



## ORDINARY COUNCIL MEETING

Tuesday 28 April 2020

6:00pm

Community Hub

Room 1

48 Burns Street, Maryborough

### AGENDA

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1.	Commencement of Meeting, Welcome and Opening Prayer	
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10.	Notices of Motion Nil	
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13.	Meeting Close	

## 5 CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

**Author:** Governance Officer

**Responsible Officer:** Chief Executive Officer

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

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### SUMMARY/PURPOSE

To present for confirmation the minutes of the Ordinary Council Meeting held on 25 February 2020 and the Ordinary Council Meeting held on 24 March 2020. The February minutes are being presented as an incorrect version of the minutes was presented at the March meeting.

### LEGISLATION AND POLICY CONTEXT

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

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

4.3 Objective: Provide leadership in governance and Council decision making

### BACKGROUND INFORMATION

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

### REPORT

Section 93 of the *Local Government Act 1989* requires Council to keep minutes of each meeting of the Council and Special Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

The incorrect version of the unconfirmed minutes of the Ordinary Council Meeting held on 25 February 2020 was presented at the March meeting. The correct version is presented here for confirmation.

### CONSULTATION/COMMUNICATION

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

### FINANCIAL & RESOURCE IMPLICATIONS

Costs included in the Governance and communications budgets.

### RISK MANAGEMENT

This process conforms to the requirements of the *Local Government Act 1989*. Publication of the minutes increases transparency and reduces the risk of maladministration.

## **CONCLUSION**

The unconfirmed minutes of the Ordinary Council Meeting held on 25 February 2020 and those of Ordinary Council Meeting held 24 March 2020 are presented for confirmation.

## **ATTACHMENTS**

1. Unconfirmed Minutes of Ordinary Council Meeting held 25 February 2020
2. Unconfirmed Minutes of Ordinary Council Meeting held 24 March 2020

## **RECOMMENDATION**

*That Council confirms the Minutes of the Ordinary Council Meeting held on 25 February 2020 and the Minutes of the Ordinary Council Meeting held on 24 March 2020.*



## **ORDINARY MEETING OF COUNCIL MINUTES**

Tuesday 25 February 2020  
6:00pm

Council Chamber  
Room 1 Community Hub  
48 Burns Street  
Maryborough

### **MEMBERSHIP**

Administrator Noel Harvey  
Administrator Karen Douglas  
Administrator Hugh Delahunty

To be confirmed at the Ordinary Council Meeting  
scheduled for 24 March 2020

# UNCONFIRMED MINUTES

## 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm

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

### PRESENT

Administrator Noel Harvey  
Administrator Hugh Delahunty  
Administrator Karen Douglas

### IN ATTENDANCE

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

## 2. APOLOGIES

Nil

## 3. LEAVE OF ABSENCE

Nil

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil

## 5. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 17 December 2019.

### Council Resolution

*That Council confirms the Minutes of the Ordinary Council Meeting held on 17 December 2019.*

**Moved** Administrator Delahunty  
**Seconded** Administrator Douglas

**CARRIED**

## 6. REPORTS FROM COMMITTEES

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

### Council Resolution

*That Council notes the confirmed minutes of the:*

1. Talbot Town Hall Special Committee Meeting 15 October 2019
2. Adelaide Lead Hall Special Committee Annual General Meeting September 2018

# UNCONFIRMED MINUTES

## 3. Audit and Risk Committee Meeting 9 September 2019

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

## 7. PETITIONS

Two copies of the petition relating to the Dunolly mosaics have been received, which reads as follows:

*We, the undersigned, strongly oppose the Mosaics being installed in Broadway Dunolly.*

### **Council Resolution**

*That the petition be received by Council and referred to the General Manager Infrastructure Assets and Planning for action.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

## 8. OFFICER REPORTS

### 8.1 ASSEMBLIES OF COUNCILLORS

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

### **Council Resolution**

*That Council note the record of assemblies of councillors for the period 11 December 2019 to 17 February 2020.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### 8.2 MOSAIC SCULPTURES DUNOLLY

#### **SUMMARY/PURPOSE**

The purpose of this report is to advise Council on the feedback received in relation to the placement of two community art mosaic sculptures in Broadway, Dunolly.

### **Council Resolution**

*That Council, having considered the community feedback received about the proposed locations for the two community art sculptures, resolves to:*

- a) *Locate the DINGO sculpture on the nature strip area outside 118 Broadway, Dunolly.*

## UNCONFIRMED MINUTES

- b) *Locate the KANGAROO sculpture in the Rene Fox gardens in place of the Imagination Station art piece which will be relocated to the Dunolly Arts Hub to a location agreed in consultation with the committee.*

**Moved** Administrator Douglas  
**Seconded** Administrator Delahunty

**CARRIED**

### **8.3 PLANNING APPLICATION 116/19 – CONSTRUCTION OF A LEVEE AND ASSOCIATED EARTHWORKS AND INFRASTRUCTURE AND UTILITY INSTALLATION AT 4027 PYRENEES HIGHWAY, CARISBROOK**

#### **SUMMARY/PURPOSE**

This report recommends that Council issue a Notice of Decision to Grant a Planning Permit be issued for the construction of stages 3 and 4 of the flood levee located at 4027 Pyrenees Highway, Carisbrook.

#### **Council Resolution**

*That Council, having caused notice of Planning Application No. 116/19 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a Notice of Decision to Grant a Planning Permit 116/19 in respect of the land known and described as 4027 Pyrenees Highway (lot 1 TP 692027, lot 2 TP 220222, lot 2 TP 103682 and lot 2 LP 205106, 4 LP 114330), Carisbrook, for the construction of a flood levee and associated earthworks and infrastructure and utility installation within the Farming Zone, Rural Living Zone, Public Use Zone, Road Zone Category 1; the Salinity Management Overlay, Erosion Management Overlay and the Environmental Significance Overlay in accordance with the endorsed plans and subject to the following conditions.*

#### **Amended Plans**

1. Prior to the commencement of any works detailed design/construction plans must be prepared and submitted to the Responsible Authority for approval. The plans must be in accordance with condition number 11 of this permit.
2. Prior to the commencement of any works, plans which detail the final location of any burrow pits must be submitted to the Responsible Authority for approval.
3. Prior to the commencement of any works pursuant to this permit, the applicant must prepare a Traffic Management Plan, in consultation with Council and VicRoads. The plan must be to the satisfaction of the Responsible Authority and address such matters including vehicle movements to and from the site, restrictions on travel within local residential streets, any required works to the entrance of the site, safety within the site, including any works required, and any other matters deemed appropriate.

#### **Secondary Consent Provision**

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

# UNCONFIRMED MINUTES

## Construction Activities

5. All activities associated with the construction of the development permitted by this permit must be carried out to the satisfaction of the Responsible Authority and all care must be taken to minimise the effect of such activities on the amenity of the locality. Measures must be taken to suppress dust, noise or other emissions during construction to prevent nuisance to surrounding neighbours.
6. Adequate measures must be undertaken to ensure dust from any materials stockpiled does not affect adjoining properties or surrounding area, to the satisfaction of the Responsible Authority.
7. No mud, crushed rock or other debris is to be permitted to be carried onto public roads or footpaths from the subject land. Appropriate measures must be in place at all times during construction to prevent this occurrence to the satisfaction of the Responsible Authority.

## Clean Fill

8. Only clean fill material is permitted to be imported to the site. This material must not contain any solid inert wastes (such as demolition material, concrete, bricks, timber, etc).
9. The deposition of fill material must not result in any off site impact on surface or groundwater.

## Native vegetation

10. Native vegetation removal must not occur without the further written consent of the Responsible Authority.

## North Central Catchment Management Authority

11. Prior to the commencement of works detailed design/construction plans must be prepared and submitted to the North Central Catchment Management Authority for approval. The detailed design/construction plans must demonstrate that the final design is in accordance with the Water Technology report dated 30 August 2019

## Goulburn Murray Water

12. All construction and ongoing activities must be in accordance with sediment control principles outlined in 'Construction Techniques for Sediment Pollution Control' (EPA, 1991).

## VicTrack

13. Written formal application to be made to VicTrack including a design drawing in accordance with 'VicTrack Design Guidelines & Requirements' document and AS-4799. Formal application can be made online to VicTrack via the following link: <https://www.victrack.com.au/services-and-capabilities/property/utilities-and-services>
14. Independent engineering compliance report to be provided by the applicant demonstrating compliance with relevant standards and guidelines.



## UNCONFIRMED MINUTES

Geotechnical report will also be required to assist with strength calculations of proposed asset under the rail to be compliance checked.

15. Written approval from the rail operator, V/Line, will be required.
16. Owner of the asset will be required to enter into a licence with VicTrack to formalise the ongoing operation and maintenance of the asset on VicTrack land.

### Central Highlands Water

17. No construction works shall commence on the levee that are within 1 lateral metre of any water and sewerage assets owned by Central Highlands Water unless and until approval under the Water Act 1989 has been provided by Central Highlands Water.
18. The Applicant must comply with any reasonable conditions required by Central Highlands Water, in relation to constructing the levee within 1 lateral metre of any water or sewerage assets, and this may include the construction of works.

### Downer Utilities Australia

19. The plan of subdivision submitted for certification must be referred to AusNet Gas Services in accordance with Section 8 of the Subdivision Act 1988.

### Permit Expiry

20. This permit will expire if one of the following circumstances applies:
  - The development is not started within four years of the date of this permit.
  - The development is not completed within eight years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

**Moved**            **Administrator Douglas**  
**Seconded**      **Administrator Delahunty**

**CARRIED**

### 8.4 LIBRARY SERVICE LEVEL AGREEMENT WITH CITY OF BALLARAT 2020-2025

The purpose of this report is to recommend that Council write to the Minister for Local Government requesting an exemption from a public tender process, in order to negotiate a new Library Service Level Agreement, directly with the City of Ballarat for a period of five years.

#### **Council Resolution.**

*That Council, writes to the Minister for Local Government requesting an exemption undertaking a public tender under Section 186(5)(c) of the Local Government Act 1989 to allow the Council to enter into a new Service Agreement between Central Goldfields Shire Council and the City of Ballarat for support services to the Central Goldfields Regional Library for 1 July 2020 to 30 June 2025.*

## UNCONFIRMED MINUTES

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

### **8.5 NORTHERN VICTORIAN INTEGRATED INFLUENZA PANDEMIC PLAN.**

The purpose of this report is to recommend Council endorse the Influenza Pandemic Plan which complements the Integrated Municipal Emergency Management Plan (IMEMP).

The focus of this plan is to prescribe the municipal coordination arrangements that exist to support agencies which have a responsibility for pandemics.

#### **Council Resolution**

*That Council endorse the Northern Victorian Integrated Influenza Pandemic Plan.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### **8.6 SKATE AND SCOOTER PARK**

The purpose of this report is to recommend that Council endorse:

- Princes Park as the location for the Skate and Scooter Park, and
- a financial commitment of \$393,260 to enable a funding application to Sport & Recreation Victoria for the proposed Skate and Scooter Park.

#### **Council Resolution**

*That Council endorse:*

- 1) *a financial commitment of \$393,260 for the Skate and Scooter Park.*
- 2) *Princes Park as the location for the Skate and Scooter Park.*
- 3) *officers investigating the potential sale of the existing skate park site in Majorca Road Maryborough, and providing a report to a future Council meeting.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### **8.7 CENTRAL VICTORIAN GOLDFIELDS WORLD HERITAGE LISTING MOU**

The purpose of this report is for Council to note the Memorandum of Understanding between twelve councils to support the Central Victorian Goldfields World Heritage Listing bid.

#### **Council Resolution**

*That Council note the Central Victorian Goldfields World Heritage Bid Memorandum of Understanding.*

## UNCONFIRMED MINUTES

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

### **8.8 2019 ENERGY BREAKTHROUGH EVALUATION**

The purpose of this report is to recommend Council note the evaluation and review of the 2019 Energy Breakthrough as per the Energy Breakthrough Charter requirements.

#### **Council Resolution**

*That Council notes the 2019 Energy Breakthrough Evaluation Meeting Review.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### **8.9 COUNCIL LAND FENCE POLICY**

The purpose of this report is to update Council on the outcome of consultation on the Council land fence policy and to present a final version of the policy for adoption.

The purpose of the policy is to provide the community with a clear understanding of when Council will provide a financial contribution towards the costs of replacement, repair and/or maintenance of a private boundary fence that adjoins Council owned land.

#### **Council Resolution**

*That Council:*

- 1. Adopt the Council Land Fence Policy.*
- 2. Acknowledge and thank the Community Voice Panel for their contribution and feedback regarding the policy.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

### **8.10 ACTION PLAN PROGRESS REPORT – AS AT 31 DECEMBER 2019**

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2019-20 Action Plan.

#### **Council Resolution**

*That Council notes the 2019-20 Action Plan Progress Report to 31 December 2019.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

### **8.11 DECEMBER FINANCIAL REPORT**

## UNCONFIRMED MINUTES

The purpose of this report is to brief Council on its financial performance for the year to date and how it is tracking against the adopted budget.

### Council Resolution

*That Council receives and notes the attached 31 December 2019 Financial Report showing progress against the budget.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

## 9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

The purpose of this report is to present to Council for noting, documents that have been signed under Council's common seal, via delegation, since the last Ordinary Council meeting.

### Council Resolution

*That Council note that the s11A Instrument of Appointment and Authorisation was signed and sealed by the Chief Executive Officer under delegation on behalf of Council, in accordance with the following resolutions of Council made on 17 December 2019:*

- 1. That Council adopt the attached s11A Instrument of Appointment and Authorisation for the members of Council staff set out in the Instrument.*
- 2. The attached s11A Instrument of Appointment and Authorisation comes into force immediately the common seal of Council is affixed to the Instrument, and remains in force until Council determines to vary or revoke it.*
- 3. That the attached s11A Instrument of Appointment and Authorisation be signed and sealed.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

## 10 NOTICES OF MOTION

Nil

## 11 URGENT BUSINESS

Nil

## 12 CONFIDENTIAL BUSINESS

Nil

## 13 MEETING CLOSURE

The Chair, Administrator Noel Harvey declared the meeting closed at 7.02pm

## UNCONFIRMED MINUTES

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To be confirmed at the Ordinary Council Meeting  
to be held on 24 March 2020.

Chair, Administrator Noel Harvey



## **ORDINARY MEETING OF COUNCIL MINUTES**

Tuesday 24 March 2020  
6:00pm

Council Chamber  
Room 1 Community Hub  
48 Burns Street  
Maryborough

### **MEMBERSHIP**

Administrator Noel Harvey  
Administrator Karen Douglas  
Administrator Hugh Delahunty

To be confirmed at the Ordinary Council Meeting  
scheduled for 28 April 2020

# UNCONFIRMED MINUTES

## 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.00pm

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

### PRESENT

Administrator Noel Harvey  
Administrator Hugh Delahunty  
Administrator Karen Douglas

### IN ATTENDANCE

Chief Executive Officer, Lucy Roffey

## 2. APOLOGIES

Nil

## 3. LEAVE OF ABSENCE

Nil

## 4. DISCLOSURES OF CONFLICTS OF INTEREST

Administrator Douglas declared a conflict of interest in item 8.5.

## 5. CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 25 February 2020.

### Council Resolution

*That Council confirms the Minutes of the Ordinary Council Meeting held on 25 February 2020.*

**Moved** Administrator Douglas  
**Seconded** Administrator Delahunty

**CARRIED**

## 6. REPORTS FROM COMMITTEES

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

### Council Resolution

*That Council notes the confirmed minutes of the:*

- 1. Dunolly Historic Precinct Committee Meeting 23 September 2019*
- 2. Dunolly Historic Precinct Committee Meeting 25 November 2019*
- 3. Audit and Risk Committee Meeting 3 December 2019*

**Moved** Administrator Delahunty  
**Seconded** Administrator Douglas

# UNCONFIRMED MINUTES

CARRIED

## 7. PETITIONS

Nil

## 8. OFFICER REPORTS

### 8.1 ASSEMBLIES OF COUNCILLORS

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

#### Council Resolution

*That Council note the record of assemblies of councillors for the period 18 February 2020 to 17 March 2020.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

CARRIED

### 8.2 ECONOMIC DEVELOPMENT AND TOURISM & EVENTS STRATEGIES

#### SUMMARY/PURPOSE

The purpose of this report is to present the Economic Development Strategy and the Tourism and Events Strategy to Council for adoption.

