privacy Officer</li></ul>

### Stakeholders

Councillors, staff and the municipal community.

Local Government Victoria (Engage Victoria) has worked collaboratively with all Victorian councils to enable them to meet the 1 September 2020 requirements for compliance with the *Local Government Act 2020*. This was achieved through co-design engagement and support to the sector and fast-tracking the development of a pathway of documents and materials.

When developing or applying a public transparency policy, the Council must have regard to the other principles contained within the Act, eg a community engagement should be used in the development of its policy; strategic planning should be undertaken with regard to public transparency.

### Review

The initial assessment of the policy will be undertaken in 12 months to ensure Council has interpreted the intent of the Act correctly. Thereafter an assessment will be taken every four years to align with the Council term to ensure it remains current with the Council's goals, processes, aims and requirements and as a means by which to reduce Council's exposure to risk.

### Communication and implementation

The policy will be communicated to the community via the Council website and print and social media and referred to during any community engagement process to develop policy, plan strategy or other information available for public inspection. It will be available to staff via the EDRMS and insites GoverniNG and PeopleHub and referred to in induction and/or training.

### References

Local Government Victoria range of guidance and support materials and information found [here](#).  
[Victorian Ombudsman Investigation into the transparency of local government decision making, 2016](#)  
LGV Public transparency principles  
Governance Rules  
Freedom of Information Part II Statement

### Privacy and Data Protection compliance

All Council policies must consider the *Privacy and Data Protection Act 2014* and the *Victorian Protective Data Security (VPDSS) Framework* which adopts a risk-based approach to protective data security.

The unauthorised release of confidential information has been identified as a security risk controlled by channelling all requests for confidential information through the Freedom of Information Officer.

***Gender Equality Act 2020***

Council must consider relevant gender equality principles, workplace gender equality of rights, opportunities, responsibilities and outcomes and the promotion of gender equality in the policies, programs and services it delivers.

**Charter of Human Rights compliance**

This policy has a positive impact on the Human Right of ***Taking part in public life***-

- a. Every person has the right to take part in public affairs.
- b. Every eligible person has the right to vote and be elected and to have access to the Victorian public service and public office.

**Definitions**

<i>deliberative engagement practices</i>	<i>means the deliberative engagement practices included in a community engagement policy</i>
<i>information</i>	<i>includes documents</i>
<i>municipal community</i>	<i>includes-</i> <i>(a) People who live in the municipal district of the Council; and</i> <i>(b) People and bodies who are ratepayers of the Council; and</i> <i>(c) Traditional owners of land in the municipal district of the Council;</i> <i>and</i> <i>(d) People and bodies who conduct activities in the municipal district of the Council</i>
<i>publish</i>	<i>means publish by any means including by publication on the Internet</i>

**Review history**

Date	Review details	Action
June 2020	Policy developed	
July 2020	Reported to ELT and Councillors	Make available for inspection
3 August 2020	Reported to Council	

**ADDENDUM 1****Information publicly available<sup>5</sup> under the *Local Government Act 2020* or any other Act**

Type	Description	Ways in which information is made publicly available
Travel Register	Details of overseas or interstate travel by Councillors and members of council staff including names, dates, destination, purpose and total cost including accommodation r.12(a) <i>Local Government (General) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email ngshire@ngshire.vic.gov.au
Agendas and minutes	Agendas and minutes of council meetings other than agendas and minutes relating to a part of a meeting which was closed to members of the public. r.12(b) <i>Local Government (General) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email ngshire@ngshire.vic.gov.au
Minutes	Minutes of meetings of delegated committees established by council other than agendas and minutes relating to a part of a meeting which was closed to members of the public. r.12(c) <i>Local Government (General) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email ngshire@ngshire.vic.gov.au
Register of Land Leases	Details of all leases involving land which were entered into by the Council as lessor, including the lessee and the terms and the value of lease r.12(e) <i>Local Government (General) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours upon request.
Authorised Officers	A register maintained under section 224(1) of the Act of authorised officers appointed under that section r.12(f) <i>Local Government (General) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours on request.
Donations and Grants	List of donations and grants made by the council in the previous 12 months, including the names of persons who, or bodies which, have received a donation or grant and the amount of each donation or grant r.12(g) <i>Local Government (General) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email ngshire@ngshire.vic.gov.au Included in Annual Report.
Delegations by Council	Council must keep a public register of delegations made under section 11 of the Act s.11(8) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours on request.
Delegations by CEO	A Chief Executive Officer must keep a register of delegations made under section 47 of the Act s.47(7) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices.

<sup>5</sup> Note: A number of duties regarding policy, preparation of documents, availability and the giving of public notice in the *Local Government Act 2020* commence 24 October 2020 and 1 July 2021

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Campaign Donation Returns	The CEO must ensure that within 14 days after a specified period that a summary of each election campaign donation return submitted to him is made available. s.307(2) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours on request.
Campaign Donation Returns	If an election campaign donation return is given after the end of the period specified in section 306(1), the Chief Executive Officer must ensure that a summary of the return is made available on the Council's internet site. s.307(3) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Campaign Donation Returns	The Chief Executive Officer must ensure that a summary of an election campaign donation return is made available on the Council's internet site until the close of the roll for the next general election. s.308(2) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Campaign Donation Returns	The Chief Executive Officer must ensure that a copy of an election campaign donation return is available for inspection at the office of the Council during normal office hours for a period of 4 years from the date that is given under s.306. s.308(3) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Summary of Personal Interest Returns	CEO must publish a summary of personal interests on the Council's internet site and ensure that the summary of personal interests is available for inspection at the Council office. s.135(3) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Personal interest returns	The CEO must publish on its website and ensure it is available for inspection at the council office a summary of the personal interests information disclosed in the last personal interests returns lodged. s.135(3) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Public Interest Disclosures Procedures	Council has a duty to make procedures established under s.58 available. s.59(4) <i>Public Interest Disclosures Act 2012</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Local Laws	Council must ensure that (a) a copy of the proposed local law; and (b) an explanatory document setting out prescribed details in relation to the local law - is available at, and obtainable from, the Council office during ordinary business hours. s.119(2A) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours.
Local Laws	A Council must ensure that a copy of every local law - (a) is available for inspection at the Council office during the Council office's hours; and (b) can be purchased on demand at the Council office during the Council office's office hours. s.120(2) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection and purchase at Council offices during office hours.
Local Laws	A Council must ensure that a copy of every document incorporated by a local law under section 112 is available for inspection at the Council office during the Council's office hours. s.120(3) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours.

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Local Laws	<p>1. Council must ensure a copy of any proposed local law is available for inspection at its offices and on its website s.73(5) <i>Local Government Act 2020</i></p> <p>2. After any local law is made, Council must publish a notice stating the title, objectives and effect of the local law and make a copy available for inspection at its offices and on its website s.74(4) <i>Local Government Act 2020</i></p> <p>3. A notice under subsection (4) must be published - (a) in the Government Gazette; and (b) on the Council's internet site; and (c) in any other manner prescribed by the regulations for the purposes of this section. s.74(5) <i>Local Government Act 2020</i></p> <p>4. Council must ensure a copy of each local law it makes is available for inspection at its offices and on its website. s.75 <i>Local Government Act 2020</i></p> <p>5. Council must ensure a copy of any document, code, standard, rule, specification or method which contains any matter incorporated in a local law is available for inspection at its offices and on its website. s.76(4) <i>Local Government Act 2020</i></p>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours.
Differential Rates	A Council which declares a differential rate must ensure that copies of the following information are available on its Internet website and for public inspection at the Council office-(a) the definition of the types or classes of land which are subject to the rate;(b) the objectives of the differential rate;(c) the rate an amount of rates payable in relation to each type or class of land and what proportion of the total rates and charges this represents;(d) any other information which the Council considers it necessary to make available. s.161(3) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Differential Rate	In addition to any other requirements specified by this Act, the public notice must - (c) advise that copies of the proposed declaration available for inspection at the Council office for at least 28 days after the publication of the notice. s.163(1B)(c) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council Offices during office hours.
Register of Occupancy Permits and Temporary Approvals	Council is required to keep a register of all occupancy permits and temporary approvals and amendments given to it and make the register available. s.74(2) <i>Building Act 1993</i>	Available for inspection for any person at Council offices during office hours free of charge.
Register of Building, Occupancy Permits and Temporary Approvals	Council is required to keep a register of all building permits issued, and make the register available during office hours for any person to inspect free of charge. s.31(2) <i>Building Act 1993</i>	Available for inspection at Council offices during office hours for any person free of charge.
Designated bushfire prone areas map	Council has a duty to make a copy of the most recent map of designated bushfire prone areas under sub-section (7) prepared by the Minister available for inspection. s.192A(8) <i>Building Act 1993</i>	Available for inspection by members of the public without charge, during business hours, at Council offices.
Register of Orders	Council is required to keep and make available a register of all emergency orders, building notices or building orders given to Council. s.126(2) <i>Building Act 1993</i>	Available for inspection for any person at Council offices during office hours free of charge.

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Building Permits	Council has a duty to make documents available on request of owner or mortgagee or person authorised in writing by the owner or mortgagee. r.50 <i>Building Regulations 2018</i>	Available on request from Council offices. See website for contact details <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a>
Power of entry register	Council has a duty to make the register required under s.230(2) available. s.230(7)(b) <i>Building Act 1993</i>	Available for inspection by the Authority on request and at a time agreed to between Council and the Authority.
Designated bushfire prone areas map	Council has a duty to make a copy of the most recent map of designated bushfire prone areas under s.r.7 prepared by the Minister available for inspection. r.155(8) <i>Building Regulations 2018</i>	Available for inspection by members of the public without charge during business hours at the office of the council.
Designated special areas	Council has a duty to make up to date copy of each designated special area map, applicable to Council's municipal district, available to the public for inspection. r.149(4) <i>Building Regulations 2018</i>	Available for inspection at council offices during office hours.
Licensing of Premises/Works Approval referral	Council must make available a copy of an application and any accompanying documents for a licence for certain premises that required a works approval to be obtained that had not been obtained and the works have been completed/substantially completed. s.20(8) (ba) <i>Environment Protection Act 1970</i>	Available for inspection at Council offices free of charge.
Amendment of Licence	Council must make available at its offices for inspection free of charge a copy of an application referred to it under section 20A(6)(a) and any accompanying plans/specifications for works approval within the meaning of section 19B. s.20A(6)(ba) <i>Environment Protection Act 1970</i>	Available for inspection at Council offices during office hours.
Dog and Cat Register	1. Council is required to keep a register of all registered cats and dogs and make the register available. 2. A person, upon payment of a fee fixed by Council, can make a record of the information contained in the registration of a dog or cat, or obtain a certificate from Council setting out all or any requested particulars in relation to the registration of a dog or cat. s.18 <i>Domestic Animals Act 1994</i>	1. Available during office hours for any person to inspect, upon payment of a fee fixed by Council. 2. A person can make a record or obtain a certificate of registration details.
Food Safety Audits	Council has a duty to ensure that information relating to costs of a food safety audit are available for inspection by the public. s.19U(4) <i>Food Act 1984</i>	Available for inspection at Council offices during office hours.
Food Safety Audits	Council has a duty to ensure that the method of determining a fee under subsection 3(a) and the considerations that apply under subsection (4) are available for inspection by the public. s.19UA(5) <i>Food Act 1984</i>	Available for inspection at Council offices during office hours.