#### Council Resolution

*That Council:*

- 1. Adopt the Economic Development Strategy 2020-2025 in the form of the attached draft (Attachment 1) with minor changes as recommended in Attachment 3; and*
- 2. Adopt the Tourism and Events Strategy 2020-2025 in the form of the attached draft (Attachment 2) with minor changes as recommended in Attachment 3*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

CARRIED

### 8.3 PLANNING APPLICATION 009/19 – USE AND DEVELOPMENT OF RACING DOG HUSBANDRY (180 DOGS) AT 540 LILLICUR ROAD, LILLICUR

#### SUMMARY/PURPOSE

The purpose of this report is to recommend that planning application 009/19 for the use and development of racing dog husbandry at 540 Lillicur Road, Lillicur be refused.

#### Council Resolution



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*That Council having considered all the matters generally required, determine to refuse Planning Permit 009/19 in respect of the land known and described as 540 Lillicur Rd, Lillicur, the use and development of animal husbandry (180 dogs) on the following grounds:*

- 1) *The proposal does not meet the following objectives set out in the 'Planning requirements for racing dog keeping and training':*
  - 4.1 *Facility scale objective*
  - 4.2 *Setback objective*
  - 4.5 *Fencing and gates objective*
- 2) *The proposal does not include the installation of a septic system and therefore does not adequately manage waste water.*
- 3) *Goulburn Murray Water object to the application on the basis the application does not meet all the conditions required; specifically the treatment and disposal of waste water using an EPA approved system.*
- 4) *The proposal is not consistent with the purpose of the Rural Conservation Zone.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

### **8.4 PLANNING APPLICATION 108/18 A2 - AMENDMENT TO THE PERMIT TO ALLOW AN INCREASE IN DOG NUMBERS AND PERMISSION TO BREED 1 LITTER PER YEAR.**

The purpose of this report is to recommend that a notice of decision to approve amendment 108/18 A2. The amendment to the permit would allow an additional 1 litter of greyhounds (per year), no older than 16 months, to be kept and trained on the property at 89 Shaw Road, Daisy Hill.

#### **Council Resolution.**

*That Council, having caused notice of Planning Application No. 108/18 A2 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a Notice of Decision to Grant an amended Planning Permit 108/18 A2 in respect of the land known and described as 89 Shaw Road, Daisy Hill to allow an additional 1 litter of greyhounds (per year), no older than 16 months, to be kept and trained on the property. As a result the following additional conditions to be added to the permit:*

1. A maximum of 1 litter per year may be bred on the site.
2. The permit holder must report in writing to Council's Planning Enforcement Officer, within 1 month of a litter being bred on the site. The report must include:
  - a) Number of puppies

## UNCONFIRMED MINUTES

- b) Date of birth
  - c) Greyhound Racing Victoria registration number of each puppy
  - d) Number of male and female puppies
3. The number of racing dogs kept and/or bred on the site at any one time shall not exceed the following, without the further consent of the Responsible Authority:
- a) A maximum of 1 litter per year may be bred on the site. The dogs bred from this litter may be kept on site, up to the age of 16 months.
  - b) 6 adult greyhounds
4. The permit holder must keep a written record of any complaints received regarding excess noise and odour; this record must be made available to Council on request.

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

**Administrator Douglas left the meeting room at 6:16pm due to a conflict of interest in Item 8.5.**

### **8.5 PLANNING APPLICATION 118/19 USE AND DEVELOPMENT OF THE LAND FOR TWO DWELLINGS AND A 2 LOT SUBDIVISION.**

Administrator Douglas declared a conflict of interest as a family member prepared the plans for this application and left the meeting at 6:16pm.

The purpose of this report is to recommend a notice of decision to approve planning application 118/19 for the use and development of the land for 2 dwellings on one lot and a 2 lot subdivision at 14 Taylor Street, Maryborough.

#### **Council Resolution**

*That Council, having caused notice of Planning Application No. 118/19 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a Notice of Decision to Grant a Planning Permit 118/19 in respect of the land known and described as 14 Taylor Street, Maryborough, for the use and development of two dwellings on the lot and a 2 lot subdivision in accordance with the endorsed plans and subject to the following conditions:*

#### **Amended plans**

1. *The development and subdivision permitted by this permit must not be commenced until one (1) electronic copy or three (3) A3 size paper copies of amended plans, as outlined below, are submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of this permit. Such plans must be generally in accordance with plans submitted dated 24 October 2019 but modified to show:*

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- a) *The correct elevations noted on sheet 4 of the proposed plans.*
- b) *An amended site plan showing the proposed fencing along the eastern boundary to match the existing height of the fencing to the rear of 16 Taylor Street.*
- c) *Fencing along the northern boundary tapered down to 900 mm for a distance of 9 metres from the point of the intersection.*

### **No alteration layout**

2. *The development and/or use(s) permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the Responsible Authority.*
3. *A colour bond fence, to match the height of the existing fence to the rear of 16 Taylor Street, must be constructed along the eastern boundary of the subject site and 16 Taylor Street.*

### **Landscape condition**

4. *Prior to the commencement of the development hereby permitted, one (1) electronic copy or three (3) A3 size paper copies of amended plans, as outlined below, are submitted to and approved by the Responsible Authority. Consideration should be given to the use of indigenous plants. All landscape plantings and treatments need to be suitable for the specific climatic and soil conditions of the Shire.*

*The landscape plan will show the following:*

- (a) *An outline of buildings. No floor plans are to be shown on the landscape plan, however the dimensions of the outline are to be informed by the approved site plan.*
- (b) *Clearly drafted at a scale of 1:100 or similar with a north point and legend*
- (c) *Clear graphics to indicate trees (deciduous or evergreen), shrubs, ground covers, grass etc.*
- (d) *Botanical and common name, pot size, quantity, planting density and size at maturity of all plantings.*
- (e) *Notated planting specification drawings.*
- (f) *Location and depth of all surface treatments with materials and colours notated.*

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- (g) *Outline of all built features including buildings, fences, letterboxes, clotheslines, storage, water tanks and utility structures etc. These structures are to be informed by the site plan.*
- (h) *All water tanks must have a minimum 0.5m clearance free of obstruction when located in a through access way.*
- (i) *Mark all crossovers.*
- (j) *Any vegetation or structures within the nature strip.*

*Please note that any foundations of built structures, including any concrete areas such as paths/driveways, must be protected with appropriate tree root/moisture barriers to ensure the integrity of the foundations are not compromised.*

### **Landscape completed & maintenance**

- 5. *The landscape area(s) shown on the endorsed plan(s) must be planted and maintained to the satisfaction of the Responsible Authority and once landscaped must not be used for any other purpose except with the prior written consent of the Responsible Authority.*

### **General amenity development**

- 6. *The development and the appearance of the subject land permitted by this permit must not, in the opinion of the Responsible Authority, adversely affect the amenity of the locality.*

### **Use of parking areas**

- 7. *Areas set aside for the parking and movement of vehicles as shown on the endorsed plan(s) must be maintained in a usable and safe condition to the satisfaction of the Responsible Authority and made available for such use and must not be used for any other purpose.*

### **Engineering Requirements**

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

- 8. *Vehicular access to Lot 1 and 2 must be provided from Gillies Street.*
- 9. *Vehicular crossovers/driveways must be constructed between Lots 1 and 2 and Gillies Street. Such crossovers/driveways must be of concrete construction and be from kerb to property boundary. (Refer Infrastructure Design Manual Standard Drawing 240).*

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10. *Any disused crossovers/driveways must be removed and the kerb and channel and nature strip reinstated to the satisfaction of the Responsible Authority.*
11. *The applicant/owner must make further application for and have approved driveway crossing permit/s for crossover/driveway works. All works constructed or carried out must be in accordance with the approved plans/permit(s).*
12. *Once constructed the crossovers must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.*

### **Drainage:**

13. *All stormwater must be accommodated and treated within the subject land in accordance with IDM Clause 19.*
14. *The owner/applicant must design a drainage system to drain the surface water and dwelling roof stormwater from each Lot to the legal point of discharge to the satisfaction of the Responsible Authority. This drainage plan must be provided to the Responsible Authority for approval.*
15. *A legal point of stormwater discharge LPSD must be provided for Lots 1 and 2 to the Gillies Street kerb and channel to the satisfaction of the Responsible Authority.*

### **Asset Protection**

16. *At any time the permit holder must ensure that the operation and condition of Council assets (including street trees, drainage pits and covers, footpaths, inverts and kerb and channel) are not damaged by the site construction works. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.*

### **Sediment Control**

17. *The developer must restrict sediment discharges from any construction sites within the land in accordance with Construction Techniques for Sediment Pollution Control (EPA 1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).*

### **Development must not be occupied until**

18. *The development permitted by this permit must not be occupied until:*

## **UNCONFIRMED MINUTES**

- (a) *the access and parking area(s) shown on the endorsed plan(s) have been constructed to the requirements and satisfaction of the Responsible Authority; and*
- (b) *the garden and landscape area(s) shown on the endorsed plan(s), including external fixtures such as clotheslines, storage sheds and water tanks, have been provided and completed to the requirements and satisfaction of the Responsible Authority.*

### **Construction phase**

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

### **Provision for waste collection**

- 20. *Provision must be made for an acceptable pick up point for waste collection services that is satisfactory to the Responsible Authority.*

### **Conditions relating to the subdivision permitted under this permit:**

#### **No alteration to subdivision layout**

- 21. *The layout of the subdivision permitted by this permit as shown on the endorsed plan(s) and/or described in the endorsed documents must not be altered or modified (for any reason) except with the prior written consent of the responsible authority.*

#### **Development to be completed prior to statement of compliance**

- 22. *Prior to the issue of a statement of compliance under the subdivision act 1988 the development permitted under this permit must be completed including that:*
  - (a) *The access and parking area(s) shown on the endorsed plan(s) must be constructed to the requirements and satisfaction of the responsible authority; and*
  - (b) *The garden and landscape area(s) shown on the endorsed plan(s) including external fixtures such as clotheslines, storage sheds and water tanks must be provided and completed to the requirements and satisfaction of the responsible authority.*

#### **Agreement with relevant authorities for utility services**

- 23. *The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity, gas and telecommunication services to each lot shown on the*

## **UNCONFIRMED MINUTES**

*endorsed plan in accordance with that authority's requirements and relevant legislation at the time.*

### **Easements to be set aside**

24. *All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.*

### **Certified plans to be referred under s8 of subdivision act**

25. *The plan of subdivision submitted for certification under the subdivision act 1988 must be referred to the relevant authority in accordance with section 8 of that act.*

### **Serviced lots**

26. *Prior to the issue of a statement of compliance, each lot created by the subdivision permitted by this permit must be provided with reticulated water, sewerage, electricity, roads, and drainage to the satisfaction of the responsible authority.*

### **Connection to council's underground drain**

27. *Prior to the issue of a statement of compliance each lot is required to be connected to council's underground stormwater drainage system to the satisfaction of the responsible authority.*

### **Telecommunications services prior to soc**

28. *Before the issue of a statement of compliance for any stage of the subdivision under the subdivision act 1988, the owner of the land must provide written confirmation from:*
  - (a) *A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and*
  - (b) *A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the national broadband network will not be provided by optical fibre.*

### **Expiry permit**

29. *This permit will expire if (any of the following apply):*

## UNCONFIRMED MINUTES

- (a) *The plan of subdivision is not certified within two (2) years of the date of this permit;*
- (b) *If the subdivision permitted by this permit is not completed within five (5) years from the date of the certification of the plan of subdivision.*
- (c) *The development is not started within two (2) years of the date of this permit; or*
- (d) *The development is not completed within four (4) years of the date of this permit*

*The responsible authority may extend the periods referred to if a request is made in writing whereby either of the following instances apply:*

- (a) *Before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; or*

*Within 12 months after the permit expiry date, where the proposal allowed by the permit has lawfully started before the permit expires.*

**Moved Administrator Delahunty**  
**Seconded Administrator Harvey**

**CARRIED**

**Administrator Douglas returned to the meeting room at 6:19pm.**

### **8.6 PPF TRANSLATION TO THE CENTRAL GOLDFIELDS PLANNING SCHEME**

The purpose of this report is to present Council with draft changes to the Central Goldfields Planning Scheme for endorsement.

#### **Council Resolution**

*That Council:*

1. *Endorse the draft PPF as contained in the attached documents;*
2. *Delegate the Manager Strategy and Economic Development to negotiate any further minor changes that may be proposed by the Department of Environment, Land, Water and Planning.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

### **8.7 WASTE MANAGEMENT STRATEGY 2020-30**

The purpose of this report is to present the draft Waste Management Strategy 2020-30 to Council for adoption.



# UNCONFIRMED MINUTES

## Council Resolution

*That Council adopt the draft Waste Management Strategy 2020-30.*

**Moved Administrator Delahunty**  
**Seconded Administrator Douglas**

**CARRIED**

## 8.8 REVIEW OF THE COMMUNITY ENGAGEMENT FRAMEWORK

The purpose of this report is to recommend Council note the evaluation and review of the 2019 Energy Breakthrough as per the Energy Breakthrough Charter requirements.

## Council Resolution

*That Council*

1. *Note the review of the Community Engagement Framework and*
2. *Endorse the recommended changes to the Community Engagement Framework*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

## 8.9 RISK MANAGEMENT POLICY AND STRATEGIC RISK REGISTER

The purpose of this report is to present the Updated Risk Management Policy and draft Strategic Risk Register to Council for adoption.

## Council Resolution

*That Council adopt the Risk Management Policy and Strategic Risk Register.*

**Moved Administrator Douglas**  
**Seconded Administrator Delahunty**

**CARRIED**

## 8.10 ACTION EXECUTIVE OFFICER'S PERFORMANCE REVIEW

The purpose of this report is to consider the Chief Executive Officer's annual performance review.

## Council Resolution

*That Council:*

1. *Receives the:*
  - *Minutes of the Chief Executive Officer Recruitment, Performance and Recruitment Review Advisory Committee.*
  - *CEO Performance Review*
  - *CEO Remuneration Review*

## UNCONFIRMED MINUTES

2. *Adopt the recommendations contained in the CEO Remuneration Review*

**Moved** Administrator Delahunty  
**Seconded** Administrator Douglas

**CARRIED**

### 8.11 FEBRUARY FINANCIAL REPORT

The purpose of this report is to brief Council on its financial performance for the year to date and how it is tracking against the adopted budget.

#### **Council Resolution**

*That Council:*

1. *transfer \$170,000 of the capital works budget allocated for Seals Renewal Reseals in 2019-20 to new works required for the Baringhup Road pavement rehabilitation; and*
2. *receives and notes the attached 28 February 2020 Financial Report showing progress against the budget.*

**Moved** Administrator Douglas  
**Seconded** Administrator Delahunty

**CARRIED**

### 8.12 BREAKTHROUGH SPECIAL COMMITTEE MEMBERSHIP

The purpose of this report is to recommend that Council approve the changes to the membership of the Energy Breakthrough Special Committee.

#### **Council Resolution**

*That Council:*

1. *Remove Greg Nugent from the Energy Breakthrough Special Committee as the Committee of Maryborough representative and thank him for his contribution to the Committee;*
2. *Appoint Bronwyn Haywood to the Energy Breakthrough Special Committee as the Committee of Maryborough representative; and*
3. *Remove John Stafford from the Energy Breakthrough Special Committee as the Energy Breakthrough Operations Group representative and thank him for his contribution to the Committee.*

**Moved** Administrator Delahunty  
**Seconded** Administrator Douglas

**CARRIED**

## 9 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Nil

## **UNCONFIRMED MINUTES**

### **10 NOTICES OF MOTION**

Nil

### **11 URGENT BUSINESS**

Nil

### **12 CONFIDENTIAL BUSINESS**

Nil

### **13 MEETING CLOSURE**

The Chair, Administrator Noel Harvey declared the meeting closed at 6:49pm

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To be confirmed at the Ordinary Council Meeting  
to be held on 28 April 2020.

Chair, Administrator Noel Harvey

## 8. OFFICER REPORTS

### 8.1 ASSEMBLIES OF COUNCILLORS

**Author:** **Manager Governance Property and Risk**

**Responsible Officer:** **Chief Executive Officer**

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

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#### SUMMARY/PURPOSE

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

#### LEGISLATION AND POLICY CONTEXT

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

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

**4.3 Objective** Provide leadership in governance and Council decision making

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

#### BACKGROUND INFORMATION

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

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

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

**REPORT**

Outlined below are the details of assemblies of councillors:

<b>Date</b>	24 March 2020	<b>Meeting:</b>	Briefing Meeting
<b>Councillor Attendees</b>	Noel Harvey (Chief Administrator), Karen Douglas (Administrator), Hugh Delahunty (Administrator)		
<b>Council Staff Attendees</b>	Lucy Roffey (CEO)		
<b>Guests</b>			
<b>Conflict of interest disclosures:</b>	NIL		
<b>Matters Considered</b>	Pre meeting to discuss March Ordinary Council Meeting.		