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Roadside Weed and Pest Animal Management Plan	<ol style="list-style-type: none"> <li>1. Council must publish the approved plan on its website as soon as practicable after the plan is approved. s.22I(1) <i>Catchment and Land Protection Act 1994</i></li> <li>2. Council has a duty to ensure copies of the plan are available for inspection during normal office hours s.22I(2) <i>Catchment and Land Protection Act 1994</i></li> <li>3. Council has a duty to ensure a consolidated version of the plan is available for inspection. s.22M(2) <i>Catchment and Land Protection Act 1994</i></li> <li>4. Council must publish a consolidated version of its plan on its website as soon as practicable after a variation to the plan is approved under section 22K or 22L. s.22M(1) <i>Catchment and Land Protection Act 1994</i></li> <li>5. Council must ensure that copies of the consolidated version of its approved plan are available for inspection during normal office hours at its offices. s.22M(2) <i>Catchment and Land Protection Act 1994</i></li> </ol>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during normal office hours.
Registration Authority	Council has a duty to maintain records of registration of food premises. If a person requests information held in the records in relation to a particular food premises. s.43(3) <i>Food Act 1984</i>	Available on request at Council offices during office hours <b>free of charge</b> .
Administration of <i>Food Act 1984</i>	Council must publish in its Annual Report any direction given under s.7E(1) from the Minister in relation to any matter concerning the administration of the <i>Food Act 1984</i> . s.7E(6) <i>Food Act 1984</i>	Annual Report is available on <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a>
Freedom of Information Annual Report	Council must make available a copy of each report of the operation of the FOI Act under s.65AA. s.65AA(3) <i>Freedom of Information Act 1982</i>	Available for public inspection during ordinary office hours at the main office of the council.
Gender Equality Action Plan	Council must prepare a Plan to include results of a workplace gender audit and strategies and measures for promoting gender equality in the workplace. s.10 <i>Gender Equality Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Report publicly every two years on progress of plan (Currently in development)
Freedom of Information Part II Statement	The CEO must publish a statement specifying the documents in its possession to which s.11 applies. s.11(2)(a) <i>Freedom of Information Act 1982</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Freedom of Information Procedures and Guidelines	Council must make available for inspection and purchase certain documents provided by it for the use or guidance of, or are used or may be used by the Council or its officers in making decisions or recommendations. These include interpretations of legislation and schemes, manuals, procedures, policies, guidelines, practices, precedents and documents referred to assist to make decisions as set out in section 8. s.8 <i>Freedom of Information Act 1982</i>	A list of documents available is listed in the FOI Part II Statement available on <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Planning Scheme Amendments	The planning authority that prepared an <u>amendment</u> and any person who is given a copy of an <u>amendment</u> under <u>section 17(1)(a)</u> or (c) must make the <u>amendment</u> , the explanatory report, any document applied, adopted or incorporated in the <u>amendment</u> and any accompanying agreement available. Part 3, Division 1, s.18 <i>Planning &amp; Environment Act 1987</i>	Available for inspection at Council offices during office hours free of charge until the amendment is approved or lapses.
Planning Scheme Amendment Submissions	The planning authority must make a copy of every submission available at its office for any person to inspect during office hours free of charge until the end of two months after the <u>amendment</u> comes into operation or lapses. Division 2, s.21(2) <i>Planning &amp; Environment Act 1987</i>	Available for inspection at Council offices during office hours until the end of two months after the amendment comes into operation or lapses.
Planning Scheme Amendments	<p>1. Council may make the panel's report available at its office during office hours for any person to inspect free of charge at any time after the planning authority receives the report and must make it so available forthwith if—</p> <ul style="list-style-type: none"> <li>(a) the planning authority has decided whether or not to adopt the <u>amendment</u>; or</li> <li>(b) 28 days have elapsed since it received the panel's report.</li> </ul> <p>2. A report made available for inspection under ss. 26(1) must be kept available for inspection until the end of two months after the <u>amendment</u> comes into operation or lapses. s.26(1) and (2) <i>Planning &amp; Environment Act 1987</i></p>	Available for inspection at Council offices during office hours as required.
Planning Scheme Amendments	Council must make available the copy and any documents lodged with it. s.4H <i>Planning &amp; Environment Act 1987</i>	Available at Council offices for inspection during office hours for any person free of charge for 2 months after the amendment comes into operation and after that period on payment of the prescribed fee.
Planning Scheme Amendments and schemes (approved)	Council must make the copy of an approved amendment and any documents lodged with it available. [Division 4, s.41 <i>Planning &amp; Environment Act 1987</i>	Available at Council offices for inspection during office hours for any person free of charge for 2 months after the amendment comes into operation and after that period on payment of the prescribed fee.
Planning Scheme Amendments and schemes (approved)	Council must keep a copy of the planning scheme incorporating all amendments to it and of all documents lodged with those amendments under s.40 available. Division 4, s.42 <i>Planning &amp; Environment Act 1987</i>	Available at Council offices for inspection during office hours for any person free of charge.
Planning Permit Applications	Council is required to keep a register of all applications for permits and all decisions and determinations relating to permits. Part 4, Division 1, s.49(1) & (2)	Available at Council offices for inspection during office hours for any person free of charge.
Planning Permit Applications	Council must keep a copy of each agreement indicating any <u>amendment</u> made to it available. s.179(2) <i>Planning &amp; Environment Act 1987</i>	Available at Council offices for any person to inspect during office hours free of charge.

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Planning Permit Applications	Council has a duty to make a copy of matter considered under s.60(1A)(g) available for inspection free of charge. r.25(a) and r.25(b) <i>Planning &amp; Environment Regulations 2015</i>	Available at Council offices for any person to inspect during office hours free of charge.
Planning Permit Applications	Council must make a copy of every permit issued under section 97F by the Minister available. s.97G(6) <i>Planning &amp; Environment Act 1987</i>	Available at Council offices for inspection by any person during office hours free of charge.
Planning Permit Applications	<ol style="list-style-type: none"> <li>1. Council is required to make a copy of every application and the prescribed information supplied in respect of it. Part 4, Division 1, s.51 <i>Planning &amp; Environment Act 1987</i></li> <li>2. Council is required to make a copy of every objection available. s.57(5) <i>Planning &amp; Environment Act 1987</i></li> </ol>	<ol style="list-style-type: none"> <li>1. Available from Council offices for any person to inspect during office hours free of charge until the end of the latest period during which an application for review may be made under section 77, 79, 80 or 82 in relation to the application or the permit, or if an application for review is made to the Tribunal within that period, until the application is determined by the Tribunal or withdrawn. Whilst the application for a permit is current any person may come into the office and inspect all of the documents on the planning application file.</li> <li>2. Available for any person to inspect during office hours free of charge until the end of the period during which an application may be made for review of a decision on the application.</li> </ol>
Public Health & Wellbeing Plan	Council has a duty to make a copy of its current municipal public health and wellbeing plan available. s.26(7) <i>Public Health &amp; Wellbeing Act 2008</i>	Available at Council offices for any person to inspect during office hours.
Register of Public Roads	<p>A road authority must ensure that the register of public roads is available.</p> <p>(It is sufficient for the purposes of subsection (5) if a copy of the register of public roads is published on an Internet website maintained by the road authority.) s.19(5) &amp; 19(5A) <i>Road Management Act 2004</i></p>	<p>Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a></p> <p>Available at Council offices for inspection by members of the public free of charge, during normal office hours.</p>
Road Management Plan Review	Council has a duty to produce a written report of review of road management plan and make the report available. r.9(2) <i>Road Management (General) Regulations 2016</i>	<p>Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a></p> <p>Hard and soft copies are available upon request 03 53588700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a></p>

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Type	Description	Ways in which information is made publicly available
Subdivision Permits	Council has a duty to make a register available for inspection. r.33(4) <i>Subdivision (Procedures) Regulations 2016</i>	Available at Council offices for inspection by members of the public free of charge, during normal office hours.
Management Plan	Duty to keep copy of approved management plan available for inspection. s.32H <i>Water Act 1989</i>	Available at Council offices for inspection by members of the public free of charge, during normal office hours.
Cemetery records	Council as a Cemetery Trustee has a duty to make information in records available to the public for historical or research purposes. s.60(1) <i>Cemeteries and Crematoria Act 2003</i>	Available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Cemetery records	Council as a Cemetery Trustee has a duty to make plans of existing place of interment available to the public. s.70(2) <i>Cemeteries and Crematoria Act 2003</i>	Available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Neighbourhood Safer Places Plan	Council has a duty to publish and make available its Neighbourhood Safer Places Plan. s.50F(4) <i>Country Authority Act 1958</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours.

**ADDENDUM 2****Matters for which public notice<sup>67</sup> must be given under the *Local Government Act 2020* or any other Act**

Type	Description
Land Leases	Council has a duty to give notice under s.223 before selling/exchanging land. s.190 <i>Local Government Act 1989</i> (to be repealed 1/7/2021)
Intention to sell or exchange land	Before selling or exchanging land Council must at least 4 weeks prior publish a notice of intention to do so on the council's internet site and in any other manner prescribed by the regulations. s.189(2)(a) <i>Local Government Act 1989</i> (To be repealed 1/7/2021)
Land Sale/Exchange	Before selling or exchanging the land, the Council must - (a) at least 4 weeks prior to selling or exchanging the land, publish a notice of intention to do so - (i) on the Council's Internet site, and (b) in any other manner prescribed by the regulations for the purposes of this subsection. s.114(2) <i>Local Government Act 2020</i>
Proposed making of a local law	Notice must state the objectives of the proposed local law, intended effect, where copy is available for inspection and the community engagement process that applies in respect of the making of the local law. s.73(4) <i>Local Government Act 2020</i>
Making of a local law	After a local law is made, council must publish a notice stating the title, objectives, effect and where copy is available. s.74(4) <i>Local Government Act 2020</i>
Intention to sell impounded livestock	Council must give public notice that it intends to sell impounded livestock by public auction or public tender. s.19(1) <i>Impounding of Livestock Act 1994</i>
Contracts for purchase of goods or services/invite tenders	Before council enters into a contract for the purchase of goods or services it must give public notice of the purpose of the contract to which this relates and invite expressions of interest. S. 186(1) <i>Local Government Act 1989</i> (to be repealed) s.108 <i>Local Government Act 2020</i> - 1 July 2021
Change of Valuation System	Council has a duty to publish notice of change in valuation system. s.157(2) <i>Local Government Act 1989</i>
Declaration of a public highway	Council must publish a notice in the Government Gazette of road to be declared a public highway s.204(1) <i>Local Government Act 1989</i>
Duty to publish a public notice	s.223(1)(a) <i>Local Government Act 1989</i>
Authorisation of Police Officers to enforce provisions of local law	Council must publish a notice in the Government Gazette which authorises police officers to enforce provisions of local law. s.224A(2) <i>Local Government Act 1989</i>
Road narrowing or widening	Before starting any work to give effect to the narrowing or widening of a road, the Council must publish a notice in the Government Gazette describing the narrowing or widening. s.8(3) <i>Local Government Act 1989</i>
Differential rate	In addition to any other requirements specified by this Act, the public notice must - (c) advise that copies of the proposed declaration available for inspection

<sup>6</sup> Public notice means a notice published in a newspaper generally circulating in the municipal district of the council<sup>7</sup> Note: A number of duties regarding policy, preparation of documents, availability and the giving of public notice in the *Local Government Act 2020* commence 24 October 2020 and 1 July 2021

## Public Transparency Policy

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at the Council office for at least 28 days after the publication of the notice.  
s.163(1B)(c) *Local Government Act 1989*

Type	Description
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Note: A number of duties regarding policy, preparation of documents, availability and the giving of public notice in the *Local Government Act 2020* commence 24 October 2020 and 1 July 2021.