<b>Date</b>	14 April	<b>Meeting:</b>	Briefing Meeting
<b>Councillor Attendees</b>	Noel Harvey (Chief Administrator), Karen Douglas (Administrator), Hugh Delahunty (Administrator)		
<b>Council Staff Attendees</b>	Lucy Roffey (CEO); Rebecca Stockfeld (GMIAP); Martin Collins (GMCW); Kym Murphy, Manager Community Partnerships; Leigh Hendrickson, Coordinator Design and Projects, Megan Kruger, Manager Governance Property and Risk; James Maw, Manager Statutory Services; Ross Cowie, A/g Manager Infrastructure; Sivathasan Sampasivam, Coordinator Strategic Asset Management; Lynne Stephenson, A/g Manager Finance		
<b>Guests</b>	NIL		
<b>Conflict of interest disclosures:</b>	NIL.		
<b>Matters Considered</b>	<ul style="list-style-type: none"> <li>• Pandemic Update</li> <li>• Central Goldfields 2030 Community Plans</li> <li>• Development and Community Safety Report</li> <li>• Capital Works Status Update</li> <li>• Planning Application 129/19 - 370 Bucknall St Carisbrook</li> <li>• S86 Committee Delegations</li> <li>• Audit and Risk Committee Charter &amp; Membership</li> <li>• Public Road Register Policy</li> <li>• March Financial Report</li> <li>• 2020-21 Budget Update</li> </ul>		

## **CONSULTATION/COMMUNICATION**

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

## **FINANCIAL & RESOURCE IMPLICATIONS**

Costs included in the Governance budget.

## **RISK MANAGEMENT**

This process conforms to the requirements of the Local Government Act 1989. The requirement for reporting provides increased transparency of declarations of conflict of interest.

## **CONCLUSION**

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

## **ATTACHMENTS**

NIL

## **RECOMMENDATION**

*That Council note the record of assemblies of councillors for the period 18 March 2020 to 20 April 2020.*

## 8.2 PLANNING APPLICATION 120/19 – 3 LOT SUBDIVISION AT 370 BUCKNALL STREET, CARISBROOK

**Author:** Coordinator Statutory Planning

**Responsible Officer:** General Manager Infrastructure Assets and Planning

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

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### SUMMARY/PURPOSE

The purpose of this report is to seek a Council determination for the planning permit application for 120/19 for a 3 lot subdivision at 370 Bucknall Street Carisbrook.

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

The Application has been assessed against the Planning Scheme and it is considered that the proposed development is generally in accordance with the principles of the relevant state and local policy context, the zone, overlays and the relevant scheme provisions.

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

### LEGISLATION AND POLICY CONTEXT

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

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

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

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

### BACKGROUND INFORMATION

Planning application 120/19 was submitted to Council on 24 October 2019. The application was lodged as a result of a proposal for a 10 lot subdivision on the same site being refused by Council in 2019.

The subject site is approximately 20 ha in size and is within the Rural Living Zone; is wholly covered by the Salinity Management Overlay and is partly covered by the Erosion Management Overlay, Environmental Significance Overlay Schedule 2 and the Bushfire Management Overlay.

### REPORT

#### Proposal

The application is proposing to subdivide the land into three lots, the removal of native vegetation and includes the creation of restrictions on each proposed lot (building envelopes) (see attachment 1: Plan of Subdivision). The lots are proposed to be the following sizes:

- Lot 1- 2 ha

- Lot 2- 2 ha
- Lot 3- 18.6 ha

For the purpose of the subdivision application each of the proposed lots includes a building envelope which ensures a minimum 500 m buffer from any development to the asphalt plant, keeps development outside of the Bushfire Management Overlay (BMO) and protects native vegetation from being further cleared for the purposes of residential development on the site. The newly created lots will have access from Bucknall Street, which is a sealed road.

The site has access to reticulated water along Bucknall Street via a Central Highlands Water (CHW) water main. CHW has indicated that the main will require an upgrade in order to allow each lot to be connected; the applicant has indicated intent to undertake the required upgrade. Access to reticulated water results in the construction of dwellings on each lot and a section 1 use (no permit required) as each lot is 2 ha or more and has access to reticulated water supply. Each new lot will be serviced via onsite domestic wastewater management systems.

The vegetation to be removed is minimal and consists of mainly grasses within the location of the crossovers to each lot. .

### **Site and Surrounds**

The subject site is located on the corner of the Tullaroop Road and Bucknall Street. The site is currently vacant and contains a large patch of vegetation in the centre of the site (see attachment 2: aerial site photo) and scattered vegetation over the remainder of the lot.

Land surrounding the subject site is used in various ways. Land to the east is within the Public Use Zone 7 and contains the Carisbrook Racecourse and Recreation Reserve (Maryborough Harness Racing Club). Land to the south is within the Industrial 1 Zone and currently contains an asphalt plant and other industrial related uses. Land to the north of the subject site is also zoned Rural Living and is being used in a rural residential manner.

The subject site is partly covered by the Environmental Significance Overlay Schedule 2 which relates to the Penny and Lang Abattoirs in order to restrict residential development within the buffer due to environmental impacts from the abattoir; it should be noted the abattoir is no longer operational.

### **Planning Permit Trigger**

The subject land is zoned Rural Living Zone, which required a planning permit to subdivide land.

The subject land is covered by the Erosion Management Overlay, which required a planning permit to subdivide land and remove native vegetation.

The subject land is covered by the Salinity Management Overlay which requires a planning permit to subdivide land and remove native vegetation.

The subject land is covered by the Environmental Significance Overlay which requires a planning permit to subdivide land and remove native vegetation.

The subject land is partly covered by the Bushfire Management Overlay which requires a planning permit to subdivide land.



A planning permit is triggered under particular provision 52.17 for the removal of native vegetation.

## **Planning Scheme Provisions**

### **State Planning Policy**

#### **Clause 13 Environmental Risk and Amenity**

The objective of this clause is that 'Planning should aim to avoid or minimise natural and human-made environmental hazards, environmental degradation and amenity conflicts'.

#### **Clause 13.04-2s Erosion and landslip**

The objective if this clause is to protect areas prone to erosion, landslip or other land degradation processes.

#### **Clause 13.02-3S Salinity**

The objective of this clause is to minimise the impact of salinity and rising water tables on land uses, buildings and infrastructure in rural and urban areas and areas of environmental significance and reduce salt load in rivers.

#### **Clause 13.05-1s Noise Abatement**

The objective of this Clause is to "assist the control of noise effects on sensitive land uses'. Relevant strategies to achieve this objective include:

- *Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.*

#### **Clause 13.06-1S Air quality management**

The objective of this clause is to assist the protection and improvement of air quality.

#### **Clause 13.07-1S Land Use Compatibility**

The objective of this Clause is 'to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site effects'. Relevant strategies to achieve this objective include:

- *Ensure the compatibility of a use or development as appropriate to the land use functions and character of the area by:*
  - *Directing land uses to appropriate locations.*
  - *Using a range of building design, urban design, operational and land use separation measures.*

#### **15.01-6S Design for rural areas**

The objective of this clause is to ensure development respects valued areas of rural character.

### 16.01-5S Rural residential development

The objective of this clause is to identify land suitable for rural residential development.

### Local Planning Policy

#### Clause 21.06 Residential development

The relevant objectives of this clause include:

- Objective 2

Provide a range of opportunities for low density residential and rural residential living in areas which do not conflict with environmental and agricultural objectives and to which infrastructure can be supplied in a cost-effective way.

#### Clause 21.09 Protection of Land and Water Resources

The objective of this Clause is to address the need for sustainable land management in water supply catchment areas. Relevant strategies to address this objective include:

- *Minimise the potential impact of existing and new developments to cause water pollution, land degradation, and risk of salinity and erosion.*
- *Ensure land capability is taken into account in the assessment of land use and development proposals.*
- *Ensure appropriate effluent disposal systems are suitably located in circumstances where sewerage is not available and that systems are monitored at regular intervals.*

#### Clause 22.04 Agriculture

The objectives of this Clause are:

- *To protect the productive capacity of agricultural land.*
- *To promote sustainable use and management of agricultural land.*
- *To prevent land use conflicts between agricultural uses and other land uses.*
- *To support the diversification of agriculture and processing of local agricultural products.*
- *To prevent fragmentation of agricultural land.*
- *Ensure that land capability is taken into account in the assessment of land use and development proposals. Proposals demonstrating consistency with land capability studies, salinity management and other relevant natural resource studies will be encouraged.*

Central Goldfields policy is to:

- *Ensure that land capability is taken into account in the assessment of land use and development proposals.*
- *Require an application to demonstrate how the proposal will impact on existing or proposed infrastructure such as roads and drainage channels.*

## **Zones and Overlays**

### **Zones and Overlays**

#### Zone

##### Cause 35.03 Rural Living Zone

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for residential use in a rural environment.
- To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
- To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
- To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

#### Overlays

##### Clause 42.01 Environmental Significance Overlay

The land is within the Environmental Significance Overlay, the purpose of this overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas where the development of land may be affected by environmental constraints.
- To ensure that development is compatible with identified environmental values.

##### Clause 44.01 Erosion Management Overlay

The land is located within the Erosion Management Overlay. The purpose of this overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

##### Clause 44.02 Salinity Management Overlay

The land is located within the Salinity Management Overlay, the purpose of the overlay is as follows:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas subject to saline ground water discharge or high ground water recharge.
- To facilitate the stabilisation of areas affected by salinity.

- To encourage revegetation of areas which contribute to salinity.
- To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.
- To ensure development is compatible with site capability and the retention of vegetation, and complies with the objectives of any salinity management plan for the area.
- To prevent damage to buildings and infrastructure from saline discharge and high water table.

The relevant Decision Guidelines of this overlay includes:

*The Municipal Planning Strategy and the Planning Policy Framework.*

- *The need for planting of salt-tolerant species to stabilise and lower ground water levels in discharge areas.*
- *The need for stock-proof fencing of discharge and high discharge areas to enable effective stock management for site stabilisation.*
- *Any land management plan, works program, or farm plan applicable to the land.*
- *The design, siting and servicing of the development and the extent of earthworks.*
- *The appropriateness of the proposed use or development having regard to the sensitivity and constraints of the land and the capability of the land to accommodate the use or development.*

Clause 44.06 Bushfire Management Overlay

The land is within the Bushfire Management Overlay, the purpose of this overlay is as follows:

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

**Particular Provisions**

52.17 Native Vegetation

The purpose of clause 52.17 is as follows:

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

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

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

## **General Provisions**

### Clause 65 Decision Guidelines

This clause states:

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

Clause 65.01 states:

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

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

## Referrals

The application was referred internally to Council's Environmental Health Officer and the Engineering Department and externally to Goulburn Murray Water, Department of Environment, Land, Water and Planning, the Country Fire Authority, Central Highlands Water, and Powercor. Each authority consented to the application subject to numerous conditions, as shown in Tables 1 and 2 below.

**Table 1 – Internal Referral to Environmental Health**

Department	Proposed Conditions
<b>Environmental Health Officer</b>	<ol style="list-style-type: none"> <li data-bbox="549 611 1382 779">1. All wastewater from proposed dwelling/lots must be treated and contained within the property boundaries in accordance with the current EPA Code of Practice – Onsite Wastewater Management: Guidelines for Environmental Management, Australian Standards 1547 and Council requirements.</li> <li data-bbox="549 813 1382 913">2. The area set aside for the disposal of wastewater referred to in this permit shall not be developed by the erection of buildings or the construction of hard standing surfaces.</li> <li data-bbox="549 947 1382 1182">3. All wastewater and liquid is to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply), on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).</li> <li data-bbox="549 1216 1382 1317">4. Wastewater disposal systems must be installed inside the wastewater envelope indicated on the endorsed plan unless with written consent of the Responsible Authority.</li> <li data-bbox="549 1350 1382 1518">5. The wastewater system must be installed within the wastewater envelope stipulated on title and in line with your 173 agreement requirements. The wastewater system must not be installed outside of the prescribed area without prior written consent from the Responsible Authority.</li> <li data-bbox="549 1552 1382 1653">6. Prior to their occupation, the building or buildings allowed by this permit must be connected to a sewerage disposal system as approved by the Responsible Authority.</li> <li data-bbox="549 1686 1382 1877">7. No buildings or works shall occur over any part of the approved wastewater disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).</li> <li data-bbox="549 1910 1382 1973">8. Prior to the <i>commencement of construction</i> of the dwelling or shed, plans of a suitable effluent disposal system and its</li> </ol>

	<p>location on the land must be approved in writing by the Responsible Authority</p> <p>9. The area set aside for the disposal of wastewater referred to in this permit and shown on the endorsed plans must not be developed or changed by the erection of buildings or the construction of hard standing surfaces without prior written consent from the Responsible Authority.</p> <p>10. The proposed wastewater system must hold a current Jas-ANZ certificate of conformance in compliance with AS/NZS 1546 and be approved to treat waste to a 20/30 treatment level for suspended solids and biological oxygen demand and disposed of via pressure compensating subsurface irrigation in accordance with the Environment Protection Act 1970, The Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016) and the LCA report number (insert number).</p> <p>11. <b>LCA request</b> -The proposed development is located within the potable catchment/high risk site there for the council requests a land capability assessment to be completed. The land capability assessment must address design and maintenance for the wastewater disposal system. Address present features and setbacks located on the site as well as sizing and location of disposal and reserve field (for each individual lot).</p> <p><b>Footnotes</b></p> <p>1. Prior to installation works commencing on the septic tank system, a permit to install must be obtained from Council.</p>
Planners comment	Any permit issued will require a land capability assessment be provided for each lot before the Statement of Compliance is issued for the subdivision.

**Table 2- Internal referral to Engineering Department**

<b>Engineering</b>	<p>Prior to the issue of a Statement of Compliance (or as otherwise stated) the following must be undertaken by the applicant/owner to the requirements and satisfaction of the Responsible Authority (alternative requirements may be approved, in writing, by Council’s Manager Infrastructure):</p> <p>Access</p> <ol style="list-style-type: none"> <li>1. Vehicular access to all lots must be provided from the road frontage of Bucknall Street.</li> <li>2. Vehicular crossovers/driveways must be constructed between each of the lots and the road frontage to Bucknall Street. Any existing, or newly constructed, vehicular crossovers/driveways must be of must an all-</li> </ol>
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	<p>weather gravel rural type standard (4 metres width) from road to property line over piped culvert, if required. (Refer Infrastructure Design Manual Standard Drawing 255).</p> <p>3. Any works to crossovers/driveways in Bucknall Street will require the owner/applicant to apply and have approved driveway crossing and/or consent for works permit/s for crossover/driveway/access works. All works constructed or carried out must be in accordance with the approved plans/permit(s).</p> <p>4. Once constructed the crossovers/driveways/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.</p> <p>Drainage</p> <p>5. The owner/applicant must design and construct a drainage system to drain each lot to the legal point of discharge;</p> <p>6. All stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.</p> <p>7. Stormwater and surface water drainage from lots and driveways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.</p> <p>8. A legal point of stormwater discharge shall be provided for each lot, with the legal point of stormwater discharge from the subdivision to be designed and constructed to the satisfaction of the Responsible Authority.</p> <p>Landscaping:</p> <p>9. The existing native vegetation along Bucknall Street is to be protected during all works and must not be damaged or marked in any way, except with the permission of the Responsible Authority.</p> <p>Asset Protection</p> <p>10. At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by the construction works.</p> <p>11. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by the</p>
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	<p>development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.</p> <p>Sediment Control</p> <p>12. The applicant / owner shall restrict sediment discharges from the construction site in accordance with Construction Techniques for Sediment Pollution Control (EPA1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).</p>
Planners comments	Nil

**Table 3 – Section 55 referral Goulburn Murray Water**

<b>Goulburn Murray Water</b>	<p>Based on the information provided and in accordance with Section 56 (b) of the Planning and Environment Act 1987, Goulburn-Murray Water has no objection to this planning permit being granted subject to the following conditions:</p> <p>1. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1) (a) of the Subdivision Act.</p> <p>2. All works within the subdivision must be done in accordance with EPA Publication 960 “Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites”, September 2004.</p> <p>2. The Plan of Subdivision submitted for Certification must show wastewater disposal envelopes of at least 800m<sup>2</sup> on newly created lots located at least:</p> <ul style="list-style-type: none"> <li>• 100 metres from any waterways;</li> <li>• 60 metres from any dams;</li> <li>• 40 metres from any drainage lines; and</li> <li>• 20 metres from any bores.</li> </ul>
Planners comment	Nil

**Table 4 - Section 55 referral to Department of Environment Land Water and Planning**

<b>Department of Environment Land Water and Planning</b>	<p>As a determining referral authority for the planning permit application, the Department of Environment, Land, Water and Planning does not object to a planning permit being granted subject to the following condition/s being included on the permit:</p> <p>1. All earthworks are to be designed and constructed to avoid soil erosion. All fill is to be compacted, and batters are to be top soiled and revegetated. All</p>
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	<p>drainage is to be diverted around the disturbed areas. Drainage from benched areas, batters and access tracks are to be diverted on non-scouring grades to stable vegetated areas, several drainage points are to be used to avoid concentration of drainage water.</p> <p>As a recommending referral authority for the planning permit application, the Department of Environment, Land, Water and Planning does not object to a planning permit being granted but recommends that the following condition/s are included on the permit:</p> <p>Notification of permit conditions</p> <p>2. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.</p> <p>Protection of native vegetation to be retained</p> <p>3. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:</p> <ul style="list-style-type: none"><li>a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and</li><li>b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.</li></ul> <p>The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the Responsible Authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.</p> <p>4. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:</p> <ul style="list-style-type: none"><li>a) vehicular or pedestrian access;</li><li>b) trenching or soil excavation;</li><li>c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;</li></ul>
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	<p>d) construction of entry and exit pits for underground services; or</p> <p>e) any other actions or activities that may result in adverse impacts to retained native vegetation.</p> <p>Native vegetation offsets</p> <p>The total area of native vegetation permitted to be removed is 0.856 hectares, comprised of three patches of native vegetation with a total area of 0.856 hectares (containing no large trees);</p> <p>5. To offset the removal of 0.856 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:</p> <ul style="list-style-type: none"> <li>• A general offset of 0.338 general habitat units located within the North Central Catchment Management Authority boundary or Central Goldfields municipal district;</li> <li>• have a Strategic Biodiversity Value score of at least 0.522.</li> <li>• must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).</li> </ul> <p>6. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the Responsible Authority. This evidence must be:</p> <p>a. an established first party offset site. This must include: o a security agreement signed by both parties, and management plan detailing the 10-year management actions and ongoing management of the site; to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.</p> <p>Every year, for ten years, after the Responsible Authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification; and/or</p> <p>b. credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register. A copy of the offset evidence must be</p>
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	<p>endorsed by the Responsible Authority and form part of this permit.</p> <p>7. Within 30 days of endorsement of the offset evidence by the Responsible Authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at loddonmallee.planning@delwp.vic.gov.au.</p>
Planners comments	Nil

**Table 5 - Section 55 referral to CFA**

Country Fire Authority	<p>The application was referred to the CFA on 23 December 2019. The CFA requested further information but further commented:</p> <p><i>CFA would support Council should it determine to waive, vary or reduce the requirements of Clause 44.06-3 of the Central Goldfields Shire Planning Scheme given that the proposed dwellings are located well outside the BMO.</i></p> <p>Based on this advice and considering the location of the proposed building envelopes are well outside of the BMO and that the proposed lots meet the minimum size within the RLZ the Planning Officer waived the requirement to provide the Bushfire Management assessment documents as allowed under clause 44.06-3 of The Scheme.</p> <p>The CFA responded to the waiver stating the following:</p> <p><i>CFA supports Council's determination to waive the requirements of Clause 44.06-3 of the Central Goldfields Shire Planning Scheme.</i></p>
Planners comments	Nil

**Table 6 – Section 55 referral to Central Highlands Water**

<b>CHW</b>	<p>We refer to your letter received 23rd December 2019 and advise that in accordance with Section 56(1)(b) of the Planning and Environment Act, this Authority does not object to the granting of any permit that may issue subject to the following conditions:</p> <p>1. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.</p> <p>Please note:</p>
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	The existing water main along Chaplin Street is unavailable for connection. If connection to water is required an upsizing of a section of the water main along Chaplin Street will be required.
Planners comments	The applicant has indicated that the required upgrade will be undertaken in order to provide reticulated water to each lot.

**Table 7 - Section 55 referral to PowerCor**

<b>Powercor</b>	<p>Subject to the following conditions, Powercor Australia Ltd (the Distributor) does not object to the issue of a planning permit for the abovementioned application.</p> <p>Conditions Required By the Distributor</p> <ol style="list-style-type: none"> <li>1. This letter shall be supplied to the applicant in its entirety.</li> <li>2. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.</li> <li>3. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.</li> </ol> <p>Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.</p> <ol style="list-style-type: none"> <li>4. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).</li> </ol> <p>Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.</p> <ol style="list-style-type: none"> <li>5. The applicant shall establish easements on the subdivision, for all existing Distributor electric lines where easements have not been otherwise provided on the land and for any new powerlines to service the lots or adjust the positioning existing easements.</li> </ol>
Planners comments	Nil

**ASSESSMENT OF APPLICATION**

The application is proposing a three lot subdivision and the removal of native vegetation.

The application is considered to be in accordance with the purpose of the Rural Living Zone and considered appropriate within the overlays covering the site. The native vegetation loss has been minimised and is considered to meet the requirements of the *Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)* as required by particular provision 52.17 of the scheme.

The application is proposing appropriate measures such as the implementation of building envelope restrictions and has considered the location of these envelopes in order to create a 500 metre setback from any residential development and the industrial uses to the south of Tullaroop Road (see attachment 3: Site context plan).

It is not considered that traffic will be significantly increased by the proposed development. Both Tullaroop Road and Bucknall Street are sealed roads and are considered able to adequately handle extra vehicle movements. The proposed crossover locations are considered to be appropriate. These roads may see a higher use by heavy vehicles due to the proximity of the industrial area, however exposure to any new dwellings to this traffic type is not considered inappropriate given the rural zoning of the land and in general the wider context of the site and the area.

Whilst it is recognised that land use conflict can occur between residential and industrial uses, the subject land is within the Rural Living Zone and the proposed development is considered to be of an appropriate scale within the context of the area. The addition of 2 extra lots is not considered to have a significant impact on the area. Each of the proposed lots will be provided with the appropriate services (water and domestic wastewater management systems) and meet the minimum lots size under the schedule of the Rural Living Zone.

## **CONSULTATION/COMMUNICATION**

The application was advertised by mailing of notices to adjoining and surrounding properties and a sign was placed on the site. The application has received 1 objection. The concerns raised in the objection are as follows:

- The new lots will be within proximity to noise, traffic generated from the asphalt plant and the industrial area in general.
- The cross overs for the proposed lots are located adjacent from the gun club (located on the harness club site) which is a busy intersection and truck route.
- Negative impact on the gun club as a result of the proposed development.
- The application was not advertised within the local newspaper.

## **FINANCIAL & RESOURCE IMPLICATIONS**

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

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

## **RISK MANAGEMENT**

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

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

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

Should Council refuse the permit there is a risk of a 'Section 77' appeal (refusal by the Responsible Authority) being lodged by the applicant.

## **CONCLUSION**

The proposed planning application seeks approval for a three lot subdivision and the removal of native vegetation at 370 Bucknall Street, Carisbrook.

A Council determination is sought for the application as the application has received one objection.

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

- I. Issue a Refusal to Grant a Planning Permit for the proposal, or;
- II. Approve a planning permit, and issue a Planning Permit for a three lot subdivision, construction of a dwelling on each lot and the removal of native vegetation at 370 Bucknall Street, Carisbrook.

## **ATTACHMENTS**

1. Aerial site photo
2. Proposed plan of subdivision
3. Site context plan

## **RECOMMENDATION**

That Council having caused notice of Planning Application No. 120/19 to be given under Section 52 of the Planning and Environment Act 1987 and the Central Goldfields Planning Scheme and having considered all the matters generally required, determines to issue a notice of decision to issue planning permit 120/19; a 3 lot subdivision at 370 Bucknall Street, Carisbrook subject to the following conditions:

### **Prior to statement of compliance**

1. Prior to the issue of the statement of compliance the following plans/documents must be submitted to the Responsible Authority:
  - a) A land capability assessment for each proposed lot, which addresses design and maintenance for the wastewater disposal system and addresses present features and setbacks located on the site as well as sizing and location of disposal and reserve field.

2. Prior to the issue of the statement of compliance, each lot must be provided with a reticulated water supply in accordance with Central Highlands Water requirements for supply.

**Prior to buildings and works commencing**

3. Before buildings and works associated with the construction of each dwelling on the lot can commence an appropriate restriction must be registered on the newly created title(s) which ensures all future development on the lot(s) is restricted to the area shown as 'Building Envelopes' on the proposed plan of subdivision (Drawing Ref:PPS01) submitted to Council with the application on the 24 October 2019.

**No alteration layout**

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

**Construction phase**

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

**Engineering requirements**

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

**Access**

6. Vehicular access to all lots must be provided from the road frontage of Bucknall Street.
7. Vehicular crossovers/driveways must be constructed between each of the lots and the road frontage to Bucknall Street. Any existing, or newly constructed, vehicular crossovers/driveways must be of must to an all-weather gravel rural type standard (4 metres width) from road to property line over piped culvert, if required. (Refer Infrastructure Design Manual Standard Drawing 255).
8. Any works to crossovers/driveways in Bucknall Street will require the owner/applicant to apply and have approved driveway crossing and/or consent for works permit/s for crossover/driveway/access works. All works constructed or carried out must be in accordance with the approved plans/permit(s).
9. Once constructed the crossovers/driveways/access must be thereafter maintained by the landowner to the satisfaction of the Responsible Authority.

**Drainage**



10. The owner/applicant must design and construct a drainage system to drain each lot to the legal point of discharge.
11. All stormwater shall be accommodated and treated within the subdivision in accordance with IDM Clause 19, including any overland stormwater flows which flow into the subdivision from external sources.
12. Stormwater and surface water drainage from lots and driveways shall be designed for stormwater quality and quantity to comply with the Best Practice Environmental Management Guidelines for Urban Stormwater (CSIRO) 1999 and to the satisfaction of the Responsible Authority.
13. A legal point of stormwater discharge shall be provided for each lot, with the legal point of stormwater discharge from the subdivision to be designed and constructed to the satisfaction of the Responsible Authority.

**Landscaping:**

14. The existing native vegetation along Bucknall Street is to be protected during all works and must not be damaged or marked in any way, except with the permission of the Responsible Authority.

**Asset Protection**

15. At any time the permit holder must ensure that the operation and condition of Council assets are not damaged by the construction works.
16. If the Responsible Authority deems Council assets have been detrimentally affected or damaged by the development construction access, then the assets will be required to be repaired and reinstated by the permit holder to the satisfaction of the Responsible Authority.

**Sediment Control**

17. The applicant / owner shall restrict sediment discharges from the construction site in accordance with Construction Techniques for Sediment Pollution Control (EPA1991) and Environmental Guidelines for Major Construction Sites (EPA 1995).

**Environmental Health Requirements**

18. All wastewater from proposed dwelling/lots must be treated and contained within the property boundaries in accordance with the current EPA Code of Practice – Onsite Wastewater Management: Guidelines for Environmental Management, Australian Standards 1547 and Council requirements.
19. The area set aside for the disposal of waste referred to in this permit shall not be developed by the erection of buildings or the construction of hard standing surfaces.
20. All wastewater and liquid is to be contained and treated on site by an approved septic tank system or equivalent. The system must be at least 60 metres from any watercourse and/or dam (non-potable water supply), on the subject or neighbouring properties, and must meet the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).

21. Wastewater disposal systems must be installed inside the wastewater envelope indicated on the endorsed plan unless with written consent of the Responsible Authority.
22. The wastewater system must be installed within the wastewater envelope stipulated on title and in line with your 173 agreement requirements. The wastewater system must not be installed outside of the prescribed area without prior written consent from the responsible authority.
23. Prior to their occupation, the building or buildings allowed by this permit must be connected to a sewerage disposal system as approved by the Responsible Authority.
24. No buildings or works shall occur over any part of the approved waste disposal system including the septic tank in accordance with the requirements of the Environment Protection Act 1970, the Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).
25. Prior to the commencement of construction of the dwelling or shed, plans of a suitable effluent disposal system and its location on the land must be approved in writing by the Responsible Authority.
26. The area set aside for the disposal of wastewater referred to in this permit and shown on the endorsed plans must not be developed or changed by the erection of buildings or the construction of hard standing surfaces without prior written consent from the responsible authority.
27. The proposed wastewater system must hold a current Jas-ANZ certificate of conformance in compliance with AS/NZS 1546 and be approved to treat waste to a 20/30 treatment level for suspended solids and biological oxygen demand and disposed of via pressure compensating subsurface irrigation in accordance with the Environment Protection Act 1970, The Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management 891. 4 (2016).

**Powercor**

28. This letter shall be supplied to the applicant in its entirety.
29. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to the Distributor in accordance with Section 8 of that Act.
30. The applicant shall provide an electricity supply to all lots in the subdivision in accordance with the Distributor's requirements and standards.
31. Notes: Extension, augmentation or rearrangement of the Distributor's electrical assets may be required to make such supplies available, with the cost of such works generally borne by the applicant.
32. The applicant shall ensure that existing and proposed buildings and electrical installations on the subject land are compliant with the Victorian Service and Installation Rules (VSIR).
33. Notes: Where electrical works are required to achieve VSIR compliance, a registered electrical contractor must be engaged to undertake such works.

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

#### **Department of Environment, Land, Water and Planning**

35. All earthworks are to be designed and constructed to avoid soil erosion. All fill is to be compacted, and batters are to be top soiled and revegetated. All drainage is to be diverted around the disturbed areas. Drainage from benched areas, batters and access tracks are to be diverted on non-scouring grades to stable vegetated areas, several drainage points are to be used to avoid concentration of drainage water.

#### **Notification of permit conditions**

36. Before works start, the permit holder must advise all persons undertaking the vegetation removal works on site of all permit conditions pertaining to native vegetation protection.

#### **Protection of native vegetation to be retained**

37. Before works start, a native vegetation protection fence must be erected around all native vegetation to be retained within 15 metres of the works area. This fence must be erected at:

- a) A radius of 12 times the diameter of the tree trunk at a height of 1.4 metres to a maximum of 15 metres but no less than 2 metres from the base of the trunk of the tree; and
- b) Around the patch(es) of native vegetation at a minimum distance of 2 metres from retained native vegetation.

The fence must be constructed of star pickets and paraweb or similar, to the satisfaction of the responsible authority and the Department of Environment, Land, Water and Planning. The protection fence must remain in place until all works are completed to the satisfaction of the department.

38. Except with the written consent of the department, within the area of native vegetation to be retained and any tree protection zone associated with the permitted use and/or development, the following is prohibited:

- a) vehicular or pedestrian access;
- b) trenching or soil excavation;
- c) storage or dumping of any soils, materials, equipment, vehicles, machinery or waste products;
- d) construction of entry and exit pits for underground services; or
- e) any other actions or activities that may result in adverse impacts to retained native vegetation.

#### **Native vegetation offsets**

39. The total area of native vegetation permitted to be removed is 0.856 hectares, comprised of three patches of native vegetation with a total area of 0.856 hectares (containing no large trees).
40. To offset the removal of 0.856 hectares of native vegetation the permit holder must secure a native vegetation offset(s) that meets all the following:
- A general offset of 0.338 general habitat units located within the North Central Catchment Management Authority boundary or Central Goldfields municipal district;
  - have a Strategic Biodiversity Value score of at least 0.522.
  - must be in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)
41. Before any native vegetation is removed, evidence that the required offset for the project has been secured must be provided to the satisfaction of the responsible authority. This evidence must be:
- a. An established first party offset site. This must include: o a security agreement signed by both parties, and management plan detailing the 10-year management actions and ongoing management of the site; to the satisfaction of the Department of Environment, Land, Water and Planning and approved by the Responsible Authority.

Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification of the management actions undertaken towards implementing the offset management plan, to the department. An offset site condition statement, including photographs must be included in this notification; and/or

- b. Credit extract(s) allocated to meet the requirements of the permit from the Native Vegetation Credit Register. A copy of the offset evidence must be endorsed by the responsible authority and form part of this permit.