**ADDENDUM 3****Policies, plans and other information required under the *Local Government Act 2020* or any other Act**

Type	Description	Ways in which information is made publicly available
Recruitment Policy	Ensures that recruitment decisions are based on merit, support transparency in recruitment processes and the public advertising of positions and regard to gender equity, diversity and inclusiveness measures specified in the workforce plan. s.48(2) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> (Currently in development)
Gender Equality Action Plan	Council must prepare a plan that includes results of a workplace gender audit and strategies and measures for promoting gender equality in the workplace. s.10(1) <i>Gender Equality Act 2020</i> Council must publish the completed GEAP on its website. s.11(3) <i>Gender Equality Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes (Currently in development)
CEO Remuneration	If a Council passes a resolution to reappoint a person as its Chief Executive Officer without advertising the position, the Council must make details of the person's proposed total remuneration as Chief Executive Officer under the new contract available for public inspection within 14 days after the passing of the resolution. s.94(6) <i>Local Government Act 1989</i>	Available for public inspection at Council offices during office hours.
CEO Employment and Remuneration Policy	Council must develop, adopt and keep in force a CEO Employment and Remuneration Policy s.45(4) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> (Currently in development) Council meeting minutes.
Revenue and Rating Plan	Council must prepare and adopt a Revenue and Rating Plan. s.93 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> (Currently in development)
Audit and Risk Committee Charter	Council must prepare and approve an Audit and Risk Committee Charter to be included in Council minutes. s.54(1) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes.
Governance Rules	Council must develop, adopt and keep in force Governance Rules for or with respect to the conduct of meetings, form and availability of meeting minutes, election of the Mayor and Deputy Mayor, an election period policy, procedures for disclosure of conflicts of interest. s.60 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> (Currently in development)

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Council Expenses Policy	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. s.41 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Staff Code of Conduct	The CEO must develop and implement a code of conduct for members of Council staff. s.49 <i>Local Government Act 2020</i>	Available for inspection at Council offices during office hours. Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Election Period Policy	Council must include an election period policy in its Governance Rules that prohibits any Council decision during the election period for a general election that relates to the appointment or remuneration of the CEO, commits the Council to expenditure exceeding 1% of the Council's income from general rates, municipal charges and service rates and charges in the preceding financial year, that council considers could be reasonably deferred until the next Council is in place or should not be made during an election period. The policy must prohibit any decision that would enable the use of council resources in a way to influence voting. s.69 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes.
Councillor Code of Conduct	Council must develop a Councillor Code of Conduct. s.139 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Councillor Gift Policy	Council must adopt a Councillor Gift policy that includes procedures for the maintenance of a gift register. s.138 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Staff Gift Policy and Gift Register	A Code of Conduct for members of Council staff must include a gift policy that contains provisions for disclosed gifts to be recorded in a gift register. s.49 <i>Local Government Act 2020</i>	<ol style="list-style-type: none"> <li>1. Policy available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700.</li> <li>2. A de identified version of the Gift Register is available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a>.</li> </ol>
Budget	A copy of the proposed budget or revised budget must be available and published as set out in ss 3(b ) and (c) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Budget	Council must prepare and adopt a budget for each financial year and the subsequent 3 financial years. s.94 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Budget	A copy of the budget or revised budget must be available for inspection by the public at - (a) the Council office and any district offices; and (b) any other place required by the regulations. s.130(9) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours
Annual Report	A report of operations of the Council. s.131(2)(a) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	An audited performance statement. s.131(2)(b) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Audited Financial Statements. s.131(2)(c) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A copy of the auditor's report on the performance statement, prepared under section 132. s.131(2)(d) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A statement of progress in relation to the Major Initiatives identified in the budget or revised budget for the financial year reported on. s.131(3)(a)(i) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	The results, in the prescribed form, of the Council's assessment against the prescribed governance and management checklist. s.131(3)(a)(ii) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	All prescribed indicators of service performance for the services provided by the Council during that financial year and the prescribed measures relating to those indicators. s.131(3)(a)(iii) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Annual Report	Results achieved for that financial year in relation to the performance indicators and measures referred to in subparagraph (iii). s.131(3)(a)(iv) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the services funded in the budget for the financial year reported on, the prescribed indicators of service performance required by the regulations to be reported against in the performance statement and the prescribed measures relating to those indicators. s.131(4)(a)(i) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	The prescribed indicators of financial performance and the prescribed measures relating to those indicators. s.131(4)(a)(ii) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	The prescribed indicators of sustainable capacity performance and the prescribed measures relating to those indicators. s.131(4)(a)(iii) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Results achieved for that financial year in relation to those performance indicators and measures referred to in subparagraphs (i), (ii) and (iii). s.131(4)(a)(iv) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	The Council must ensure that a copy of the annual report is available for inspection by the public at - (a) the Council office and any district offices; and (b) any other place required by the regulations. s.133(3) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— a list of grants by type and source, classified as— (i) recurrent grants to be used to fund operating expenditure; or (ii) recurrent grants to be used to fund capital expenditure; or (iii) non-recurrent grants to be used to fund operating expenditure; or (iv) non-recurrent grants to be used to fund capital expenditure. r.10(1)(f) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— the total amount borrowed as at 30 June of the financial year compared with the previous financial year. r.10(1)(g) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Budget	The following information in relation to borrowings (other than borrowings to refinance existing loans)— (i) in a budget that has not been revised, the total amount to be borrowed during the financial year compared with the previous financial year; or (ii) in a revised budget, any additional amount to be borrowed compared with the budget or the most recent revised budget (as applicable). r.10(1)(h) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—the total amount projected to be redeemed during the financial year compared with the previous financial year. r.10(1)(i) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—(a) if Council declares general rates under section 158 of the Act, the rate in the dollar to be levied for each type or class of land. r.10(2)(a) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—(b) the percentage change in the rate in the dollar to be levied for each type or class of land compared with the previous financial year. r.10(2)(b) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—(c) the estimated amount to be raised by general rates in relation to each type or class of land compared with the previous financial year. r.10(2)(c) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates—(d) the estimated amount to be raised by general rates compared with the previous financial year. r.10(2)(d) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (e) the number of assessments in relation to each type or class of land compared with the previous financial year. r.10(2)(e) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates - (f) the number of assessments compared with the previous financial year. r.10(2)(f) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (g) the basis of valuation to be used under section 157 of the Act. r.10(2)(g) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (h) the estimated value of each type or class of land compared with the previous financial year. r.10(2)(h) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (i) the estimated total value of land rated under section 158 of the Act compared with the previous financial year. r.10(2)(i) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (j) the municipal charge under section 159 of the Act compared with the previous financial year. r.10(2)(j) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (k) the percentage change in the municipal charge compared with the previous financial year. r.10(2)(k) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (l) the estimated amount to be raised by municipal charges compared with the previous financial year. r.10(2)(l) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (m) the rate or unit amount to be levied for each type of service rate or charge under section 162 of the Act compared with the previous financial year.. r.10(2)(m) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (n) the percentage change for each type of service rate or charge compared with the previous financial year. r.10(2)(n) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (o) the estimated amount to be raised by each type of service rate or charge compared with the previous financial year. r.10(2)(o) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (p) the estimated total amount to be raised by service rates and charges compared with the previous financial year. r.10(2)(p) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (q) the estimated total amount to be raised by all rates and charges compared with the previous financial year. r.10(2)(q) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Budget	For the purposes of sections 127(2)(e) and 128(3) of the Act, a budget or revised budget must contain the following information in relation to the financial year to which the budget or revised budget relates— (r) any significant changes that may affect the estimated amounts referred to in this subregulation to be raised. r.10(2)(r) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Budget document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(3)(a)(v) of the Act, the report of operations must contain - (a) the results achieved in relation to the performance indicators and measures under section 131(3)(a)(iv) of the Act and the corresponding results for the preceding 3 financial years; (b) an explanation of any material variations between results referred to in paragraph (a). r.13(2) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A statement that reviews the performance of the Council against the Council Plan, including results achieved in relation to the strategic indicators included in the Council Plan under section 125(2)(c) of the Act. r.14(2)(a) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Information in relation to - (i) economic or other factors that have had an impact on the Council's performance; r.14(2)(b)(i) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Information in relation to - (ii) major capital works expenditure of the Council. r.14(2)(b)(ii) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Information in relation to - (iii) major changes that have taken place during the financial year in relation to the operations of the Council or to the Council's organisational structure, the methods of carrying out its strategic objectives and the reasons for those changes. r.14(2)(b)(iii) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Information in relation to - (iv) other major achievements of the Council. r.14(2)(b)(iv) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Annual Report	Information in relation to - (i) services funded in the budget or revised budget; and (ii) the persons or sections of the community who are provided the services referred to in subparagraph (i). r.14(2)(c) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A list of contracts entered into by Council valued at \$100,000 (or such higher amount fixed in accordance with section 186(1) of the Act) or more of a kind specified in section 186(5)(a) and (c) of the Act. r.14(2)(ca) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A list of contracts entered into by Council valued at \$100,000 (or such higher amount fixed in accordance with section 186(1) of the Act) or more if the Council did not engage in a competitive process before entering into the contract and it is not of a kind specified in section 186(5) OR (5A) of the Act. r.14(2)(cb) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A list of the names of all Councillors and their dates of election and, if applicable, retirement. r.14(2)(d) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Details of current allowances fixed for the Mayor, Lord Mayor (if any) and Councillors. r.14(2)(da) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	Details of the expenses, including reimbursement of expenses, for each Councillor and member of a Council committee paid by the Council, categorised separately as - (i) travel expenses; and (ii) car mileage expenses; and (iii) childcare expenses; and (iv) information and communication technology expenses; and (v) conference and training expenses. r.14(2)(db) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A list of any special committees established by the Council that are in operation, and the purpose for which each committee was established. r.14(2)(dc) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Annual Report	Information in relation to the organisational structure including - (i) the name of the Chief Executive Officer; and (ii) the names and areas of responsibility of senior officers reporting directly to the Chief Executive Officer; and (iii) a chart setting out the organisational structure of the Council. r.14(2)(e) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	The business address, telephone number, fax number, e-mail and Internet website address of each Council office. r.14(2)(f) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A list of prescribed documents that are to be made available for inspection for the purposes of section 222 of the Act and the places where those documents can be inspected or copies of those documents can be obtained in accordance with that section. r.14(2)(g) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A summary of the number of full time equivalent Council staff categorised according to the organisational structure of the Council, classified at to - (i) permanent full time Council staff of either gender; or (ii) permanent part time Council staff of either gender; or (iii) casual Council staff of either gender. r.14(2)(h) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	EEO program (a) the objectives to be achieved by the program. r.14(3)(a) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	EEO program (b) the indicators against which the effectiveness of the program is to be assessed. r.14(3)(b) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	EEO program (c) a description of actions taken to develop and implement the program. r.14(3)(c) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Annual Report	EEO program (d) an assessment of the achievement of the program's objectives and of the effectiveness of the program against the indicators referred to in paragraph (b). r.14(3)(d) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(4)(a)(v) of the Act, the performance statement must contain the results achieved in the preceding 3 financial years that correspond to the results referred to in section 131(4)(a)(iv). r.16(1) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(4)(a)(v) of the Act, the performance statement must contain the results forecast by the Council's Strategic Resource Plan to be achieved in relation to the performance indicators and measures referred to in section 131(4)(a)(ii). r.16(2) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(4)(a)(v) of the Act, the performance statement must contain a description of the municipal district, including its size, location and population. r.17(1) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(4)(a)(v) of the Act, the performance statement must contain an explanation of any material variations in the results contained in the performance statement under section 131(4)(a)(iv) of the Act and the corresponding results referred to in regulation 16(1). r.17(2) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(4)(a)(v) of the Act, the performance statement must contain an explanation of any material variations in the results contained in the performance statement under section 131(4)(a)(ii) of the Act and the forecast results referred to in regulation 16(2). r.17(3) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	For the purposes of section 131(5) of the Act, the financial statements contained in an annual report must— (a) contain a statement of capital works for the financial year to which the financial statements relate. r.19 <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	The amounts of money and assets held in trust, the purposes for which they are held and the nature of any restrictions on the way in which the money and assets may be applied. r.20(a) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Annual Report	A list of grants by type and source, classified separately as— (i) recurrent grants used to fund operating expenditure; and (ii) recurrent grants used to fund capital expenditure; and (iii) non-recurrent grants used to fund operating expenditure; and; (iv) non-recurrent grants used to fund capital expenditure. r.20(b) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	All assets and liabilities committed to joint venture activities. r.20(c) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A comparison of the income and expenditure in the financial statements in the annual report with the income and expenditure in the financial statements in the budget or revised budget. r.20(d) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	An explanation of any material variation identified under paragraph (d). r.20(e) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	A comparison of the capital expenditure in the statement of capital works in the annual report with the capital expenditure in the statement of capital works in the budget or revised budget. r.20(f) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Annual Report	An explanation of any material variation identified under paragraph (f). r.20(g) <i>Local Government (Planning and Reporting) Regulations 2014</i>	Annual Report document available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Electrical Line Clearance Plan	Council must ensure an electrical line clearance management plan is prepared annually r.9(2) <i>Electricity Safety (Electric Line Clearance) Regulations 2015</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Procurement Policy	Council must prepare and adopt a Procurement Policy which specifies the principles, processes and procedures applying in respect of the purchase of goods and services by the Council. s.186A of <i>Local Government Act 1989</i> and s.108 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Quality and Cost Standards	A Council must ensure that any quality or cost standards it adopts are available for inspection by the public. s.208F <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at council offices during office hours
Complaints Resolution Policy	Council must develop and maintain a complaints policy. s.107(1) <i>Local Government Act 2020</i> [1 July 2021]	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Privacy and Data Protection and Health Records Policy	Council is committed to protecting the privacy and personal information collected from its customers and the policy details how Council complies with its obligations under the <i>Privacy &amp; Data Protection Act 2014</i> (Vic) and the <i>Health Records Act 2001</i> .	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Municipal Fire Prevention Plan	Council must prepare and maintain a municipal fire prevention plan for its municipal district in accordance with the advice and recommendations of the municipal fire prevention committee. s.55A <i>Country Fire Authority Act 1958</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Municipal Emergency Management Plan	Council must prepare and maintain a municipal emergency management plan. s.20 <i>Emergency Management Act 1986</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes
Planning Scheme	Council must prepare a planning scheme for its municipal district for which it is a planning authority. s.18(1) <i>Planning &amp; Environment Act 1987</i>	Online at <a href="https://planning-schemes.delwp.vic.gov.au/schemes/northerngrampians">https://planning-schemes.delwp.vic.gov.au/schemes/northerngrampians</a>
Council Plan	For the purposes of subsection (3), the Council must ensure that, for at least 28 days after the public notice is published under section 223(1)(1) - (a) a copy of the proposed Council Plan is available for inspection by the public at - (i) the Council office and any district offices; and (ii) any other place required by the regulations; and (b) the proposed Council Plan is published on the Council's Internet website. s.125(3A) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a>
Council Plan	Council must prepare and adopt a Council Plan for a period of at least the next 4 financial years after a general election. s.90(1) <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email <a href="mailto:ngshire@ngshire.vic.gov.au">ngshire@ngshire.vic.gov.au</a> Council meeting minutes