Within 30 days of endorsement of the offset evidence by the responsible authority, the permit holder must provide a copy of the endorsed offset evidence to the Department of Environment, Land, Water and Planning at [loddonmallee.planning@delwp.vic.gov.au](mailto:loddonmallee.planning@delwp.vic.gov.au).

### **Central Highlands Water**

42. Any plan lodged for certification will be referred to the Central Highlands Region Water Corporation pursuant to Section 8(1)(a) of the Subdivision Act.

### **Goulburn Murray Water**

43. Any Plan of Subdivision lodged for certification must be referred to Goulburn-Murray Rural Water Corporation pursuant to Section 8(1) (a) of the Subdivision Act.
44. All works within the subdivision must be done in accordance with EPA Publication 960 "Doing It Right on Subdivisions, Temporary Environmental Protection Measures for Subdivision Construction Sites", September 2004.

45. The Plan of Subdivision submitted for Certification must show wastewater disposal envelopes of at least 800m<sup>2</sup> on newly created lots located at least:

- 100 metres from any waterways;
- 60 metres from any dams;
- 40 metres from any drainage lines; and
- 20 metres from any bores.

**Expiry permit**

46. This permit will expire if (any of the following apply):


- a) The plan of subdivision is not certified within two (2) years of the date of this permit;
- b) If the subdivision permitted by this permit is not completed within five (5) years from the date of the certification of the plan of subdivision.






REV	REVISION DESCRIPTION	DATE	APP'D
B	PERMIT ISSUE	12/10/2019	-
A	DRAFT	-	-

GENERAL NOTES AND LEGEND


 BUILDING ENVELOPE



**Total Property Developments**

DESIGNED -	DRAWN M. JUNIPER 12/10/2019	CHECKED -
APPROVED		

SCALE  
HOR - 1:2500

HOR  25 50

ORIGINAL SHEET SIZE A3  
LENGTHS ARE IN METRES - LEVELS ARE TO AHD

TOTAL PROPERTY DEVELOPMENTS (MC) PTY LTD (ABN 73 136 905 041) - © COPYRIGHT  
All Correspondence to PO Box 1278, Bendigo, Victoria, 3552 - 444 Hargreaves Street, Bendigo, Vic, 3550  
T: (03) 5443 7977 F: (02) 8282 4755 E: damien@totalpd.com.au

RSD NOMINEES PTY LTD  
**BUCKNALL STREET**  
370 BUCKNALL STREET, CARISBROOK

**PROPOSED PLAN OF SUBDIVISION**

COUNCIL  
CENTRAL GOLDFIELDS SHIRE  
REF: -

WATER AUTHORITY  
CENTRAL HIGHLANDS WATER  
REF: -

FILE REF: 17065
DRAW REF: PPS01
REVISION B
SHEET 1 OF 1



APPROX.  
TRUE NORTH

REV	REVISION DESCRIPTION	DATE	APP'D
C	-	-	-
B	PERMIT ISSUE - 3 LOTS	12/09/2019	-
A	DRAFT	-	-

**GENERAL NOTES AND LEGEND**

1. APPROX. EXISTING SURFACE CONTOURS SHOWN (1m INT.)

HABITABLE DWELLING ENVELOPES

PROPOSED EFFLUENT DISPOSAL AREAS IN ACCORDANCE WITH WFA

PROPOSED UNDERGROUND POWER

500m BUFFER (FROM ASPHALT PLANT)

**Total Property Developments**  
PLANNING ■ ENGINEERING ■ PROJECT MANAGEMENT

DESIGNED	DRAWN	CHECKED	SCALE
-	D. Cranage	-	HOR - 1:2500
-	12/09/2019	-	HOR -25 -12.5 0 25 50
APPROVED			ORIGINAL SHEET SIZE A3 LENGTHS ARE IN METRES - LEVELS ARE TO AHD

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All Correspondence to PO Box 1278, Bendigo, Victoria, 3552 - 444 Hargreaves Street, Bendigo, Vic, 3550  
T: (03) 5443 7977 F: (02) 8282 4755 E: damien@totalpd.com.au

**RSD NOMINEES PTY LTD**  
**CHAPLINS ROAD**  
73 CHAPLINS ROAD, CARISBROOK

**AERIAL & CONTEXT PLAN**

COUNCIL: CENTRAL GOLDFIELDS SHIRE REF: PA160/17

WATER AUTHORITY: CENTRAL HIGHLANDS WATER REF: -

FILE REF:	17065
DRAW REF:	ACP02
REVISION	B
SHEET	1 OF 1



### **8.3 AUDIT AND RISK COMMITTEE CHARTER UPDATE & REAPPOINTMENT OF COMMITTEE MEMBERS**

**Author:** Manager Governance Property and Risk

**Responsible Officer:** General Manager Corporate Performance

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

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#### **SUMMARY/PURPOSE**

The purpose of this report is to present the updated Audit and Risk Committee Charter (“the Charter”) to Council for adoption and to reappoint the current Committee members for a further term.

#### **POLICY CONTEXT**

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

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

4.3 Objective: Provide leadership in governance and Council decision making

#### **BACKGROUND INFORMATION**

Section 139 of the Local Government Act 1989 requires all Council’s to establish an Audit Committee which is an advisory committee. To meet this requirement, Council has established an Audit and Risk Committee.

The Audit and Risk Committee Charter was previously adopted by Council on 23 April 2019. That Charter states that the Committee will annually review and assess the adequacy of the Charter, requesting Council approval for proposed enhancements or updates required by legislation or regulation.

#### **REPORT**

Minimal updating has been done to the Charter as the 2019 update was very thorough and updated the entire document.

The Charter has been strengthened to refer to ‘fraud and corruption’ rather than just ‘fraud’ following the IBAC Report on Local Government Integrity Frameworks.

A new section 3.3 Terms has been added to the Charter. This section details how Committee members are appointed, how they can be reappointed and that the appointment terms of Independent Members of the committee are to be staggered.

The Charter has been updated to include extra items which are in the Local Government Act 2020:

- A copy of the annual assessment of the Committee must be provided to the Chief Executive Officer (CEO) for tabling at the next Council meeting;

- The Committee must prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations, and must provide the report to the CEO for tabling at the next Council meeting.

There are other changes which will be introduced to the Charter in accordance with the Local Government Act 2020, but are in relation to documents, such as the Governance Rules, which do not exist at this time.

A new dot point has been added to 7.5 Risk Management so that the Risk Management section clearly deals with the Risk Management Framework, strategic risks and operational risks.

Small grammar and wording changes made throughout the whole Charter to ensure the whole document is consistent, clear and concise.

Numbering has also been added to the Charter for ease of identifying the different sections.

The terms for the current Independent Members of the Committee expire on 23 May 2020. It is recommended that the current Independent Members be reappointed to the Committee, with staggered second terms. The current Committee members have provided Council with excellent advice and guidance in relation to audit and risk during their first three year term. To ensure consistency of advice in this area with the local government elections in 2020, it is recommended that all three Independent Members are reappointed by Council, without publically advertising the positions. It is proposed that the appointment terms are staggered as follows:

- John Watson – reappointed for three years
- Robert Tommasini – reappointed for two years
- Cheryl Fitzgerald – reappointed for one year

It is also recommended that the current Council members of the Committee, Administrators Hugh Delahunty and Karen Douglas be reappointed to the Committee for the remainder of their term as Administrators at Council.

## **CONSULTATION/COMMUNICATION**

The updated Charter was developed with input from all the members of the Audit and Risk Committee, and senior staff who regularly attend the Committee. The draft updated Charter was presented to the March 2020 Audit and Risk Committee meeting and has been further updated based on the feedback at that meeting.

The updated Charter will be placed on Council's website once adopted.

Consultation has been undertaken with the Independent Members about being reappointed to staggered terms, and the Independent Members are supportive of the proposal in this report.

## **FINANCIAL & RESOURCE IMPLICATIONS**

There are no financial or resource implications relating to the updating of the Audit and Risk Committee Charter.

## **RISK MANAGEMENT**

Although Audit and Risk Committee Charters are not required under the Local Government Act 1989, the Charter plays a key role in ensuring that the Committee has defined roles and responsibilities and is able to monitor its performance.

## **CONCLUSION**

The updated Charter ensures that the Committee has a clear and contemporary Charter which reflects the current best practice guidelines and the priorities of the Committee. It is recommended that Council adopt the updated Charter.

It is recommended that all current Committee members be reappointed, with the Independent Members appointed to staggered terms.

## **ATTACHMENTS**

1. Updated Audit and Risk Committee Charter

### **RECOMMENDATION**

*That Council:*

1. *Adopt the updated Audit and Risk Committee Charter;*
2. *Appoint John Watson to be an Independent Member and the Chair of the Audit and Risk Committee for a further term of three years;*
3. *Appoint Robert Tommasini to be an Independent Member of the Audit and Risk Committee for a further term of two years;*
4. *Appoint Cheryl Fitzgerald to be an Independent Member of the Audit and Risk Committee for a further term of one year; and*
5. *Appoint Administrators Hugh Delahunty and Karen Douglas to the Audit and Risk Committee for the remainder of their term as Administrators of the Central Goldfields Shire Council.*

# Central Goldfields Shire Council Audit and Risk Committee Charter



## 1. Background

Section 139 of the *Local Government Act 1989* (Vic) (“the Act”) requires all councils to establish an audit committee which is an advisory committee of council. Central Goldfields Shire Council (“Council”) has constituted an Audit and Risk Committee (“the Committee”) to meet this requirement.

This Charter has been developed to facilitate the operation of the Committee and sets out its purpose, authority, composition, remuneration, meetings, responsibilities, publically available information and review.

## 2. Purpose and Authority

The Committee’s primary objectives are to:

- Enhance the credibility and the objectivity of the financial reporting of Council;
- Support the identification and management of enterprise wide material risks of Council;
- Advise Council on systems and processes designed to ensure compliance with the Act and other relevant laws and regulations and consistency of best practice guidelines;
- Advise Council on the establishment, effectiveness and maintenance of controls and systems to safeguard financial and physical resources, and mitigation of risks that may adversely affect achievement of Council objectives;
- Advise Council on the establishment, effectiveness and maintenance of controls and systems to safeguard its governance obligations and promote a culture of accountability and transparency;
- Advise Council on the systems and processes which protect against fraud, corruption and irregularities.

The Committee has no executive role. It is independent of management and reports to the Council providing advice to facilitate Council decision making.

The Committee has the authority to:

- Endorse the external auditor’s proposed audit scope and approach, including coordination of audit effort with internal audit activity;
- Review and endorse the strategic audit plan and annual internal audit plan and recommend any changes to the plans;
- Conduct enquiries or authorise investigations into any matters within its scope of responsibility or as otherwise referred by Council;
- Subject to consultation with, and approval of, the Chief Executive Officer (CEO), retain independent counsel, accountants, or others to advise the Committee or assist in the conduct of an investigation;
- Seek any information it requires from Council, Council staff and external parties;
- Meet with the CEO, council staff, internal and external auditors, or other parties, as necessary.

## 3. Composition

- The Committee will consist of three Independent Members and two Councillors;
- The Mayor cannot be a member of the Committee;
- The membership of the Committee must consist of a majority of Independent Members;
- The Council will appoint Committee members and the Committee Chair. The Chair of the Committee must be an Independent Member;
- Councillor member/s of the Committee will be appointed annually;
- Each Committee member must be financially literate, at least one member must have financial expertise, and at least one member must have specialist skill in strategic risk management;
- The Independent Members must have:
  - Expertise in financial management and risk; and
  - Experience in public sector management;
- Council staff cannot be members of the Committee.

### 3.1 Quorum

A quorum shall comprise two Independent Members and one Councillor.

### 3.2 Recruitment and Selection

- On the retirement or resignation of an Independent Member, a skills matrix will be used to identify the skills and/or experience to be sought in a new Independent Member;
- An advertisement seeking a new Independent Member will be published in a newspaper generally circulating in Victoria identifying any specific skills and experience sought by the Committee;
- Applications for the vacancy will be reviewed and shortlisted by the CEO or delegate, in consultation with the Chair, or if the Chair is not available, an Independent Member of the Committee;
- A panel will be convened to interview and recommend to Council a candidate's appointment. The panel will comprise of the following:
  - The Chair, or an Independent member if the Chair is unavailable;
  - One Councillor member of the Committee; and
  - The CEO or delegate(s).

### 3.3 Terms

Councillor member/s of the Committee will be appointed annually.

Independent Members will be appointed for a term of not less than one (1) year and not more than three (3) years by negotiation and agreement. Terms of Independent Members are to be staggered so that only one Independent Member's term ends each year.

Council is able to appoint an Independent Member for a second term without publically advertising the position. Following the completion of an Independent Member's second term the position must be publically advertised, although the Independent Member is able to apply for the position again.

### **3.4 Induction**

All Independent Members are to be provided with an induction to Council and the Committee. The induction material must include, but is not limited to:

- Relevant financial reports;
- Audit reports;
- Minutes of the last four Committee meetings;
- The internal auditors reports from the previous 12 months;
- Reports on any relevant investigations;
- Council's risk registers;
- Relevant Council policies and procedures; and
- The Committee Charter.

If the Independent Member/s require a one on one induction, Council officers, as directed by the CEO, will undertake the induction for the new Independent Member/s.

All Councillors are provided with the Committee Charter, Minutes of the last four Committee Meetings and details of the qualifications and experience of the Independent Members of the Committee as part of the Councillor induction program.

### **3.5 Role of the Chair**

The role of the Chair is to:

- In consultation with the CEO, or delegate, set the matters to be included on the agenda for each meeting of the Committee;
- Chair all meetings of the Committee and oversee how the meetings are conducted;
- Determine the actions to be taken in relation to items discussed at the meeting;
- Participate in the appointment of the internal auditor;
- Lead the annual assessment of the performance of the Committee and provide a copy of the annual assessment to the CEO for tabling at the next Council Meeting.
- Having regard to 7.6, develop the Audit and Risk Committee's Annual Report for inclusion in the Council Annual Report.

### **3.6 Decision making out of session**

The Chair of the Committee has authority to refer any matter for a discussion and decision making out of session, e.g. via email. Any decisions made out of session will need to be ratified at the next Committee Meeting.

### **3.7 Remuneration**

Section 139 (7) of the Act allows for the payment of a fee to Independent Members of the Committee.

Council will pay a sitting fee to the Chair and Independent Members of the Committee. This fee will be reviewed as part of Council's annual budget process, and will be subject to annual CPI indexation.

In addition, each Independent Member will be entitled to claim up to \$500.00 per annum in travel expense based on the per kilometre rate set by the Commissioner of Taxation.

### **3.8 Insurance**

Council's insurance policies shall cover members of the Committee while engaged in the business of the Committee.

## **4. Meetings**

- The Committee will meet at least four times a year, with the ability to convene additional meetings, as circumstances require;
- All Committee members are expected to attend each meeting, in person or via teleconference;
- The Committee may invite members of management, auditors or others to attend meetings and provide pertinent information, as necessary;
- The Committee may hold private meetings with the auditors if required;
- Meeting agendas and related papers will be prepared and provided to members, five (5) days in advance of meetings (wherever possible);
- Minutes of meetings will be kept and action items recorded and monitored;
- The CEO, General Manager Corporate Performance, General Manager Infrastructure Assets and Planning, General Manager Community Wellbeing and Manager Governance Property and Risk will attend the meetings in an “ex officio” capacity. On the direction of the CEO, other Council officers may attend the Committee in an “ex officio” capacity, or at the request of the Committee;
- Any Councillors may attend meetings in an “ex officio” capacity.

## **5. Confidentiality**

Upon appointment, Independent Members are required to sign a confidentiality agreement (Appendix 1).

Committee Members must comply with Council's Confidentiality Policy. Committee members shall not directly or indirectly release or make available to any person any information relating to the work or discussions of the Committee, except in accordance with any direction of the Council.

## **6. Conflict of Interest and Returns of Interest**

In accordance with Section 79 of the Act, Committee Members will be required to disclose all conflicts of interest.

Committee Members must be fully aware of their responsibilities with regard to the management of interests in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper disclosure of any conflicts of interest as and when they arise. Members must declare any conflicts of interest that apply to any matter to be considered at each meeting at the commencement of that meeting.

Committee Members must also be fully aware of the statutory definitions of direct and indirect interests which may give rise to a conflict of interest. These are set out in Sections 77A, 77B, 78, 78A, 78C and 78D of the Act.

Failure to comply with the provisions of the Act with regard to conflicts of interest may result in the Member's appointment being terminated.

In accordance with Section 81 of the Act the Committee members are required by the Act to complete Primary Returns of Interest within 30 days of becoming a Member of the Committee and Ordinary Returns of Interest every six months.

In addition to any declarations made in a Return of Interest, members of the Committee must declare any past or current relationships that may or may be perceived to, impair their independence. This is required even if these relationships would not be considered a conflict of interest under the relevant sections of the Act. Such relationships include (but are not limited to) employment, consulting, advisory, supplier or contractual roles or relationships.

## **7. Responsibilities of the Committee**

### **7.1 External reporting**

- Review the draft annual financial statements, and consider whether they are complete and transparent, consistent with information known to the Committee, and reflect appropriate accounting principles;
- Review significant accounting and reporting issues, complex or unusual transactions, high risk areas, significant accounting estimates, and changes to accounting, professional, regulatory or legislative requirements and understand their effect on the financial statements;
- Review with management and the external auditors the results of the audit including significant adjustments, any difficulties encountered and matters required to be communicated to the Committee under the Australian Auditing Standards;
- Review the draft annual performance statement and consider whether it is complete, open and transparent, consistent with information known to the Committee and reflects appropriate reporting principles;
- Review the report of operations in the annual report, including the governance and management checklist, and any related regulatory requirements before release, and consider the accuracy and completeness of the information;
- Recommend that Council approve 'in principle' the financial statements and performance statement, or provide other advice as considered appropriate;
- Recommend that Council approve the governance and management checklist for inclusion in the report of operations.

### **7.2 External audit**

- Review the external auditor's proposed audit strategy prior to the commencement of the audit including the scope, approach, and any reliance on internal audit activity;
- Review recommendations arising out of the external audit and discuss management's response;
- Monitor management's implementation of the external auditor's recommendations;
- Meet with the external auditor to discuss any matters the Committee or the external auditor believes should be discussed privately;
- Monitor the performance of the external auditor.

### **7.3 Internal audit**

- Recommend to Council the most appropriate method for the provision of the internal audit function including scope, level of resources and activities;
- Review the specification for the provision of internal audit services and participate in the tender evaluation process;
- Review and approve the strategic internal audit plan and annual internal audit plan ensuring they cover over a 3 year period; the internal controls over significant areas



of risk identified through the risk management framework; internal controls over revenue, expenditure, assets and liabilities processes; efficiency and effectiveness of Council operations; and compliance with relevant policies, procedures and regulations;

- Monitor the progress of the strategic internal audit plan and annual internal audit plan;
- Review recommendations arising out of internal audit reports and discuss management's response;
- Monitor management's implementation of the internal auditor's recommendations.
- Monitor processes and practices to ensure the independence of the internal audit function is maintained;
- Meet with the internal auditor to discuss any matters the Committee or the internal auditor believes needs to be discussed privately;
- Review on an annual basis the performance of the internal auditor including compliance with relevant auditing standards.

#### **7.4 Internal Controls, Compliance, Fraud and Corruption**

- Review management's approach to maintaining a sound and effective—internal control framework, including advice received on security and controls, including cyber security;
- Review the effectiveness of the system for monitoring compliance with legislation and regulations and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance;
- Review the findings of any examinations by regulatory agencies, and any associated auditor (internal or external) observations;
- Obtain regular updates from management on legal and regulatory compliance matters including investigation of any suspected cases of fraud and corruption;
- Consider the findings and recommendations of any relevant Performance Audits undertaken by the Victorian Auditor-General or other regulatory body and—monitor Council's implementation of relevant recommendations.

#### **7.5 Risk Management**

- Ensure Council's Risk Management Framework addresses Council's exposure to both strategic and operational risks;
- Monitor the effectiveness of the Risk Management Framework through regular reviews and reporting;
- Regularly review the strategic risks and risk registers to check that risks are being managed in accordance with the Risk Management Framework.
- Receive assurance that an operational risk register is in place and regularly reviewed.

#### **7.6 Reporting**

- Report regularly to Council providing a summary of the Committee's work and results, as soon as possible following each Committee meeting;
- Provide Council with any recommendations of the Committee for consideration;
- Report annually to stakeholders via Council's report of operations in the annual report, describing the Committee's composition, discharge of responsibilities, and any other information required by legislation or regulation;
- Report to Council on any specific issues, as requested by Council.

- Prepare a biannual audit and risk report that describes the activities of the Audit and Risk Committee and includes its findings and recommendations and provide with report to the CEO for tabling at the next Council meeting.

## 8. Information Available to the Public

Information regarding the Committee will be made publicly available via:

### 8.1 Annual Report

The Annual Report will include information on the Committee's roles and responsibilities, and membership, and its principal activities during the year.

The following material will be included in the corporate governance section of the Report of Operations in the Annual Report:

- Details of the names and qualifications of those appointed to the Committee;
- The number of meetings held by the Committee and the attendance record of members;
- Information about the audit processes and the results of work completed by the internal and external auditor;
- The annual review of the Committee's Charter and its achievement of the Charter;
- Other matters the Committee believes need to be reported.

### 8.2 Website

The following information will be made publicly available on the Central Goldfields Shire Council website in a clearly marked Governance section:

- The Committee Charter;
- Description of the roles and responsibilities of the Committee;
- Names of Committee members, professional background and qualifications.

## 9. Annual Review

The Committee will:

- Annually review and assess the adequacy of the Committee Charter, requesting Council approval for proposed enhancement or updates required by legislation or regulation;
- Confirm annually that all responsibilities outlined in this Charter have been carried out;
- Evaluate the Committee's performance annually.

## 10. Control Information

<b>Author</b>	Manager Governance, Property and Risk
<b>Responsible Officer</b>	General Manager Corporate Performance
<b>Date adopted by Council:</b>	27 June 2007
<b>Revision History</b>	March 2011 November 2013 June 2015 March 2017 (Version 2) March 2019 March 2020
<b>Next Review</b>	Following commencement of relevant sections of the Local Government Act 2020, or March 2021, whatever is first.

## AUDIT AND RISK COMMITTEE CONFIDENTIALITY AGREEMENT

**THIS AGREEMENT** is made the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

**BETWEEN** .....

**AND** CENTRAL GOLDFIELDS SHIRE COUNCIL

I herewith agree that I must not, whether during or after my membership of the Central Goldfields Shire Council Audit and Risk Committee, unless expressly authorised by the Chief Executive Officer or in accordance with the law, make any disclosure or use of:

- a. Any information or trade secrets of the Council;
- b. The position of the Council or any Councillor or Council Officer on any confidential matter;
- c. Any other information whatsoever, the disclosure of which may be detrimental to the interest of the Council or of any other person who has provided it to the Council on a confidential basis; unless I am required to disclose the information by law.

The termination or expiry of my membership of the Committee, for whatever reason, does not affect or derogate from my obligations of confidentiality set out above.

Signed by:

.....

Name: .....

AUDIT AND RISK COMMITTEE MEMBER

Signed for and on behalf of Central Goldfields Shire Council

.....

Lucy Roffey

CHIEF EXECUTIVE OFFICER

## 8.4 REVIEW OF COUNCIL SECTION 86 COMMITTEES

**Author:** Manager Governance Property and Risk

**Responsible Officer:** General Manager Corporate Performance

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

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### SUMMARY/PURPOSE

The purpose of this report is to recommend to Council that Council's Section 86 Committee Instruments of Delegation and current membership be extended for a six month period.

### POLICY CONTEXT

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

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

**4.3 Objective:** Provide leadership in governance and Council decision making

### BACKGROUND INFORMATION

At its Meeting in May 2019 Council resolved:

*That:*

1. *New Instruments of Delegation, in the format of Attachment 1, be issued in relation to:*
  - a) *Adelaide Lead Hall;*
  - b) *Daisy Hill Community Hall;*
  - c) *Dunolly Historic Precinct Management;*
  - d) *Energy Breakthrough;*
  - e) *Talbot Community Homes;*
  - f) *Talbot Town Hall;*
  - g) *Tullaroop Leisure Centre;*
2. *The membership of the special committees be in accordance with Attachment 2*

The above updates were to be interim updates to address some immediate issues, with a further report to be presented to Council after consultation had taken place with the committees and clarification had occurred in relation to the proposed *Local Government Bill 2019* which provided for delegated committees and community asset committees to replace Section 86 Committees. The Local Government Bill 2019 lapsed, and a slightly different Bill was passed by parliament to become the Local Government Act 2020.

### REPORT

The seven Section 86 Committee Delegations listed above are due to expire in May 2020 and need to be renewed. It is recommended that Council renew these Delegations with the same terms and conditions, for a further six month period. Although a review of these delegations, and what best governance arrangements would suit the applicable groups has commenced, it

will be unable to be completed by May 2020 due to the impact the current COVID-19 virus pandemic is having on Council operations.

The new Local Government Act 2020 also has an impact on the Section 86 Committees. The new Act splits the current Section 86 Committees, or Special Committees, into two categories – Delegated Committees and Community Asset Committees. Membership of delegated committees must include at least two Councillors and a Councillor must chair the meetings. Delegated committee meetings must also be conducted in the same manner as Council Meetings, which is more formal than what is required under the Local Government Act 1989. Community Asset Committees may be established for the purpose of managing a community asset.

This change will require a review of the current delegation templates to ensure that they comply with the new legislation. Council receives its current delegation templates from Maddocks lawyers. As the Local Government Act 2020 was only passed by Parliament in March 2020, Maddocks are yet to develop and circulate the new delegation templates that comply with the Local Government Act 2020.

This move from the Local Government Act 1989 to the Local Government Act 2020 provides an opportunity to review the governance arrangements for the current Section 86 Committees and ensure that they are best suited to the purpose of each group.

To enable a review of the purpose of the existing Section 86 Committees to be completed it is recommended that the current committee Delegations be extended for a further six month period. After this time longer term arrangements can be put into place.

The Committee Delegations for the following Section 86 Committees need to be renewed:

- Adelaide Lead Hall
- Daisy Hill Community Hall
- Dunolly Historic Precinct Management
- Energy Breakthrough
- Talbot Community Homes
- Talbot Town Hall
- Tullaroop Leisure Centre

## **CONSULTATION/COMMUNICATION**

Initial consultation has commenced with the Section 86 Committees. Further consultation will be undertaken with all the Committees to in relation to the move from the current Instruments of Delegation to new governance arrangements.

## **FINANCIAL & RESOURCE IMPLICATIONS**

There are no financial or resource implications in renewing the Delegations for the Section 86 Committees referred to in this report.

## **RISK MANAGEMENT**

Section 86 Committees are committees which have been delegated Council responsibilities under the Local Government Act 1989. It is good governance to review these delegations regularly to ensure that the committees are complying with their delegations and that the delegations are fit for purpose. The review will also consider the implications the new Local

Government Act 2020 has on the Section 86 Committees to ensure that they are moved the best governance arrangements in the future.

## CONCLUSION

The Section 86 Committee Delegations are due to expire in May 2020 and need to be renewed. Due to the impact the current COVID-19 virus pandemic is having on Council operations the current review of these delegations will not be completed by May 2020.

It is recommended that the Delegations and current memberships of the seven Section 86 Committees listed in this report be extended for a further six month period.

## ATTACHMENTS

1. Instruments of Delegation for current s86 Committees.
2. Membership of Special Committees.

### RECOMMENDATION:

*That :*

1. *New Instruments of Delegation, in the format of Attachment 1, be issued in relation to:*
  - a) *Adelaide Lead Hall;*
  - b) *Daisy Hill Community Hall;*
  - c) *Dunolly Historic Precinct Management;*
  - d) *Energy Breakthrough;*
  - e) *Talbot Community Homes;*
  - f) *Talbot Town Hall;*
  - g) *Tullaroop Leisure Centre;*
2. *The membership of the special committees be in accordance with Attachment 2*





## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Adelaide Lead Hall and for those purposes:

- a) To develop and maintain the Adelaide Lead Hall for the overall benefit of the community;
- b) To preserve the historical integrity of the Adelaide Lead Hall;
- c) To advise Council in relation to the general development of the Adelaide Lead Hall;
- d) Determine fees and charges; and
- e) By resolution, reduce or waive fees where appropriate.

### **DUTIES**

In relation to the facility, the duties of the Committee are to:

- a) Arrange and manage opening and closing times;
- b) Manage bookings;
- c) Cleaning and maintenance;
- d) Financial management; and
- e) Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### **OPERATION OF THE COMMITTEE**

The Committee members will be appointed by Council resolution.

In the event of a casual vacancy on the Committee, the Council shall give public notice of the vacancy and subsequently resolve to fill the vacancy.

The Chief Executive Officer of the Council, or his or her nominee may attend Committee meetings as an observer and may be called upon by the Committee for assistance.

If the Council does not do so, the Committee shall elect the following office bearers from among its members:

- a) A President;
- b) A Secretary; and
- c) A Treasurer.

## **COMMITTEE MEETINGS AND RESPONSIBILITIES OF OFFICE BEARERS**

### **Meetings**

An annual general meeting of the Committee shall be held between 1 July and 30 September annually at which the Treasurer shall present a statement of receipts and expenditure for the preceding year ending 30 June.

The Committee shall convene other meetings at least quarterly.

A quorum of the Committee is at least a majority of the members of the Committee.

Each Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote except in the case of the election of the Chairperson in which case the election shall be decided by lot.

### **Finances**

The Treasurer shall as soon as possible after the receipt, pay all monies received by the Committee into the Committee's bank account.

The Committee may establish and maintain a petty cash float of not more than \$100.00.

Cheques drawn on the Committee's bank account must be signed by any two of the office bearers. In the case of non cheque payments:

- a) Arrangements for direct debit payments must be approved in advance by resolution of the Committee; and
- b) Cash payments are limited to petty cash items.

The Committee is responsible for paying all utility charges, cleaning costs and the cost of minor maintenance which are to be recovered from users through the fee structure.

### **Secretary**

The Secretary shall keep proper minutes of all meetings and provide them to the Council's Chief Executive Officer within 14 days of every Committee meeting.

## **EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Committee is not authorised by this Instrument of Delegation to:

1. enter into contracts, or incur expenditure, for an amount exceeding \$500.00 (including GST);  
or
2. exercise the powers which, by force section 86 of the Act, cannot be delegated.

**ATTACHMENT 1**

**SPECIAL COMMITTEES**

**SUMMARY OF LEGISLATIVE PROVISIONS**

**LEGISLATIVE BASIS**

Section 86 of the *Local Government Act 1989* (the Act) provides that a council may:

- a) establish Special Committees comprising:
  - i. Councillors/Administrators;
  - ii. Council staff;
  - iii. other persons;
  - iv. any combination of the above; and
- b) delegate any of its powers, duties and functions (with some exceptions) to a special committee.

**SPECIAL COMMITTEES**

Please note the following provisions.

**Indemnity (section 76)**

A Council must indemnify and keep indemnified each Councillor, member of a Council committee, member of Council staff and any person exercising any function or power on behalf of a Council against all actions or claims (whether arising during or after the term of office or employment of that Councillor or member) in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of any function or power conferred on the Council or Council committee or any Councillor, member of the Council committee.

**Insurance**

Members of Special Committees are covered by the Council's voluntary workers and fidelity guarantee policy.

Any facilities managed by special committees are covered by Council's public liability and building and contents insurance policies.

**Misuse of position (section 76D)**

A person who is, or has been, a member of a Special Committee must not misuse his or her position:

- a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- b) to cause, or attempt to cause, detriment to the Council or another person.

**Confidential information (section 77)**

A person who is, or has been, a member of a Special Committee, must not disclose information that the person knows, or should reasonably know, is confidential information.

**Conflicts of interest (section 79).**

Members of Special Committees must, at a meeting, disclose any conflict of interests by advising the meeting of the conflict immediately before the matter is considered and must leave the room until the matter has been resolved.

The declaration of the conflict must be recorded in the minutes.

**Register of interests (section 81)**

Members of Special Committees may be required to lodge a "primary return" and "ordinary returns" (twice yearly) of their interests however the Council may exempt members of Special Committees from this provision and has done so in relation to the non-Council representatives.