## Public Transparency Policy

Type	Description	Ways in which information is made publicly available
Strategic Resource Plan	A copy of the current Strategic Resource Plan must be available for inspection by the public at - (a) a Council office and any district offices; and (b) any other place required by the regulations. s.126(4) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours
Strategic Resource Plan	In addition to any other requirements specified by this Act, the notice referred to in subsection (1) must - (b) advise that copies of the proposed budget are available for inspection for at least 28 days after the publication of the notice at - (i) the Council office and any district offices; and (ii) any other place required by the regulations; (c) advise that the proposed budget or revised budget is published on the Council's Internet website for at least 28 days after the publication of the notice. s.129(3)(a) & (c) <i>Local Government Act 1989</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Available for inspection at Council offices during office hours
Financial Plan	Council must develop, adopt and keep in force a Financial Plan for a period of at least the next 10 financial years. s.91 <i>Local Government Act 2020</i>	Available on website <a href="http://www.ngshire.vic.gov.au">www.ngshire.vic.gov.au</a> Hard and soft copies are available upon request 03 5358 8700 or email ngshire@ngshire.vic.gov.au
Asset Plan	Council must develop, adopt and keep in force an Asset Plan for a period of at least the next 10 financial years. s.92 <i>Local Government Act 2020</i>	Currently under construction
Revenue and Rating Plan	Council must prepare and adopt a Revenue and Rating Plan. s.93 <i>Local Government Act 2020</i>	Currently under construction
Community Vision	Council must maintain a Community Vision. s.88 <i>Local Government Act 2020</i>	Currently under construction

Note: A number of duties regarding policy, preparation of documents, availability and the giving of public notice in the *Local Government Act 2020* commence 24 October 2020 and 1 July 2021.

# Council Expenses Policy

*Council Policy*

August 2020



Northern Grampians Shire Council  
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## CONTACT US

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# Council Expenses Policy



## Council Policy

**Responsible director**

Director Corporate Services

**Responsible officer**

Manager Governance & Civic Support

**Functional area**

Governance

**Date adopted by Council**

July 2020

**Review date**

July 2024

## Purpose

To provide guidance on the reimbursement of out of pocket expenses and provision of support for councillors and members of delegated committees of council to enable them to perform their duties and to ensure that they are not financially or otherwise disadvantaged in undertaking their official council duties. Guidance is also included on entitlements, the process for reimbursement and reporting requirements.

## Background

Councillors and delegated committee members are to be supported in undertaking their duties by assuring that reimbursement of expenses and access to resources and support are provided in an equitable manner to cater for their full participation in council business, while also recognising individual needs and circumstances.

### *s.40 Local Government Act 2020*

Council must reimburse a councillor or delegated committee member for out of pocket expenses which the council is satisfied;

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

### *s.41 Local Government Act 2020*

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.

### *s.42 Local Government Act 2020*

A council must make available to the Mayor and councillors the resources and facilities reasonably necessary to enable them to effectively perform their role.

Recognising the leadership role of the Mayor, the policy also provides for some additional resources and facilities specific to that office.

The basic test that will be applied to determine whether or not an expense is lawfully incurred is whether the expenditure is necessary because it is supplemental or incidental to or consequent on the exercise of council functions.

The payment and/or reimbursement of expenses and provision of support must only be for the actual cost of legitimate business and not for time and effort spent in performing these duties.

## **Policy**

Council will make available the following support to councillors and delegated committee members in the discharge of their duties.

### **1 Allowances**

#### **1a Councillor and Mayoral allowances**

Section 39 of the *Local Government Act 2020* (the Act) provides that a Mayor and councillor are entitled to receive from the council the payment of allowances in accordance with a Determination of the Victorian Independent Remuneration Tribunal under the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*.

If a councillor fails to take or complete councillor induction training and make a written declaration as required by section 32 of the Act, the councillor's allowance will be withheld until the councillor has completed induction training and made the written declaration.

A councillor is entitled to receive any allowance that is withheld after the councillor has taken or completed the induction training and made a written declaration.

#### **1b Remote Factor Allowance**

Council will pay a remote travel allowance as per the relevant Order in Council as amended from time to time to councillors to provide compensation for the time spent on long distances.

### **2 Travel Expenses and Arrangements**

#### **2a Travel expenses**

Council will meet the reasonable travel, accommodation, meals, fees and expenses incurred by and associated with councillors and delegated committee members travelling for official council purposes, as approved by the Chief Executive Officer and within the limits of the budget approved by council.

#### **2b Motor vehicles**

Council will provide the Mayor with unrestricted private use of a vehicle of a type and for a period of use as described in council's Pool Vehicle Policy which is reviewed from time to time.

The unrestricted private use is also extended to include the use by the Mayor's partner/spouse.

Council will provide a pool of cars for use for council business. All pool cars will be provided with a fuel card for petrol or oil purchased.

It is expected that councillors and delegated committee members arrange to use a council vehicle for all council related travel. Pool cars are usually available for this purpose.

#### **2c Interstate and international travel**

Approval is required for all councillors and delegated committee members undertaking discretionary trips and interstate travel and attendance at conferences.

All interstate travel undertaken by councillors or delegated committee members must be in accordance with the achievement of the council's corporate objectives and goals. Approval of interstate travel is given by the Mayor, in consultation with the Chief Executive Officer.

All international travel undertaken by councillors and delegated committee members must be in accordance with the achievement of the council's corporate objectives and goals and approved by a resolution of the full council.

Air travel will be by economy class with bookings and payment to be made by the council.

Council maintains a register of details and costs relating to all overseas and interstate travel undertaken by councillors and delegated committee members (with the exception of interstate travel by land for less than three days) which it makes publicly available on its website.

Councillors and delegated committee members must ensure that details on travel expenses are provided to the Manager Governance & Civic Support within seven days of return from travel.

#### **2d Partner travel**

The costs of a partner accompanying a Mayor on a business trip (within Victoria) will be borne by council.

The costs of a partner accompanying a councillor or a delegated committee member on a business trip must be borne by the councillor or delegated committee member unless there is a bona fide business purpose or necessity for the presence of the partner.

Costs associated with the travel, accommodation and incidentals for the partner must be approved in writing by the Chief Executive Officer prior to departure.

#### **2e Use of private vehicles**

Where use of a council vehicle is impractical or none available, an allowance will be paid to councillors and delegated committee members for use of their own vehicle in accordance with the Australian Tax Office rates as varied from time to time. The travel must be in the course of conducting official council business.

It is expected that all travel be by the most direct route and vehicles shared where more than one councillor or delegated committee member attends the same function.

Where a councillor or delegated committee member uses their car to attend an approved interstate meeting, conference, seminar or engagement the total claim for use of a vehicle shall not exceed the cost of air travel and transfers.

#### **2f 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.

### **3 Training/development/conferences and seminars**

Council recognises the need for councillors and delegated committee members to attend seminars, conferences, professional development and training in order to be kept fully informed on all local government matters and to assist them to perform their roles.

Council will meet all reasonable costs incurred for transport, accommodation, registration fees, meals, car hire and associated expenses that are related to performing their duties within the limits of the annual budget.

Where a councillor or delegated committee member nominates to attend a conference, workshop or training relevant to their role as a councillor or delegated committee member, approval needs to be sought from the Chief Executive Officer. Attendance at interstate and overseas conferences is subject to council approval as detailed in point 2d.

Any additional costs as the result of the attendance at seminars, conferences, professional development and training of partners shall be borne by the councillor and delegated committee member.

#### **4 Carer and dependant-related care expenses**

Council will provide reimbursement of costs where the provision of childcare is reasonably required for a councillor or delegated committee member to perform their role (s.41(2)(c))

This applies to the care of a dependent, while the councillor or delegated committee member is undertaking their official duties.

Council must have particular regard to the support that may be required by a councillor or delegated committee member who is a carer in a care relationship within the meaning of section 4 of the *Carers Recognition Act 2012*, to perform their official duties, namely:

Council will provide reimbursement of costs where the provision of *carer services* is reasonably required when a councillor or delegated committee member who is a carer (s.41(2)(d)), namely—

- a. Where the councillor or delegated committee member provides another person, or receives from another person, care because one of the persons in the relationship—
  - i. has a disability; or
  - ii. is older; or
  - iii. has an ongoing medical condition (including a terminal or chronic illness or dementia).
- b. Where—
  - a. an individual has custody and guardianship of a child under a permanent care order;
  - b. a child is placed with an individual who provides care to that child under a protection order.

Care expenses may comprise hourly fees, agency booking fees and/or reasonable travelling expenses and be reimbursed for attending—

- a. council meetings and council business related to council meetings;
- b. council functions;
- c. delegated committee meetings;
- d. other committee meetings where approved by the Mayor or Chief Executive Officer;
- e. meetings arising as a result of a councillor being appointed by the council to an external body.

Payments for carer and child care services will not be made to a person who resides with the councillor or delegated committee member; has any financial or pecuniary interest with the councillor or delegated committee member; or has a relationship with the councillor, delegated committee member or their partner.

#### **5 Civic support, facilities and equipment**

##### **5a Civic entertainment**

All official civic entertainment expenses will be met from the annual allocation approved as part of the council's budget.

All formal civic entertainment functions will be co-ordinated by the Governance & Civic Support Team and must have prior approval of the Mayor.

Councillors and delegated committee members will be reimbursed reasonable expenses incurred while entertaining visiting dignitaries or council business guests on behalf of council, including the reasonable costs of non-alcoholic drinks accompanying a meal and reasonable expenses for partners. The Mayor must give prior approval to any such entertainment.

### **5b Meals and refreshments**

Council will provide reasonable refreshments during meetings on council business and reasonable meals where council or delegated committee meetings are to be held over extended periods or are likely to have a late conclusion time, at the discretion of the Chief Executive Officer and/or Mayor.

The nature of the meal and refreshments shall depend on the nature of the meeting, the timing and attendees and all arrangements are made by the Governance & Civic Support Team.

### **5c Office space**

Council will provide suitably furnished and equipped offices in the Stawell and St Arnaud Town Halls for use by the Mayor. The Mayor will be provided with access to the offices and Town Hall buildings.

Council will provide suitably furnished meeting areas in the Stawell and St Arnaud Town Halls for use by councillors and committee members if required.

The Mayor and councillors will be issued with a council key card to access the Town Halls for business related purposes.

### **5d Secretarial support**

Administrative support for work directly related to the duties of Mayor, councillor or delegated committee member will be provided by the council's Governance & Civic Support Team. Customer service staff are also available at the Stawell and St Arnaud Town Halls to assist during normal office hours.

### **5e Stationery**

Council shall upon request provide councillors and delegated committee members with standard council stationery and office equipment which may include, but not necessarily be limited to, business cards, copy paper, etc. Each councillor will be provided with a name badge.

### **5f Credit card**

Council has a corporate credit card facility and arranges for a corporate credit card to be issued to the Mayor when elected (\$5,000 monthly limit). The card is not authorised for cash advances.

The use of the card is to be in accordance with the [Credit Card Policy](#) and associated procedure.