**Special committee meetings**

The requirements are:

- a) a meeting of a Special Committee must be held at a time and place determined (ie: by resolution) of the Special Committee (section 87 {5});
- b) meetings must be open to the public (section 89 {1}) unless the Special Committee is considering any of the following;
  - i. personnel matters;
  - ii. the personal hardship of any resident or ratepayer;
  - iii. industrial matters;
  - iv. contractual matters;
  - v. proposed developments;
  - vi. legal advice;
  - vii. matters affecting the security of Council property;
  - viii. any other matter which the Council or special committee considers would prejudice the Council or any person;
  - ix. a resolution to close the meeting to members of the public;

- c) the Chairperson of a Special Committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the Special Committee - section 89 {5}. In this context, "reasonable notice" could include a notice;
  - i. at the front of the venue;
  - ii. in an newspaper/publication circulating in the local community;
  - iii. on the Council website;
- d) voting;
  - x. each member has a vote (section 90 {1});
  - xi. voting must not be in secret (section 90 {1}{ca});
  - xii. voting is not compulsory - the question is determined in the affirmative by a majority of the members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question (section 90 {1}{d}). This means that if a member refrains from voting, the member may stay in the room while the vote is taken but refraining from voting is effectively a vote against the motion. A different result may occur if the member leaves the room;
- e) minutes must be kept (section 93 {3});
- f) the minutes must be submitted to the next meeting for confirmation (section 93 {4});  
and
- g) the chairperson must sign the minutes once they are confirmed (section 93 {5}).

**Maddocks Delegations and Authorisations*****C4 Instrument of Delegation (Special Committees)*****Central Goldfields Shire Council****Instrument of Delegation****Daisy Hill Community Centre Special Committee**

The Central Goldfields Shire Council (**Council**) delegates to the special committee established by resolution of Council passed on 28 April 2020 and known as the Daisy Hill Community Centre Special Committee (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 April 2020;
2. the delegation:
  - 2.1 revokes the Instrument of Delegation dated 28 May 2019 to the Committee;
  - 2.2 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.3 remains in force for a period of 12 months unless Council resolves to vary or revoke it; and
  - 2.4 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights on the Committee.

**The COMMON SEAL of CENTRAL  
GOLDFIELDS SHIRE COUNCIL  
Was affixed in the presence of**

**Lucy Roffey  
Chief Executive Officer.**

Date:

## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Daisy Hill Community Centre and for those purposes:

- a) To develop and maintain the Daisy Hill Community Centre for the overall benefit of the community;
- b) To preserve the historical integrity of the Daisy Hill Community Centre;
- c) To advise Council in relation to the general development of the Daisy Hill Community Centre;
- d) Determine fees and charges; and
- e) By resolution, reduce or waive fees where appropriate.

### **DUTIES**

In relation to the facility, the duties of the Committee are to:

- a) Arrange and manage opening and closing times;
- b) Manage bookings;
- c) Cleaning and maintenance;
- d) Financial management; and
- e) Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### **OPERATION OF THE COMMITTEE**

The Committee members will be appointed by Council resolution.

In the event of a casual vacancy on the Committee, the Council shall give public notice of the vacancy and subsequently resolve to fill the vacancy.

The Chief Executive Officer of the Council, or his or her nominee may attend Committee meetings as an observer and may be called upon by the Committee for assistance.

If the Council does not do so, the Committee shall elect the following office bearers from among its members:

- a) A President;
- b) A Secretary; and
- c) A Treasurer.

## **COMMITTEE MEETINGS AND RESPONSIBILITIES OF OFFICE BEARERS**

### **Meetings**

An annual general meeting of the Committee shall be held between 1 July and 30 September annually at which the Treasurer shall present a statement of receipts and expenditure for the preceding year ending 30 June.

The Committee shall convene other meetings at least quarterly.

A quorum of the Committee is at least a majority of the members of the Committee.

Each Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote except in the case of the election of the Chairperson in which case the election shall be decided by lot.

### **Finances**

The Treasurer shall as soon as possible after the receipt, pay all monies received by the Committee into the Committee's bank account.

The Committee may establish and maintain a petty cash float of not more than \$100.00.

Cheques drawn on the Committee's bank account must be signed by any two of the office bearers. In the case of non cheque payments:

- a) Arrangements for direct debit payments must be approved in advance by resolution of the Committee; and
- b) Cash payments are limited to petty cash items.

The Committee is responsible for paying all utility charges, cleaning costs and the cost of minor maintenance which are to be recovered from users through the fee structure.

### **Secretary**

The Secretary shall keep proper minutes of all meetings and provide them to the Council's Chief Executive Officer within 14 days of every Committee meeting.

## **EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Committee is not authorised by this Instrument of Delegation to:

1. enter into contracts, or incur expenditure, for an amount exceeding \$500.00 (including GST);  
or
2. exercise the powers which, by force section 86 of the Act, cannot be delegated.



**ATTACHMENT 1**

**SPECIAL COMMITTEES**

**SUMMARY OF LEGISLATIVE PROVISIONS**

**LEGISLATIVE BASIS**

Section 86 of the *Local Government Act* 1989 (the Act) provides that a council may:

- a) establish Special Committees comprising:
  - i. Councillors/Administrators;
  - ii. Council staff;
  - iii. other persons;
  - iv. any combination of the above; and
- b) delegate any of its powers, duties and functions (with some exceptions) to a special committee.

**SPECIAL COMMITTEES**

Please note the following provisions.

**Indemnity (section 76)**

A Council must indemnify and keep indemnified each Councillor, member of a Council committee, member of Council staff and any person exercising any function or power on behalf of a Council against all actions or claims (whether arising during or after the term of office or employment of that Councillor or member) in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of any function or power conferred on the Council or Council committee or any Councillor, member of the Council committee.

**Insurance**

Members of Special Committees are covered by the Council's voluntary workers and fidelity guarantee policy.

Any facilities managed by special committees are covered by Council's public liability and building and contents insurance policies.

**Misuse of position (section 76D)**

A person who is, or has been, a member of a Special Committee must not misuse his or her position:

- a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- b) to cause, or attempt to cause, detriment to the Council or another person.

### **Confidential information (section 77)**

A person who is, or has been, a member of a Special Committee, must not disclose information that the person knows, or should reasonably know, is confidential information.

### **Conflicts of interest (section 79).**

Members of Special Committees must, at a meeting, disclose any conflict of interests by advising the meeting of the conflict immediately before the matter is considered and must leave the room until the matter has been resolved.

The declaration of the conflict must be recorded in the minutes.

### **Register of interests (section 81)**

Members of Special Committees may be required to lodge a "primary return" and "ordinary returns" (twice yearly) of their interests however the Council may exempt members of Special Committees from this provision and has done so in relation to the non-Council representatives.

### **Special committee meetings**

The requirements are:

- a) a meeting of a Special Committee must be held at a time and place determined (ie: by resolution) of the Special Committee (section 87 {5});
- b) meetings must be open to the public (section 89 {1}) unless the Special Committee is considering any of the following;
  - i. personnel matters;
  - ii. the personal hardship of any resident or ratepayer;
  - iii. industrial matters;
  - iv. contractual matters;
  - v. proposed developments;
  - vi. legal advice;
  - vii. matters affecting the security of Council property;
  - viii. any other matter which the Council or special committee considers would prejudice the Council or any person;
  - ix. a resolution to close the meeting to members of the public;

- c) the Chairperson of a Special Committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the Special Committee - section 89 {5}). In this context, "reasonable notice" could include a notice;
  - i. at the front of the venue;
  - ii. in an newspaper/publication circulating in the local community;
  - iii. on the Council website;
- d) voting;
  - x. each member has a vote (section 90 {1});
  - xi. voting must not be in secret (section 90 {1}{ca});
  - xii. voting is not compulsory - the question is determined in the affirmative by a majority of the members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question (section 90 {1}{d}). This means that if a member refrains from voting, the member may stay in the room while the vote is taken but refraining from voting is effectively a vote against the motion. A different result may occur if the member leaves the room;
- e) minutes must be kept (section 93 {3});
- f) the minutes must be submitted to the next meeting for confirmation (section 93 {4});  
and
- g) the chairperson must sign the minutes once they are confirmed (section 93 {5}).



## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Dunolly Historic Precinct Management and for those purposes:

- a) To develop and maintain the Dunolly Historic Precinct Management for the overall benefit of the community;
- b) To preserve the historical integrity of the Dunolly Historic Precinct;
- c) To promote and attract visitors to the Court House and Town Hall;
- d) Determine fees, including discretionary fees such as a "gold coin donation" and charges; and
- e) By resolution, reduce or waive fees where appropriate.

### **DUTIES**

In relation to the facility, the duties of the Committee are to:

- a) Arrange and manage opening and closing times;
- b) Manage bookings;
- c) Cleaning and maintenance;
- d) Financial management; and
- e) Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### **OPERATION OF THE COMMITTEE**

The Committee members will be appointed by Council resolution.

In the event of a casual vacancy on the Committee, the Council shall give public notice of the vacancy and subsequently resolve to fill the vacancy.

The Chief Executive Officer of the Council, or his or her nominee may attend Committee meetings as an observer and may be called upon by the Committee for assistance.

If the Council does not do so, the Committee shall elect the following office bearers from among its members:

- a) A President;
- b) A Secretary; and
- c) A Treasurer.

## **COMMITTEE MEETINGS AND RESPONSIBILITIES OF OFFICE BEARERS**

### **Meetings**

An annual general meeting of the Committee shall be held between 1 July and 30 September annually at which the Treasurer shall present a statement of receipts and expenditure for the preceding year ending 30 June.

The Committee shall convene other meetings at least quarterly.

A quorum of the Committee is at least a majority of the members of the Committee.

Each Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote except in the case of the election of the Chairperson in which case the election shall be decided by lot.

### **Finances**

The Treasurer shall as soon as possible after the receipt, pay all monies received by the Committee into the Committee's bank account.

The Committee may establish and maintain a petty cash float of not more than \$100.00.

Cheques drawn on the Committee's bank account must be signed by any two of the office bearers. In the case of non cheque payments:

- a) Arrangements for direct debit payments must be approved in advance by resolution of the Committee; and
- b) Cash payments are limited to petty cash items.

The Committee is responsible for paying all utility charges, cleaning costs and the cost of minor maintenance which are to be recovered from users through the fee structure.

### **Secretary**

The Secretary shall keep proper minutes of all meetings and provide them to the Council's Chief Executive Officer within 14 days of every Committee meeting.

## **EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Committee is not authorised by this Instrument of Delegation to:

1. enter into contracts, or incur expenditure, for an amount exceeding \$500.00 (including GST);  
or
2. exercise the powers which, by force section 86 of the Act, cannot be delegated.

**ATTACHMENT 1**

**SPECIAL COMMITTEES**

**SUMMARY OF LEGISLATIVE PROVISIONS**

**LEGISLATIVE BASIS**

Section 86 of the *Local Government Act* 1989 (the Act) provides that a council may:

- a) establish Special Committees comprising:
  - i. Councillors/Administrators;
  - ii. Council staff;
  - iii. other persons;
  - iv. any combination of the above; and
- b) delegate any of its powers, duties and functions (with some exceptions) to a special committee.

**SPECIAL COMMITTEES**

Please note the following provisions.

**Indemnity (section 76)**

A Council must indemnify and keep indemnified each Councillor, member of a Council committee, member of Council staff and any person exercising any function or power on behalf of a Council against all actions or claims (whether arising during or after the term of office or employment of that Councillor or member) in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of any function or power conferred on the Council or Council committee or any Councillor, member of the Council committee.

**Insurance**

Members of Special Committees are covered by the Council's voluntary workers and fidelity guarantee policy.

Any facilities managed by special committees are covered by Council's public liability and building and contents insurance policies.

**Misuse of position (section 76D)**

A person who is, or has been, a member of a Special Committee must not misuse his or her position:

- a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- b) to cause, or attempt to cause, detriment to the Council or another person.

### **Confidential information (section 77)**

A person who is, or has been, a member of a Special Committee, must not disclose information that the person knows, or should reasonably know, is confidential information.

### **Conflicts of interest (section 79).**

Members of Special Committees must, at a meeting, disclose any conflict of interests by advising the meeting of the conflict immediately before the matter is considered and must leave the room until the matter has been resolved.

The declaration of the conflict must be recorded in the minutes.

### **Register of interests (section 81)**

Members of Special Committees may be required to lodge a "primary return" and "ordinary returns" (twice yearly) of their interests however the Council may exempt members of Special Committees from this provision and has done so in relation to the non-Council representatives.

### **Special committee meetings**

The requirements are:

- a) a meeting of a Special Committee must be held at a time and place determined (ie: by resolution) of the Special Committee (section 87 {5});
- b) meetings must be open to the public (section 89 {1}) unless the Special Committee is considering any of the following;
  - i. personnel matters;
  - ii. the personal hardship of any resident or ratepayer;
  - iii. industrial matters;
  - iv. contractual matters;
  - v. proposed developments;
  - vi. legal advice;
  - vii. matters affecting the security of Council property;
  - viii. any other matter which the Council or special committee considers would prejudice the Council or any person;
  - ix. a resolution to close the meeting to members of the public;





**Maddocks Delegations and Authorisations**

***C4 Instrument of Delegation (Special Committees)***

**Central Goldfields Shire Council**

**Instrument of Delegation**

**Energy Breakthrough Special Committee**

The Central Goldfields Shire Council (**Council**) delegates to the Energy Breakthrough Special Committee (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 April 2020;
2. the delegation:
  - 2.1 revokes the Instrument of Delegation dated 28 May 2019 to the Committee;
  - 2.2 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.3 remains in force for a period of 12 months unless Council resolves to vary or revoke it; and
  - 2.4 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. The Special Committee comprises representatives (or a substitute representative) of the Council, the Country Education Partnership (CEP) and the Energy Breakthrough Operational Group (EBOG);
4. all members of the Committee have voting rights on the Committee.

**The COMMON SEAL of CENTRAL  
GOLDFIELDS SHIRE COUNCIL  
Was affixed in the presence of**

**Lucy Roffey  
Chief Executive Officer.**

Date:

## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Energy Breakthrough Event and for those purposes:

- a) In conjunction with the EBOG, to plan, prepare, organize, manage and promote an annual event called Energy Breakthrough (the Event);
- b) To preserve the integrity and significance of the Event;
- c) To generally promote the ideals of the Event;
- d) To operate a petty cash float not exceeding \$1,000.00;
- e) To determine Event fees, including, but not limited to:
  - i. Team entries;
  - ii. Vendor site fees;
  - iii. Car parking;
  - iv. Programme advertising; and
  - v. Hay bales sales (post Event).

### **DUTIES**

The duties of the Special Committee are to:

- a) implement the Event in conjunction with any Council appointed advisory committee(s);
- b) consult with relevant stakeholders and report to Council by 31 January 2020 with options and recommendations for the future management of the Event, including the option of a partnership agreement between Council, the CEP and any other relevant party;
- c) review the recommendations in the 2014/15 governance review and adopt and implement the recommendations to the extent they remain relevant;
- d) prepare, review, update and submit to Council, a draft, four year Strategic Plan for the Event annually by 31 January;
- e) regularly monitor performance against the Strategic Plan;
- f) establish KPIs for each of the Event's objectives;
- g) in relation to risk management;
  - i. establish a Risk Appetite Statement;
  - ii. regularly undertake a risk identification and evaluation process;
  - iii. monitor implementation of risk management strategies;

- iv. monitor significant changes in risk;
- h) report to Council in relation to performance against KPIs - annually within three months of the Event.

## **OPERATION OF THE COMMITTEE**

### **Membership**

The Special Committee shall comprise:

- a) an Administrator of the Council who shall be the Chairperson;
- b) one representative of the Country Education Partnership;
- c) one representative of the Energy Breakthrough Operations Group;
- d) one representative from the Executive of the Council;
- e) one representative from the Committee for Maryborough;
- f) one local community member over 24 years of age who has been or is an Energy Breakthrough volunteer;
- g) one local community member under 25 years of age (at the time of appointment) who has been a participant in Energy Breakthrough;
- h) one local business owner.

### **Secretarial support**

The Council will provide secretarial support to the Special Committee.

### **Finances**

The Council will process all financial transactions including receipting, sundry debtors, purchasing and accounts payable.

## **CONDITIONS AND LIMITATIONS**

The Special Committee must:

- a) comply with the relevant Council policies adopted from time to time;
- b) ensure any purchases are made through the Council's purchasing system; and
- c) comply with the statutory obligations for special committees (summarised in Attachment 1), with the exception that pursuant section 81 (2A) of the Act, non-Council representatives on the Special Committee are not required to submit primary or ordinary returns.

## **SPECIAL COMMITTEE MEETINGS**

### **Meetings**

The Special Committee shall convene meetings at least quarterly.

A quorum of the committee is at least a majority of the members of the Special Committee.

Each Special Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote.

**EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Special Committee is not authorised by this delegation to exercise the powers which, by force of section 86 of the Act, cannot be delegated.



**Conflicts of interest (section 79).**

Members of Special Committees must, at a meeting, disclose any conflict of interests by advising the meeting of the conflict immediately before the matter is considered and must leave the room until the matter has been resolved.