### **5g Apparel**

Council shall, upon request, make available on loan protective clothing required to assist in carrying out the duties of office. This clothing is to be returned promptly upon the completion of the activity/duty for which the articles were required.

The clothing shall be limited to clothing held in store to meet the organisation's requirements, unless otherwise resolved by council for a specific item(s).

### **5h Insurance**

Council must indemnify and keep indemnified each councillor and delegated committee member against all actions or claims whether arising during or after their term of office in respect of anything necessarily done or reasonably done or omitted to be done in good faith in the performance of their council duties.

Council holds various other insurances including personal accident and motor vehicle (while driving council owned vehicles). All policies have terms, conditions, exclusions and deductibles and specific information can be obtained by contacting the Manager Governance & Civic Support.

Council will pay any applicable policy excess in respect of claims made against a councillor or delegated committee member arising from council business where any claim is accepted by council's insurers, regardless of the outcome.

### **5i Legal costs**

Council will only meet legal expenses incurred as a result of a councillor or delegated committee member executing their official duties.

If a councillor or delegated committee member requires legal advice in connection with his or her functions as a councillor or delegated committee member:

1. The councillor may submit a Notice of Motion requesting that council facilitate and fund such legal advice.
2. The Chief Executive Officer may facilitate a request from a delegated committee member through a council report.
3. The Chief Executive Officer may facilitate legal advice and confirm that council will meet expenses when:
  - a. appropriate to do so taking into the consideration the same criteria used by council (below)
  - b. The requirement for legal advice cannot be deferred until the lodgement or consideration of a Notice of Motion or a report to council.
4. Council will evaluate any requirement by a councillor or delegated committee member for legal advice against the following criteria:
  1. the extent to which the subject matter of the advice required relates to his or her functions as a councillor or delegated committee member;
  2. the extent to which the subject matter of the advice required relates to a matter before council or the councillor's/committee members representative role as a councillor/delegated committee member;
  3. the extent to which the subject matter of the advice required will or is likely to be of interest to all councillors or committee members;
  4. the public interest;
  5. any other relevant considerations.
4. In the event that legal advice relates to a writ, action or pending action against a councillor or delegated committee member, he or she must supply a copy of the writ or action or provide the information which may lead to an action, to the Chief Executive Officer, who will advise council's insurers as soon as possible, in accordance with council's insurance policy conditions.
5. Unless VCAT orders otherwise a council must pay the legal costs of individual councillors in conduct hearings into alleged misconduct, but only where council has made the application to VCAT or has requested to be a party to a matter in VCAT.

### **5j Disability**

Council must consider any additional facilities, support and associated expenses that may be required by a councillor or delegated committee member to perform their civic duties because of a disability.

### **5k Councillors with cultural needs**

Council will endeavour to meet any specific cultural needs of councillors and delegated committee members.

### **5l Communications and information technology expenses**

Council will provide the following facilities and communications to councillors and delegated committee members as determined to be necessary to perform their official duties:

- email address
- website profile
- an ipad with internet connection, appropriate software and email access
- training/education in use of equipment as required
- Help Desk and IT support

Councillors will enter into a BYOD arrangement for mobile phones where they are either issued with a work sim for unrestricted use by council or use their own sim and receive reimbursement for work usage.

Computer use is subject to council's policies for use of email and internet facilities, including privacy.

All facilities provided remain the property of the council and must be returned at the end of the term of office unless alternative arrangements are agreed to by the Chief Executive Officer.

Council will include information on its website about councillors and delegated committee members including contact details and useful links to facilitate participation and access between council and the community.

## **6. Exclusions**

### **6a Expenses not covered**

Expenses incurred by councillors or delegated committee members for the following will not be paid for or reimbursed by council and shall be the responsibility of the individual councillor and delegated committee member unless approved by a resolution of council in each instance :

- legal expenses except where related to an insurance claim
- penalties for breaches of road, traffic, parking or other regulation or law.

### **6b No offset**

If a councillor or delegated committee member does not claim a particular expense or use a particular facility the resultant savings cannot be offset against a claim for an additional amount of some other expense or facility.

### **6c Other**

Claims for expenses other than those included in this policy will not be reimbursed, except in exceptional circumstances after approval by the Chief Executive Officer.

Councillors must ensure that benefits contained within this policy are not used as part of any election campaign.

## **7. Accountability**

### **7a Claims for reimbursement**

Council will reimburse a councillor or delegated committee member for reasonable bona fide out-of-pocket expenses incurred while performing their duties. No reimbursement for the purchase of alcohol will be approved.

Councillors must complete the councillor reimbursement request form (elementORG) and include strong evidence of why the expense was incurred. The form includes the ability to upload photographs of documentary evidence, eg receipts and tax invoices. Councillors must also certify that the expense was incurred in the course of performing their role as a councillor and is in line with legislative provisions and council policy. There is guidance within the form for calculation of travel and mileage claims and rates. There is also an option in the request process to nominate the bank account into which the reimbursement is to be deposited directly by the Finance Team.

Requests for reimbursement by delegated committee members must be in writing (email) and accompanied by evidence of why the out of pocket expense was necessary. Payments will be deposited directly into a nominated account by the Finance Team on approval.

All claims for the reimbursement of expenses will be approved or denied by the Chief Executive Officer.

Claims for reimbursement must be timely and claims in excess of three months after the expenditure being incurred will not be processed.

Where the expense incurred is in excess of \$50, councillors and delegated committee members must obtain a GST 'Tax Invoice' for inclusion with their claim.

### **7b Reporting**

Council will provide quarterly reports of all councillor and delegated committee member expenses to the Audit and Risk Committee to include:

- a. expenses incurred during the quarter;
- b. reimbursement claims made during the quarter;
- c. reimbursements made during the quarter; and
- d. any breaches of the policy.

Council will report in its Annual Report on expenses paid to councillors and delegated committee members for the categories of travel, car mileage, childcare, ICT, conferences and training expenses.

### **Council Plan Objective/Strategy**

The aims or objectives of the policy are aligned with council's Council Plan objectives and strategies.

### **Legislation and Standards**

*Local Government Act 2020*

*Carers Recognition Act 2012*

*Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019*

*NGSC Gifts, Benefits & Hospitality Policy*

*NGSC Councillor Code of Conduct*

*NGSC Election Period Policy*

*NGSC Governance Rules*

*NGSC Public Transparency Policy*

*NGSC Privacy & Data Protection and Health Records Policy*

### **Responsibilities**

The Director Corporate Services and Manager Governance & Civic Support are responsible for the development and management of this policy.

### **Stakeholders**

Councillors and members of delegated committees are directly affected by this policy. The policy also applies to members of a joint delegated committee as this type of committee is created by existing delegated committees from each of the councils forming the joining delegated committee.

Governance and Finance staff are responsible for implementation and compliance monitoring and were consulted during the development and revision of this policy and associated procedures.

### **Review**

The Executive Leadership Team is to review this policy after each general election of the council with suggested revisions to be submitted to the council for consideration and adoption. Operational amendments may be made as required between review periods in accordance with council/ELT approval.

Council commits to monitoring processes and decision making to understand the overall success of the policy's implementation.

### **Communication and implementation**

The policy will be communicated to councillors, delegated committee members and relevant staff and will be available on Docs on Tap and EDRMS.

The policy is referred to in the councillor induction and development program. The policy will be published on council's website and a copy made available at council offices on request.

### **References**

In preparing this policy, the intent of the following governance principles prescribed in the Act were considered:

- a. priority is to be given to achieving the best outcomes for the municipal community, including future generations;
- b. the ongoing financial viability of the council is to be ensured;
- c. the transparency of council decisions, actions and information is to be ensured.

The following resources were used for the development of the policy and provide further information:

- *DPCD Information Guide Mayor & Councillor Entitlements November 2008*
- *Recognition and Support, the Victorian Government's Policy Statement on Local Government Mayoral & Councillor Allowances & Resources April 2008 (Recognition and Support)*
- *Fraud and Corruption Control - Local Government, VAGO 2019*

### **Privacy and Data Protection compliance**

The confidentiality of personal and payment details of any reimbursements is maintained through restricted access in council's elementORG and electronic records document systems in line with the *Victorian Protective Data Security (VPDSS) Framework*.

### **Gender Equality Act 2020 compliance**

The payment of expenses and provision of facilities and support provided by the council are relevant to all councillors and committee members equally, regardless of gender. This supports persons of all gender to take up roles as councillors and committee members and ensures women are not inadvertently disadvantaged, having given consideration of care roles equality.

### **Charter of Human Rights compliance**

This policy has a positive impact on the human right to *take part in public life* identified in the *Charter of Human Rights & Responsibilities Act 2006*.

### **Definitions**

<i>bona fide expenses</i>	<i>are necessary and reasonable costs and would include fuel costs, train and taxi fares, food and non-alcoholic beverages, parking tickets</i>
<i>care</i>	<i>provision of ongoing support, assistance or personal care to another person</i>
<i>carer</i>	<i>as defined under section 4 of the Carers Recognition Act 2012</i>
<i>delegated committee</i>	<i>a delegated committee established by council under s.63 of the Act to exercise powers, duties or functions delegated by a council</i>
<i>duties as a councillor</i>	<i>duties performed by a councillor that are necessary or appropriate for the purposes of achieving the objectives of a Council having regard to any relevant Act, regulations, Ministerial guidelines or council policies</i>
	<i>duties may include (but are not limited to) attending meetings and briefings, workshops, civic events or functions convened by council, conferences, workshops and training programs related to the role of councillor or Mayor and duties relating to constituents concerning council business</i>
<i>in a care relationship</i>	<i>within the meaning of section 4 of the Carers Recognition Act 2012</i>
<i>joint delegated committee</i>	<i>a delegated committee of two or more councils that have resolved to establish the joint delegated committee under s.64 of the Act, to exercise any power of a council</i>

*role of a councillor*      *participate in decision making; represent the local community; contribute to strategic direction; advocate on a broad range of issues; manage organisation and community assets*

**Review history**

Date	Review details	Action
June 2020	Policy developed	Included new requirements of LGA 2020
15 June 2020	Reported to ELT	Approved
6 July 2020	Reported to council	

#### 9.4.4. Delegations Update

**Author/Position:** **Mary Scully, Manager Governance & Civic Support**

**Purpose**

To amend current delegations of powers and duties to members of Council's staff in response to the commencement of the *Local Government Act 2020* and other legislative changes.

**Summary**

Minor amendments have been made to the Instrument of Delegation from Council to Members of Council.

**Recommendation**

**That in the exercise of the powers conferred by the legislation referred to in the attached S6 instrument of delegation, Northern Grampians Shire Council resolves that:**

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**RESOLUTION**

**That in the exercise of the powers conferred by the legislation referred to in the attached S6 instrument of delegation, Northern Grampians Shire Council resolves that:**

1. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that instrument.
2. The instrument comes into force immediately.
3. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
4. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

**Moved:** Cr Kevin Erwin  
**Seconded:** Cr Jason Hosemans

**Carried**

## **Background/Rationale**

Council subscribes to the Maddocks Delegations and Authorisations service which allows for regular updates to keep abreast of changes in legislation and to ensure the effective allocation and control of decision making powers.

In response to the commencement of the *Local Government Act 2020* (2020 Act), changes to a number of existing delegations are required and the following Instrument of Delegation has been prepared for Council's consideration:

### *S6 Instrument of Delegation by Council to Staff*

The S6 Instrument has been updated to reflect the commencement of the *Local Government Act 2020*, as well as the commencement of some changes to the *Residential Tenancies Act 1997*. The changes are marked in red in the attached Instrument.

## **Legislation, Council Plan, Strategy and Policy Implications**

*Local Government Act 1989*

*Local Government Act 2020*

## **Options**

### **Option 1**

That Council delegates to the nominated staff the powers, duties and functions set out in the attached S6 Instrument of Delegation. **[recommended]**

No other options are proposed; the attached Instrument has been prepared by Maddocks Lawyers in response to the new legislation and are required to enable officers to perform their duties on behalf of Council.

## **Implications**

The subject matter has not raised any sustainability issues (economic, social, environmental or climate change) or heritage/cultural, amenity, human rights/privacy, risk management, budgetary and asset management implications. Any identified implications have been addressed in this report.

## **Community Engagement**

Nil

## **Innovation and Continuous Improvement**

Nil

## **Collaboration**

Nil

## **Officer's Declaration of Interest**

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

Mary Scully, Manager Governance & Civic Support

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

## **Attachments**

1. S6 Instrument of Delegation Council to members of staff with markup [9.4.4.1 - 62 pages]

***S6 Instrument of Delegation — Members of Staff***

**Northern Grampians Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

## **Instrument of Delegation**

In exercise of the power conferred by s-98(1) of the ~~Local Government Act 1989~~ and the other legislation referred to in the attached Schedule, the Council:

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

<b>"BI"</b> means	<b>: Building Inspector</b>
<b>"EHO"</b> means	<b>: Environmental Health Officer</b>
<b>"DI"</b> means	<b>: Director Infrastructure</b>
<b>"GE"</b> means	<b>: Graduate Engineer</b>
<b>"HPD"</b> means	<b>: Head of Planning &amp; Development</b>
<b>"MBS"</b> means	<b>: Municipal Building Surveyor</b>
<b>"MRS"</b> means	<b>: Manager Regulatory Services</b>
<b>"MG&amp;CS"</b> means	<b>: Manager Governance &amp; Civic Support</b>
<b>"MI"</b> means	<b>: Manager Infrastructure</b>
<b>"MO"</b> means	<b>: Manager Operations</b>
<b>"P"</b> means	<b>: Strategic Planner and Statutory Planning Officer</b>
<b>"TLPS"</b> means	<b>: Team Leader Permit Support</b>
<b>"TLCS"</b> means	<b>: Team Leader Community Safety</b>
<b>"CE&amp;CS"</b> means	<b>: Coordinator Environment &amp; Community Safety</b>
<b>"CES"</b> means	<b>: Coordinator Engineering Services</b>
<b>"CDS"</b> means	<b>: Coordinator Development Services</b>

3. declares that:

3.1 this Instrument of Delegation is authorised by "**a resolution**" of Council passed on **3 August 2020**; and

3.2 the delegation:

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

3.2.2 remains in force until varied or revoked;

3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and

3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and

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

3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or

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; or

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, ~~whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise~~; 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.

..... Mayor/Councillor

..... Chief Executive Officer/Senior Officer

..... Date

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[CEMETERIES AND CREMATORIA ACT 2003](#)

[DOMESTIC ANIMALS ACT 1994](#)

[ENVIRONMENT PROTECTION ACT 1970](#)

[FOOD ACT 1984](#)

[HERITAGE ACT 2017](#)

[LOCAL GOVERNMENT ACT 1989](#)

[PLANNING AND ENVIRONMENT ACT 1987](#)

[RESIDENTIAL TENANCIES ACT 1997](#)

[ROAD MANAGEMENT ACT 2004](#)

[CEMETERIES AND CREMATORIA REGULATIONS 2015](#)

[PLANNING AND ENVIRONMENT REGULATIONS 2015](#)

[PLANNING AND ENVIRONMENT \(FEES\) REGULATIONS 2016](#)

[RESIDENTIAL TENANCIES \(CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS\) REGULATIONS 2010](#)

[ROAD MANAGEMENT \(GENERAL\) REGULATIONS 2016](#)

[ROAD MANAGEMENT \(WORKS AND INFRASTRUCTURE\) REGULATIONS 2015](#)

**SCHEDULE**

<b>CEMETERIES AND CREMATORIA ACT 2003</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	MRS/DI	
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	MRS/DI	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	MRS/DI	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	MRS/DI	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a)-(e) in exercising its functions	MRS/DI	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	MRS/DI	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	MRS/DI	
s 15(1)&(2)	Power to delegate powers or functions other than those listed	MRS/DI	
s 15(4)	Duty to keep records of delegations	MRS/DI	
s 17(1)	Power to employ any persons necessary	MRS/DI	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	MRS/DI	
s 17(3)	Power to determine the terms and conditions of employment or engagement	MRS/DI	Subject to any guidelines or directions of the Secretary

s 18(3)	Duty to comply with a direction from the Secretary	MRS/DI	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	MRS/DI	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	MRS/DI	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	MRS/DI	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	MRS/DI	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	MRS/DI	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	MRS/DI	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	MRS/DI	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director or a stonemason (or a similar position) when appointing a person to a community advisory committee	MRS/DI	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	MRS/DI	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	MRS/DI	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	MRS/DI	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	MRS/DI	Where Council is a Class A cemetery trust

s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	MRS/DI	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	MRS/DI	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	MRS/DI	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	MRS/DI	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	MRS/DI	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	MRS/DI	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	MRS/DI	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year.	MRS/DI	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	MRS/DI	
s 20(1)	Duty to set aside areas for the interment of human remains	MRS/DI	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	MRS/DI	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	MRS/DI	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	MRS/DI	
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	MRS/DI	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	MRS/DI	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	MRS/DI	

s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	MRS/DI	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	MRS/DI	Report must contain the particulars listed in s.57(2)
s 59	Duty to keep records for each public cemetery	MRS/DI	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	MRS/DI	
s 60(2)	Power to charge fees for providing information	MRS/DI	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	MRS/DI	
s 64B(d)	Power to permit interments at a reopened cemetery	MRS/DI	
s 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	MRS/DI	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	MRS/DI	
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	MRS/DI	
s 70(2)	Duty to make plans of existing place of interment available to the public	MRS/DI	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	MRS/DI	
s 71(2)	Power to dispose of any memorial or other structure removed	MRS/DI	
s 72(2)	Duty to comply with request received under s72	MRS/DI	
s 73(1)	Power to grant a right of interment	MRS/DI	
s 73(2)	Power to impose conditions on the right of interment	MRS/DI	
s 75	Power to grant the rights of interment set out in s 75 (a) and (b)	MRS/DI	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	MRS/DI	

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	MRS/DI	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	MRS/DI	
s 80(2)	Function of recording transfer of right of interment	MRS/DI	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	MRS/DI	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	MRS/DI	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	MRS/DI	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	MRS/DI	
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	MRS/DI	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	MRS/DI	Does not apply where right of interment relates to remains of a deceased veteran
s 85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	MRS/DI	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86(1)	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	MRS/DI	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	MRS/DI	
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	MRS/DI	

s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	MRS/DI	
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	MRS/DI	
s 86(5)	Duty to provide notification before taking action under s 86(4)	MRS/DI	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s.86(3)	MRS/DI	
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	MRS/DI	
s 88	Function to receive applications to carry out a lift and reposition procedure at a place of interment	MRS/DI	
s 91(1)	Power to cancel a right of interment in accordance with this section	MRS/DI	
s 91(3)	Duty to publish notice of intention to cancel right of interment	MRS/DI	
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	MRS/DI	
s 98(1)	Function of receiving application to establish or alter a memorial or place of interment	MRS/DI	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	MRS/DI	
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	MRS/DI	
s 100(1)	Power to require a person to remove memorials or places of interment	MRS/DI	
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)	MRS/DI	
s 100(3)	Power to recover costs of taking action under s 100(2)	MRS/DI	

s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	MRS/DI	
s 102(1)	Power to approve or refuse (if satisfied of the matters in (b) and (c) an application under s 101	MRS/DI	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	MRS/DI	
s 103(1)	Power to require a person to remove a building for ceremonies	MRS/DI	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	MRS/DI	
s 103(3)	Power to recover costs of taking action under s 103(2)	MRS/DI	
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	MRS/DI	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	MRS/DI	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	MRS/DI	
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	MRS/DI	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	MRS/DI	
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	MRS/DI	
s 108	Power to recover costs and expenses	MRS/DI	
s 109(1)(a)	Power to open, examine and repair a place of interment	MRS/DI	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repay a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	MRS/DI	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	MRS/DI	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	MRS/DI	
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	MRS/DI	
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	MRS/DI	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	MRS/DI	
s 112	Power to sell and supply memorials	MRS/DI	
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	MRS/DI	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	MRS/DI	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	MRS/DI	
s 119	Power to set terms and conditions for interment authorisations	MRS/DI	
s 131	Function of receiving an application for cremation authorisation	MRS/DI	
s 133 (1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	MRS/DI	Subject to s 133 (2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	REMAIN WITH CEO	
s 146	Power to dispose of bodily remains by a method other than interment or cremation with the approval of the Secretary	REMAIN WITH CEO	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	MRS/DI	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	MRS/DI	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part II are met	MRS/DI	

s 151	Function of receiving an application to inter or cremate body parts	MRS/DI	
s 152 (2)	Power to impose terms and conditions on authorisation granted under s150	MRS/DI	
sch1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	MRS/DI	
sch 1 cl 8(8)	Power to regulate own proceedings	MRS/DI	Subject to clause 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	MRS/DI	Where council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	MRS/DI	Where council is a Class A cemetery trust subject to clause 8

<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s 41A(1)	Power to declare a dog to be a menacing dog	CE&CS, TLCS	Council may delegate this power to a Council authorised officer

**ENVIRONMENT PROTECTION ACT 1970**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 53M(3)	Power to require further information	CDS & EHO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CDS & EHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	CDS & EHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	CDS & 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)	CDS & 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	CEO, CDS, EHO	If s19(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	CDS & 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	CDS & EHO	If s 19(1) applies  Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO, CDS, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s19 if satisfied that an order has been complied with	CEO, CDS, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO, CDS, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c)	CEO, CDS, EHO	Where council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	CEO, CDS, EHO	Note: the power to direct the matters under s.19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	CEO, CDS, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CDS, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CDS & 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	CDS & EHO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CDS & EHO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports <sup>o</sup>	CDS & 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	CDS & EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CDS & EHO	Except for an assessment required by a declaration under s 19C or an inspection under s38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CDS & 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	CDS & EHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CDS & EHO	Where Council is the registration authority
---	Power to register, renew or transfer registration	CDS & EHO	Where Council is the registration authority refusal to grant/renew/transferregistration 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 <sup>o</sup>	CDS & 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)	CDS & EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CDS & 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	CDS & EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CDS & EHO	Where Council is the registration authority

s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CDS & 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	CDS & EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CDS & EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	CDS & EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CDS & EHO	Where Council is the registration authority not exceeding the prescribed time limit defined under ss (5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CDS & EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CDS & EHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	CDS & 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>	CDS & EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CDS & EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CDS & EHO	Where Council is the registration authority
s 43(1)	Duty to maintain records of the prescribed particulars	CDS & EHO	Where Council is the registration authority
s. 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CDS & EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CDS & 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	CDS & EHO	Where Council is the registration authority

<b>HERITAGE ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO TO RETAIN	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

**LOCAL GOVERNMENT ACT 1989**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO <sup>1</sup>	
s 185L(4)	Power to declare and levy a cladding rectification charge	CEO <sup>2</sup>	

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

<sup>2</sup> The only member of staff who can be a delegate in Column 3 is the CEO.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 4B	Power to prepare an amendment to the Victoria Planning Provisions	P, HPD	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	P, HPD	
s 4H	Duty to make amendment to the Victorian Planning Provisions available	P, HPD	
s 4I	Duty to keep Victoria Planning Provisions and other documents available	P, HPD	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	P, HPD	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	P, HPD	
s 8A(5)	Function of receiving notice of the Minister's decision	P, HPD	
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	P, HPD	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	P, HPD	
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	P, HPD	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the Planning and Environment (Planning Schemes) Act 1996)	P, HPD	

s 12B(1)	Duty to review planning scheme at least once in every three years after commencement of <i>Planning and Environment (General Amendment) Act 2004</i> No. 81	P, HPD	
s 12B(2)	Duty to review planning scheme at direction of Minister	P, HPD	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	P, HPD	
s 14	Duties of a Responsible Authority as set out in s 14(a) to (d)	P, HPD	
s 17(1)	Duty of giving copy amendment to the planning scheme	P, HPD	
s 17(2)	Duty of giving copy s 173 agreement	P, HPD	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	P, HPD	
s 18	Duty to make amendment etc. available	HPD, P , TLPS	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s19 to a planning scheme	P, HPD	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	P, HPD	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	P, HPD	
s 21(2)	Duty to make submissions available	HPD, P, TLPS	
s 21A(4)	Duty to publish notice in accordance with section	P, HPD	
s 22	Duty to consider all submissions	P, HPD	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	P, HPD	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	P, HPD	

s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	P, HPD	
s 26(1)	Power to make report available for inspection	P, HPD	
s 26(2)	Duty to keep report of panel available for inspection	HPD, P, TLPS	
s 27 (2)	Power to apply for exemption if panel's report not received	P, HPD	
s 28	Duty to notify the Minister if abandoning an amendment	MRS	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	P, HPD	
s 30(4)(b)	Duty to provide information in writing upon request	P, HPD	
s 32(2)	Duty to give more notice if required	P, HPD	
s 33(1)	Duty to give more notice of changes to an amendment	P, HPD	
s 33(2)	Duty to comply with request by Authority under s.33(1) for information or assistance	P, HPD	
s 34(1)	Function of consulting with Authority where exercising its powers likely to affect Council's functions	P, HPD	
s 36(2)	Duty to give notice of approval of amendment	P, HPD	
s 38(5)	Duty to give notice of revocation of an amendment	P, HPD	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	P, HPD	
s 40(1)	Function of lodging copy of approved amendment	P, HPD	
s 41	Duty to make approved amendment available	HPD, P, TLPS	
s 42	Duty to make copy of planning scheme available	HPD, P, TLPS	
s 46AW	Function of being consulted by the Minister	P, HPD	Where Council is responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	P, HPD	Where Council is responsible public entity

s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	P, HPD	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	P, HPD	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	P, HPD	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	P, HPD	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	P, HPD	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	P, HPD	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	P, HPD	
s 46GP	Function of receiving a notice under s.46GO	P, HPD	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	P, HPD	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s.46GO	P, HPD	

s 46GR(2)	Power to consider a late submission  Duty to consider a late submission if directed to do so by the Minister	P, HPD	
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	P, HPD	
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	P, HPD	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	P, HPD	
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	P, HPD	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s.46GT(5)	P, HPD	
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	P, HPD	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution	P, HPD	Where Council is the collecting agency

	Power to specify the manner in which the payment is to be made		
s 46GV(3)(b)	Power to enter into an agreement with the applicant	P, HPD	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)	P, HPD	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	P, HPD	
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	P, HPD	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	P, HPD	Where Council is the collecting agency
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	P, HPD	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	P, HPD	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>	P, HPD	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	P, HPD	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	P, HPD	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan works, services or facilities	P, HPD	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(2)(b)	Function of receiving the monetary component	P, HPD	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)	P, HPD	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	P, HPD	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	P, HPD	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	P, HPD	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	P, HPD	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	P, HPD	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	P, HPD	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>	P, HPD	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)	P, HPD	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZBI(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	P, HPD	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)	P, HPD	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)	P, HPD	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)	P, HPD	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	P, HPD	Where Council is the development agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	P, HPD	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in 46GZE(3)(a) and (b)	P, HPD	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	P, HPD	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)	P, HPD	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)(a)	Function of receiving proceeds of sale	P, HPD	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)	P, HPD	Where Council is the collecting agency under an approved infrastructure contributions plan

s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	P, HPD	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	P, HPD	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	P, HPD	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	P, HPD	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)	P, HPD	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	P, HPD	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	P, HPD	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	P, HPD	
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	P, HPD	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	P, HPD	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	P, HPD	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	P, HPD	

s 46Q(1)	Duty to keep proper accounts of levies paid	HPD, P, TLPS	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	P, HPD	
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.	P, HPD	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	P, HPD	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	P, HPD	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	P, HPD	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	P, HPD	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	P, HPD	
s 46QD	Duty to prepare report and give a report to the Minister	P, HPD	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	P, HPD	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	P, HPD	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	HPD, P, TLPS	
s 49(2)	Duty to make register available for inspection	HPD, P, TLPS	
s 50(4)	Duty to amend application	P, HPD	
s 50(5)	Power to refuse to amend application	P, HPD	

s 50(6)	Duty to make note of amendment to application in register	HPD, TLPS	
s 50A(1)	Power to make amendment to application	P, HPD	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	P, HPD	
s 50A(4)	Duty to note amendment to application in register	HPD, P, TLPS	
s 51	Duty to make copy of application available for inspection	HPD, P, TLPS	
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	P, HPD	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	P, HPD	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	P, HPD	
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	P, HPD	
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	P, HPD	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally affected	P, HPD	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	P, HPD	
s 52(3)	Power to give any further notice of an application where appropriate	P, HPD	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	P, HPD	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	P, HPD	
s 54(1)	Power to require the applicant to provide more information	P, HPD	

s 54(1A)	Duty to give notice in writing of information required under s 54(1)	P, HPD	
s 54(1B)	Duty to specify the lapse date for an application	P, HPD	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	P, HPD	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	P, HPD	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	P, HPD	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	P, HPD	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	P, HPD	
s 57(5)	Duty to make available for inspection copy of all objections	HPD, P, TLPS	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	HPD, P	
s 57A(5)	Power to refuse to amend application	HPD, P	
s 57A(6)	Duty to note amendments to application in register	HPD, P, TLPS	
s 57B(1)	Duty to determine whether and to whom notice should be given	P, HPD	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	P, HPD	
s 57C(1)	Duty to give copy of amended application to referral authority	P, HPD	
s 58	Duty to consider every application for a permit	P, HPD	
s 58A	Power to request advice from the Planning Application Committee	P, HPD	
s 60	Duty to consider certain matters	P, HPD	

s 60(1A)	Power to consider certain matters before deciding on application	P, HPD	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	P, HPD	
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	P, HPD	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> .
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	P, HPD	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	P, HPD	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	P, HPD	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	P, HPD	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	P, HPD	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	P, HPD	
s 62(2)	Power to include other conditions	P, HPD	
s 62(4)	Duty to ensure conditions are consistent with sss (a),(b) and (c)	P, HPD	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	P, HPD	
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	P, HPD	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	P, HPD	

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)	P, HPD	
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)	P, HPD	
s 63	Duty to issue the permit where made a decision in favour of the application if objectors	P, HPD	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	P, HPD	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	P, HPD	This provision applies also to a decision to grant an amendment to a permit- see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	P, HPD	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	P, HPD	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	P, HPD	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	P, HPD	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	P, HPD	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	P, HPD	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decided to grant and a copy of any notice given under s 64 or 65	P, HPD	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	P, HPD	
s 69(1A)	Function of receiving application for extension of time to complete development	P, HPD	
s 69(2)	Power to extend time	P, HPD	
s 70	Duty to make copy permit available for inspection	HPD, P, TLPS	
s 71(1)	Power to correct certain mistakes	P, HPD	
s 71(2)	Duty to note corrections in register	HPD, P, TLPS	
s 73	Power to decide to grant amendment subject to conditions	P, HPD	
s 74	Duty to issue amended permit to applicant if no objectors	P, HPD	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	P, HPD	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	P, HPD	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	P, HPD	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	P, HPD	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and copy of any notice given under s 64 or 76	P, HPD	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	P, HPD	
s 83	Function of being respondent to an appeal	P, HPD	
s 83B	Duty to give or publish notice of application for review	P, HPD	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	P, HPD	

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	P, HPD	
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	P, HPD	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	P, HPD	
s 84AB	Power to agree to confining a review by the Tribunal	P, HPD	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	P, HPD	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	P, HPD	
s 87(4)	Power to make a minor amendment to a permit	P, HPD	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	P, HPD	
s 91(2)	Duty to comply with the directions of the VCAT	P, HPD	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	P, HPD	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s.90	P, HPD	
s 93(2)	Duty to give notice of VCAT order to stop development	P, HPD	
s 95(3)	Function of referring certain applications to the Minister	P, HPD	
s 95(4)	Duty to comply with an order or direction	P, HPD	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	P, HPD	
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	P, HPD	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	P, HPD	

s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	P, HPD	
s 96F	Duty to consider the panel's report under s 96E	P, HPD	
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> )	P, HPD	
s 96H(3)	Power to give notice in compliance with Minister's direction	P, HPD	
s 96J	Power to issue permit as directed by the Minister	P, HPD	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	P, HPD	
s 96Z	Duty to keep levy certificates given to it under s 47 or 96A for no less than 5 years from receipt of the certificate	P, HPD	
s 97C	Power to request Minister to decide the application	P, HPD	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	P, HPD	
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	P, HPD	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	HPD, P, TLPS	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	HPD, P, TLPS	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	HPD, P	

s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	HPD, P	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	HPD, P	
s 97Q(4)	Duty to comply with directions of VCAT	HPD, P	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	HPD, P, TLPS	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	HPD, P	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	P, HPD	
s 101	Function of receiving claim for expenses in conjunction with claim	P, HPD	
s 103	Power to reject a claim for compensation in certain circumstances	P, HPD	
s 107(1)	Function of receiving claim for compensation	P, HPD	
s.107(3)	Power to agree to extend time for making claim	P, HPD	
s 114(1)	Power to apply to the VCAT for an enforcement order	P, HPD	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	P, HPD	
s120(1)	Power to apply for an interim enforcement order where s 114 application has been made	P, HPD	
s .123(1)	Power to carry out work required by enforcement order and recover costs	P, HPD	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	P, HPD	Except Crown Land
s 129	Function of recovering penalties	P, HPD	
s 130(5)	Power to allow person served with an infringement notice further time	P, HPD	
s 149A(1)	Power to refer a matter to the VCAT for determination	P, HPD	

s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	P, HPD	
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)	P, HPD	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	P, HPD	
s 171(2)(g)	Power to grant and reserve easements	P, HPD	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	P, HPD	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)	P, HPD	Where Council is a collecting agency specified in an approved infrastructure contributions plan
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	P, HPD	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	P, HPD	
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	P, HPD	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	P, HPD	

---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act</i> 1987 requires that something may not be done without the consent of Council or Responsible Authority	P, HPD	
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	P, HPD	
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	P, HPD	
s 178A(1)	Function of receiving application to amend or end an agreement	P, HPD	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s178A(1)	P, HPD	
s178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principal to the proposal	P, HPD	
s 178A(5)	Power to propose to amend or end an agreement	P, HPD	
s 178B(1)	Duty to consider certain matters when considering proposal to end an agreement	P, HPD	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	P, HPD	
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	P, HPD	
s 178C(4)	Function of determining how to give notice under s 178C(2)	P, HPD	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	P, HPD	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	P, HPD	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	P, HPD	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	P, HPD	If no objections are made under s 178. Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	P, HPD	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	P, HPD	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	P, HPD	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	P, HPD	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)	P, HPD	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	P, HPD	
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	P, HPD	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	P, HPD	
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	P, HPD	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown Land	P, HPD	
s 179(2)	Duty to make available for inspection copy agreement	HPD, P, TLPS	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	P, HPD	
s 181(1A)(a)	Power to apply to the Register of Titles to record the agreement	P, HPD	
s 181(1A)(b)	Duty to apply to the Register of Titles, without delay, to record the agreement	P, HPD	

s 182	Power to enforce an agreement	P, HPD	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	HPD, TLPS, P	
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	P, HPD	
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	P, HPD	
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	P, HPD	
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	P, HPD	
s 184G(2)	Duty to comply with a direction of the tribunal	P, HPD	
s 184G(3)	Duty to give notice as directed by the Tribunal	P, HPD	
s 198(1)	Function to receive application for planning certificate	HPD, P, TLPS	
s 199(1)	Duty to give planning certificate to applicant	P, HPD	
s 201(1)	Function of receiving application for declaration of underlying zoning	HPD, P, TLPS	
s 201(3)	Duty to make declaration	P, HPD	
---	Power to approve development plans under the planning scheme	P, HPD	Subject to Council resolution
---	Power to approve any plan required to be approved as a condition of a planning permit.	P, HPD	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	P, HPD	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under ss (1) as soon as possible	P, HPD	

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	CDS & EHO	Where Council is a public statutory authority engaged in the provision of housing  <b>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier</b>
s 91ZZC(1)	Power to give renter a notice to vacate rented premises	CDS & EHO	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes  <b>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier</b>
s 91ZZE(1)	Power to give renter a notice to vacate rented premises	CDS & EHO	Where Council is a public statutory authority engaged in the provision of housing  <b>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier</b>
s 91ZZE(3)	Power to publish Council's for eligibility for the provision of housing	CDS & EHO	Where Council is a public statutory authority engaged in the provision of housing  <b>Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier</b>
s 142D	Function of receiving notice regarding an unregistered rooming house	CDS & EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	CDS & EHO	
s 142G(2)	Power to enter certain information in the Rooming House Register	CDS & 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	CDS & EHO	

s 206AZA(2)	Function of receiving written notification	CDS & EHO	Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	CDS & EHO	Note: this power is not yet in force and will commence on 1 July 2020, unless proclaimed earlier
s 252	Power to give tenant a notice to vacate rented premises if s 252 (1) applies	CDS & EHO	Where Council is a public statutory authority engaged in the provision of housing  Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier
s 262(1)	Power to give tenant a notice to vacate rented premises	CDS & EHO	Where Council is a public statutory authority engaged in the provision of housing  Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	CDS & EHO	Where Council is a public statutory authority engaged in the provision of housing  Note: this provision will be repealed on 1 July 2020, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	CDS & EHO	
s 317ZDA(2)	Function of receiving written notification	CDS & 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	CDS & EHO	
s 522(1)	Power to give a compliance notice to a person	CDS & EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CDS & EHO	
s 525(4)	Duty to issue identity card to authorised officers	CDS & EHO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	CDS & EHO	
s 526A(3)	Function of receiving report of inspection	CDS & EHO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	CDS & EHO	Obtain prior Council approval.

**ROAD MANAGEMENT ACT 2004**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	MI/DI	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	MI/DI	
s 11(9)(b)	Duty to advise Registrar	MG&CS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	MI/DI	Clause subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	MI/DI	where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	DI	where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	MI/DI	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	MI	Duty of coordinating road authority where it is the discontinuing body Unless s.12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	DI	Function of coordinating road authority where it is the discontinuing body Unless s 12 (11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	DI	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	MI/DI	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	MI/DI	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	DI	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	MI/DI	
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	MI/DI	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	MI/DI	
s 15(2)	Duty to include details of arrangement in public roads register	MI/DI	
s 16(7)	Power to enter into an arrangement under s15	MI/DI	
s 16(8)	Duty to enter details of determination in public roads register	MI/DI	
s 17(2)	Duty to register public road in public roads register	MI/DI	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	MI/DI	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	MI/DI	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	MI/DI	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	MI/DI	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	MI/DI	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	MI/DI	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	MI/DI	

s 19(4)	Duty to specify details of discontinuance in public roads register	MI/DI	
s 19(5)	Duty to ensure public roads register is available for public inspection	MI/DI	
s 21	Function of replying to request for information or advice	MI/DI	Obtain consent in circumstances specified in s11(2)
s 22(2)	Function of commenting on proposed direction	MI/DI	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report	MI/DI	s 22(5) duty to give effect to a direction under this section. Where council is the road authority
s 40(1)	Duty to inspect, maintain and repair a public road.	MI/MO/DI	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	MI/MO/DI	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	MI/MO/DI	
s 42(1)	Power to declare a public road as a controlled access road	MI/DI	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	MI/DI	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	MI/DI	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	MI/DI	Where Council is the of coordinating road authority  If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	MI/MO/DI	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	MI/DI	
s 49	Power to develop and publish a road management plan	MI/DI	

s 51	Power to determine standards by incorporating the standards in a road management plan	MI/DI	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	MI/DI	
s 54(2)	Duty to give notice of proposal to make a road management plan	MI/DI	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	MI/DI	
s 54(6)	Power to amend road management plan	MI/DI	
s 54(7)	Duty to incorporate the amendments into the road management plan	MI/DI	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	MI/DI	
s 63(1)	Power to consent to conduct of works on road	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	MO/DI	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch7	MO/DI	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DI/MI/MO/CES / GE	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name and address of the person responsible for distributing the sign or bill	MI/DI	Where Council is the coordinating road authority
s 67(3)	Power to request information	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
s 68(2)	Power to request information	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO TO RETAIN	
s 72	Duty to issue an identity card to each authorised officer	DI	
s 85	Function of receiving report from authorised officer	MI/MO/DI	

s 86	Duty to keep register re s85 matters	MI/MO/DI	
s 87(1)	Function of receiving complaints	MI/MO/DI	
s 87(2)	Power to investigate complaint and provide report	MI/MO/DI	
s 112(2)	Power to recover damages in court	MI/MO/DI	
s 116	Power to cause or carry out inspection	MI/MO/DI	
s 119(2)	Function of consulting with the Head, Transport for Victoria	MI/MO/DI	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of Head, Transport for Victoria)	MO/DI	
s 120(2)	Duty to seek consent of Head, Transport for Victoria to exercise road management functions before exercising power in s120(1)	MO/DI	
s 121(1)	Power to enter into an agreement in respect of works	MO/DI	
s122(1)	Power to charge and recover fees	MO/DI	
s 123(1)	Power to charge for any service	MO/DI	
sch 2 cl 2(1)	Duty to make a decision in respect of controlled access roads	MI/DI	
sch 2 cl 3(1)	Power to make policy about controlled access roads	MI/DI	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	MI/DI	
sch 2 cl 4	Function of receiving details of proposal from Head, Transport for Victoria	MI/DI	
sch 2 cl 5	Duty to publish notice of declaration	MI/DI	
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	MI/MO/DI	Where Council is the infrastructure manager or works manager
sch 7, cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any	MI/MO/DI	Where Council is the infrastructure manager or works manager

	proposed installation of infrastructure or related works on a road or road reserve of any road		
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	MI/MO/DI	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	MI/MO/DI	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	MI/MO/DI	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	DI	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DI/MI/MO/CES //GE	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
sch 7 cl12(5)	Power to recover costs	MO/DI	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)	MO/DI	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	MO/DI	Where Council is the coordinating road authority
sch7, cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7, cl 13(1)	MO/DI	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DI/MI/MO/CES /GE	Where Council is the coordinating road authority

sch 7 cl 16(4)	Duty to consult	DI/MI/MO/CES /GE	Where Council is the coordinating road authority, responsible authority or infrastructure manager
sch 7 cl 16(5)	Power to consent to proposed works	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DI/MI/MO/CES /GE	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	MI/MO/DI	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	MI/MO/DI	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	MI/MO/DI	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	DI/MI//MOCES /GE	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	MI/MO/DI	Where Council is the coordinating road authority
sch 7A cl 2	Power to cause street lights to be installed on roads	MI/MO/DI	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting – where road is not an arterial road	MO/DI	Where Council is the responsible road authority for the road
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	MO/DI	Where Council is the coordinating road authority
sch 7A cl 3(1)(f)	Duty to pay installation and percentage of operation costs of street lighting for arterial roads in accordance with cl 3(2) and 4	MO/DI	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

**CEMETERIES AND CREMATORIA REGULATIONS 2015**

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

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

r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	MRS/DI	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	MRS/DI	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	MRS/DI	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	MRS/DI	
r 34	Duty to ensure that a crypt space in a mausolea is sealed in accordance with paragraphs (a)-(b)	MRS/DI	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	MRS/DI	
r 40	Power to approve a person to play sport within a public cemetery	MRS/DI	
r 41(1)	Power to approve fishing and bathing within a public cemetery	MRS/DI	
r 42(1)	Power to approve hunting within a public cemetery	MRS/DI	
r 43	Power to approve camping within a public cemetery	MRS/DI	
r 45(1)	Power to approve the removal of plants within a public cemetery	MRS/DI	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	MRS/DI	
r 47(3)	Power to approve the use of fire in a public cemetery	MRS/DI	
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	MRS/DI	
<b>Note: sch2 contains Model Rules - only applicable if the cemetery trust has not made its own cemetery trust rules</b>			
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	DI/MRS	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	DI/MRS	See note above regarding model rules
sch 2, cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	DI/MRS	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	DI/MRS	See note above regarding model rules
sch 2, cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DI/MRS	See note above regarding model rules
sch 2, cl 11(1)	Power to remove objects from a memorial or place of interment	DI/MRS	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	DI/MRS	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	DI/MRS	See note above regarding model rules
sch 2, cl 14	Power to approve an animal to enter into or remain in a cemetery	DI/MRS	See note above regarding model rules
sch 2, cl 16(1)	Power to approve construction and building within a cemetery	DI/MRS	See note above regarding model rules
sch 2, cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DI/MRS	See note above regarding model rules
sch 2, cl 18(1)	Power to approve digging or planting within a cemetery	DI/MRS	See note above regarding model rules

**PLANNING AND ENVIRONMENT REGULATIONS 2015**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
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	P	Where Council is not the planning authority and the amendment affects land within its municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	P	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	P	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	P	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	P	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority

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

**RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010**

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 7	Function of entering into a written agreement with a caravan park owner	CDS & EHO	
r 11	Function of receiving applications for registration	CDS & EHO	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CDS & EHO	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CDS & EHO	
r 13(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CDS & EHO	
r 13(4) & (5)	Duty to issue certificate of registration	CDS & EHO	
r 15(1)	Function of receiving notice of transfer of ownership	CDS & EHO	
r 15(3)	Power to determine whether notice of transfer is displayed	CDS & EHO	
r 16(1)	Puty to transfer registration to new caravan park owner	CDS & EHO	
r 16(2)	Duty to issue certificate of transfer of registration	CDS & EHO	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CDS & EHO	
r 18	Duty to keep register of caravan parks	CDS & EHO	
r 19(4)	Power to determine where the emergency contact person's details are displayed	CDS & EHO	
r 19(6)	Power to determine where certain information is displayed	CDS & EHO	
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CDS & EHO	
r 22A(2)	Duty to consult with relevant emergency services agencies	CDS & EHO	
r 23(2)	Power to determine places in which caravan park owner must display a copy of emergency procedures	CDS & EHO	

r 24(1)	Power to determine places in which caravan park owner must display copy of public emergency warnings	CDS & EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	CDS & EHO	
r 26	Duty to have regard to any report of the relevant fire authority	CDS & EHO	
r 28(C)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CDS & EHO	
r 39	Function of receiving notice of proposed installation of unregisterable movable dwelling or rigid annexe	CDS & EHO	
r 39(b)	Power to require notice of proposal to install unregisterable movable dwelling or rigid annexe	CDS & EHO	
r 40(4)	Function of receiving installation certificate	CDS & EHO	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CDS, & EHO & BI	
sch 3, cl4(3)	Power to approve the removal of wheels and axles from unregisterable movable dwelling	CDS, & EHO & BI	

**ROAD MANAGEMENT (GENERAL) REGULATIONS 2016**

<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 8(1)	Duty to conduct reviews of road management plan	MI/DI/MO	
r 9(2)	Duty to produce written report of review of road management plan and make report available	MI/DI/MO	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	MI/DI/MO	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	MI/DI/MO	
r 13(1)	Duty to publish notice of amendments to road management plan	MI/DI/MO	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	MI/DI/MO	
r 16(3)	Power to issue permit	MI/DI/MO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	MI/DI/MO	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	MI/DI/MO	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	MI/DI/MO	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	MI/DI/MO	Where Council is the coordinating road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with r.25(3))	MI/DI/MO	Where Council is the coordinating road authority
r 25(5)	Power to recover in the Magistrates' Court expenses from person responsible	MI/DI/MO	

<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 15	Power to exempt a person from requirement under cla 13(1) of sch 7 of the Act to give notice as to the completion of those works	DI/MI/CES/GE/M O	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	DI/MI/CES/GE/M O	Where council is the coordinating road authority

**10. Notices of Motion or Rescission**

Nil

**11. Reports from Councillors/Committees**

Nil

**12. Urgent Business**

Nil

**13. Public Question Time**

Nil

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

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

**The circumstances are-**

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

If the circumstances specified in subsection (b) or (c) 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.

## **14.1. C7 2019/20 - Provision of Various Trade Services**

## RESOLUTION

**That item 14.1 be considered in Closed Council as it deals with confidential information as detailed in section 3(1) of the *Local Government Act 2020*.**

**Moved:** Cr Kevin Erwin      **Seconded:** Cr Tony Driscoll      **Carried**

## RESOLUTION

**That the meeting be closed to consider the item listed pursuant to section 66 of the *Local Government Act 2020*.**

**Moved:** Cr Kevin Erwin      **Seconded:** Cr Tony Driscoll      **Carried**

OPEN COUNCIL

**The Chief Executive Officer reported on the item discussed in Closed Council.**

## **14.1 That Council awards contract C7 2019/20 - Provision of Various Trade Services and appoints the preferred contractors onto the panel as recommended by the Evaluation Panel.**

## 15. Close

**There being no further business the Mayor declared the meeting closed at 1.04pm.**

## Confirmed

*B. L.*

CR MURRAY EMERSON  
MAYOR

**Northern Grampians Shire Council  
20200803 Council Meeting**

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Date: 7 September 2020