The declaration of the conflict must be recorded in the minutes.

**Register of interests (section 81)**

Members of Special Committees may be required to lodge a "primary return" and "ordinary returns" (twice yearly) of their interests however the Council may exempt members of Special Committees from this provision and has done so in relation to the non-Council representatives.

**Special committee meetings**

The requirements are:

- a) a meeting of a Special Committee must be held at a time and place determined (ie: by resolution) of the Special Committee (section 87 {5});
- b) meetings must be open to the public (section 89 {1}) unless the Special Committee is considering any of the following;
  - i. personnel matters;
  - ii. the personal hardship of any resident or ratepayer;
  - iii. industrial matters;
  - iv. contractual matters;
  - v. proposed developments;
  - vi. legal advice;
  - vii. matters affecting the security of Council property;
  - viii. any other matter which the Council or special committee considers would prejudice the Council or any person;
  - ix. a resolution to close the meeting to members of the public;
- c) the Chairperson of a Special Committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the Special Committee - section 89 {5}). In this context, "reasonable notice" could include a notice;
  - i. at the front of the venue;
  - ii. in an newspaper/publication circulating in the local community;
  - iii. on the Council website;
- d) voting;
  - x. each member has a vote (section 90 {1});
  - xi. voting must not be in secret (section 90 {1}{ca});

- xii. voting is not compulsory - the question is determined in the affirmative by a majority of the members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question (section 90 {1}{d}). This means that if a member refrains from voting, the member may stay in the room while the vote is taken but refraining from voting is effectively a vote against the motion. A different result may occur if the member leaves the room;
- e) minutes must be kept (section 93 {3});
- f) the minutes must be submitted to the next meeting for confirmation (section 93 {4}); and
- g) the chairperson must sign the minutes once they are confirmed (section 93 {5}).



**Maddocks Delegations and Authorisations*****C4 Instrument of Delegation (Special Committees)*****Central Goldfields Shire Council****Instrument of Delegation****Talbot Community Homes Committee of Management**

The Central Goldfields Shire Council (**Council**) delegates to the special committee established by resolution of Council passed on 28 April 2020 and known as the Talbot Community Homes Committee of Management (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 April 2020;
2. the delegation:
  - 2.1 revokes the Instrument of Delegation dated 28 May 2019 to the Committee;
  - 2.2 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.3 remains in force for a period of 12 months unless Council resolves to vary or revoke it; and
  - 2.4 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights on the Committee.

**The COMMON SEAL of CENTRAL  
GOLDFIELDS SHIRE COUNCIL  
Was affixed in the presence of**

**Lucy Roffey  
Chief Executive Officer.**

Date:

## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Talbot Community Homes and for those purposes:

- a) To oversee the occupancy and tenancy of the development, including the selection of occupants, setting of tenancy conditions and to arrange general maintenance of the development;
- b) To advise Council in relation to the general improvement and preservation of the development;
- c) To manage funds generated by the development with the goal of providing local funds for future housing development within the Shire.

### **DUTIES**

In relation to the facility, the duties of the Committee are to:

- a) Be responsible for selecting tenants to occupy the development, subject to the tenants generally falling within the income and asset levels to be applied to people under the Local Government Sub-program of the Local Government and Community Housing Program;
- b) Manage any disputes by tenants which shall be heard by the Committee and resolved in accordance with the requirements of the Residential Tenancies Act 1980;
- c) Manage the form of the lease required under the Residential Tenancies Act 1980 which shall be signed by the Secretary of the Committee and the tenant(s);
- d) Arrange general maintenance and the improvement to the development. The Committee shall inform Council of major maintenance requirements for the development;
- e) Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### **OPERATION OF THE COMMITTEE**

The Committee members will be appointed by Council resolution.

In the event of a casual vacancy on the Committee, the Council shall give public notice of the vacancy and subsequently resolve to fill the vacancy.

The Chief Executive Officer of the Council, or his or her nominee may attend Committee meetings as an observer and may be called upon by the Committee for assistance.

If the Council does not do so, the Committee shall elect the following office bearers from among its members:

- a) A President;
- b) A Secretary; and
- c) A Treasurer.

## **COMMITTEE MEETINGS AND RESPONSIBILITIES OF OFFICE BEARERS**

### **Meetings**

An annual general meeting of the Committee shall be held between 1 July and 30 September annually at which the Treasurer shall present a statement of receipts and expenditure for the preceding year ending 30 June.

The Committee shall convene other meetings at least quarterly.

A quorum of the Committee is at least a majority of the members of the Committee.

Each Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote except in the case of the election of the Chairperson in which case the election shall be decided by lot.

### **Finances**

The Treasurer shall as soon as possible after the receipt, pay all monies received by the Committee into the Committee's bank account.

The Committee may establish and maintain a petty cash float of not more than \$100.00.

Cheques drawn on the Committee's bank account must be signed by any two of the office bearers. In the case of non cheque payments:

- a) Arrangements for direct debit payments must be approved in advance by resolution of the Committee; and
- b) Cash payments are limited to petty cash items.

The Committee is responsible for paying all utility charges, cleaning costs and the cost of minor maintenance which are to be recovered from users through the fee structure.

### **Secretary**

The Secretary shall keep proper minutes of all meetings and provide them to the Council's Chief Executive Officer within 14 days of every Committee meeting.

## **EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Committee is not authorised by this Instrument of Delegation to:

- 1. enter into contracts, or incur expenditure, for an amount exceeding \$500.00 (including GST) other than the lease arrangement as stated in Duties (c); or
- 2. exercise the powers which, by force section 86 of the Act, cannot be delegated.





- c) the Chairperson of a Special Committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the Special Committee - section 89 {5}). In this context, "reasonable notice" could include a notice;
  - i. at the front of the venue;
  - ii. in an newspaper/publication circulating in the local community;
  - iii. on the Council website;
- d) voting;
  - x. each member has a vote (section 90 {1});
  - xi. voting must not be in secret (section 90 {1}{ca});
  - xii. voting is not compulsory - the question is determined in the affirmative by a majority of the members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question (section 90 {1}{d}). This means that if a member refrains from voting, the member may stay in the room while the vote is taken but refraining from voting is effectively a vote against the motion. A different result may occur if the member leaves the room;
- e) minutes must be kept (section 93 {3});
- f) the minutes must be submitted to the next meeting for confirmation (section 93 {4});  
and
- g) the chairperson must sign the minutes once they are confirmed (section 93 {5}).

**Maddocks Delegations and Authorisations**

***C4 Instrument of Delegation (Special Committees)***

**Central Goldfields Shire Council**

**Instrument of Delegation**

**Talbot Town Hall Special Committee**

The Central Goldfields Shire Council (**Council**) delegates to the special committee established by resolution of Council passed on 28 April 2020 and known as the Talbot Town Hall Special Committee (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 April 2020;
2. the delegation:
  - 2.1 revokes the Instrument of Delegation dated 28 May 2019 to the Committee;
  - 2.2 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.3 remains in force for a period of 12 months unless Council resolves to vary or revoke it; and
  - 2.4 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights on the Committee.

**The COMMON SEAL of CENTRAL  
GOLDFIELDS SHIRE COUNCIL  
Was affixed in the presence of**

**Lucy Roffey  
Chief Executive Officer.**

Date:

## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Talbot Town Hall and for those purposes:

- a) To develop and maintain the Talbot Town Hall for the overall benefit of the community;
- b) To preserve the historical integrity of the Talbot Town Hall;
- c) To advise Council in relation to the general development of the Talbot Town Hall;
- d) Determine fees and charges; and
- e) By resolution, reduce or waive fees where appropriate.

### **DUTIES**

In relation to the facility, the duties of the Committee are to:

- a) Arrange and manage opening and closing times;
- b) Manage bookings;
- c) Cleaning and maintenance;
- d) Financial management; and
- e) Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### **OPERATION OF THE COMMITTEE**

The Committee members will be appointed by Council resolution.

In the event of a casual vacancy on the Committee, the Council shall give public notice of the vacancy and subsequently resolve to fill the vacancy.

The Chief Executive Officer of the Council, or his or her nominee may attend Committee meetings as an observer and may be called upon by the Committee for assistance.

If the Council does not do so, the Committee shall elect the following office bearers from among its members:

- a) A President;
- b) A Secretary; and
- c) A Treasurer.



## **COMMITTEE MEETINGS AND RESPONSIBILITIES OF OFFICE BEARERS**

### **Meetings**

An annual general meeting of the Committee shall be held between 1 July and 30 September annually at which the Treasurer shall present a statement of receipts and expenditure for the preceding year ending 30 June.

The Committee shall convene other meetings at least quarterly.

A quorum of the Committee is at least a majority of the members of the Committee.

Each Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote except in the case of the election of the Chairperson in which case the election shall be decided by lot.

### **Finances**

The Treasurer shall as soon as possible after the receipt, pay all monies received by the Committee into the Committee's bank account.

The Committee may establish and maintain a petty cash float of not more than \$100.00.

Cheques drawn on the Committee's bank account must be signed by any two of the office bearers. In the case of non cheque payments:

- a) Arrangements for direct debit payments must be approved in advance by resolution of the Committee; and
- b) Cash payments are limited to petty cash items.

The Committee is responsible for paying all utility charges, cleaning costs and the cost of minor maintenance which are to be recovered from users through the fee structure.

### **Secretary**

The Secretary shall keep proper minutes of all meetings and provide them to the Council's Chief Executive Officer within 14 days of every Committee meeting.

## **EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Committee is not authorised by this Instrument of Delegation to:

1. enter into contracts, or incur expenditure, for an amount exceeding \$500.00 (including GST) other than the lease arrangement as stated in Duties (c); or
2. exercise the powers which, by force section 86 of the Act, cannot be delegated.



**Confidential information (section 77)**

A person who is, or has been, a member of a Special Committee, must not disclose information that the person knows, or should reasonably know, is confidential information.

**Conflicts of interest (section 79).**

Members of Special Committees must, at a meeting, disclose any conflict of interests by advising the meeting of the conflict immediately before the matter is considered and must leave the room until the matter has been resolved.

The declaration of the conflict must be recorded in the minutes.

**Register of interests (section 81)**

Members of Special Committees may be required to lodge a "primary return" and "ordinary returns" (twice yearly) of their interests however the Council may exempt members of Special Committees from this provision and has done so in relation to the non-Council representatives.

**Special committee meetings**

The requirements are:

- a) a meeting of a Special Committee must be held at a time and place determined (ie: by resolution) of the Special Committee (section 87 {5});
- b) meetings must be open to the public (section 89 {1}) unless the Special Committee is considering any of the following;
  - i. personnel matters;
  - ii. the personal hardship of any resident or ratepayer;
  - iii. industrial matters;
  - iv. contractual matters;
  - v. proposed developments;
  - vi. legal advice;
  - vii. matters affecting the security of Council property;
  - viii. any other matter which the Council or special committee considers would prejudice the Council or any person;
  - ix. a resolution to close the meeting to members of the public;

- c) the Chairperson of a Special Committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the Special Committee - section 89 {5}). In this context, "reasonable notice" could include a notice;
- i. at the front of the venue;
  - ii. in an newspaper/publication circulating in the local community;
  - iii. on the Council website;
- d) voting;
- x. each member has a vote (section 90 {1});
  - xi. voting must not be in secret (section 90 {1}{ca});
  - xii. voting is not compulsory - the question is determined in the affirmative by a majority of the members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question (section 90 {1}{d}). This means that if a member refrains from voting, the member may stay in the room while the vote is taken but refraining from voting is effectively a vote against the motion. A different result may occur if the member leaves the room;
- e) minutes must be kept (section 93 {3});
- f) the minutes must be submitted to the next meeting for confirmation (section 93 {4}); and
- g) the chairperson must sign the minutes once they are confirmed (section 93 {5}).

**Maddocks Delegations and Authorisations*****C4 Instrument of Delegation (Special Committees)*****Central Goldfields Shire Council****Instrument of Delegation****Tullaroop Leisure Centre Special Committee**

The Central Goldfields Shire Council (Council) delegates to the special committee established by resolution of Council passed on 28 April 2020 and known as the Tullaroop Leisure Centre Special Committee (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 28 April 2020;
2. the delegation:
  - 2.1 revokes the Instrument of Delegation dated 28 May 2019 to the Committee;
  - 2.2 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
  - 2.3 remains in force for a period of 12 months unless Council resolves to vary or revoke it; and
  - 2.4 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee have voting rights on the Committee.

**The COMMON SEAL of CENTRAL  
GOLDFIELDS SHIRE COUNCIL  
Was affixed in the presence of**

**Lucy Roffey  
Chief Executive Officer.**

Date:

## **SCHEDULE**

### **POWERS AND FUNCTIONS**

To exercise Council's functions and powers to perform Council's duties in relation to the management of the Tullaroop Leisure Centre and for those purposes:

- a) To develop and maintain the Tullaroop Leisure Centre for the overall benefit of the community;
- b) To foster, encourage, promote and implement programmes directed to meeting the recreational, cultural and sporting needs of the Central Goldfields community and that of adjacent municipalities;
- c) To develop and maintain effective relationships with the Carisbrook Primary School and other user groups;
- d) To advise Council in relation to the general development of the Tullaroop Leisure Centre;
- e) To determine fees and charges for the period ending 30 June 2021 or to such later date determined by Council; and
- f) By resolution, reduce or waive fees where appropriate.

### **DUTIES**

In relation to the facility, the duties of the Committee are to:

- a) Arrange and manage opening and closing times;
- b) Manage bookings;
- c) Cleaning and maintenance;
- d) Financial management; and
- e) Do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers.

### **OPERATION OF THE COMMITTEE**

The Committee members will be appointed by Council resolution.

In the event of a casual vacancy on the Committee, the Council shall give public notice of the vacancy and subsequently resolve to fill the vacancy.

The Chief Executive Officer of the Council, or his or her nominee may attend Committee meetings as an observer and may be called upon by the Committee for assistance.

If the Council does not do so, the Committee shall elect the following office bearers from among its members:

- a) A Secretary; and
- b) A Treasurer.

## **COMMITTEE MEETINGS AND RESPONSIBILITIES OF OFFICE BEARERS**

### **Meetings**

An annual general meeting of the Committee shall be held between 1 July and 30 September annually at which the Treasurer shall present a statement of receipts and expenditure for the preceding year ending 30 June.

The Committee shall convene other meetings at least quarterly.

A quorum of the Committee is at least a majority of the members of the Committee.

Each Committee member shall have one vote and in the event of an equality of votes, the Chairperson of the meeting shall have a casting vote except in the case of the election of the Chairperson in which case the election shall be decided by lot.

### **Finances**

The Treasurer shall as soon as possible after the receipt, pay all monies received by the Committee into the Committee's bank account.

The Committee may establish and maintain a petty cash float of not more than \$100.00.

Cheques drawn on the Committee's bank account must be signed by any two of the office bearers. In the case of non cheque payments:

- a) Arrangements for direct debit payments must be approved in advance by resolution of the Committee; and
- b) Cash payments are limited to petty cash items.

The Committee is responsible for paying all utility charges, cleaning costs and the cost of minor maintenance which are to be recovered from users through the fee structure.

### **Secretary**

The Secretary shall keep proper minutes of all meetings and provide them to the Council's Chief Executive Officer within 14 days of every Committee meeting.

## **EXCEPTIONS, CONDITIONS AND LIMITATIONS**

The Committee is not authorised by this Instrument of Delegation to:

1. enter into contracts, or incur expenditure, for an amount exceeding \$500.00 (including GST);  
or
2. exercise the powers which, by force section 86 of the Act, cannot be delegated.

**ATTACHMENT 1**

**SPECIAL COMMITTEES**

**SUMMARY OF LEGISLATIVE PROVISIONS**

**LEGISLATIVE BASIS**

Section 86 of the *Local Government Act 1989* (the Act) provides that a council may:

- a) establish Special Committees comprising:
  - i. Councillors/Administrators;
  - ii. Council staff;
  - iii. other persons;
  - iv. any combination of the above; and
- b) delegate any of its powers, duties and functions (with some exceptions) to a special committee.

**SPECIAL COMMITTEES**

Please note the following provisions.

**Indemnity (section 76)**

A Council must indemnify and keep indemnified each Councillor, member of a Council committee, member of Council staff and any person exercising any function or power on behalf of a Council against all actions or claims (whether arising during or after the term of office or employment of that Councillor or member) in respect of any act or thing done or omitted to be done in good faith in the exercise or purported exercise of any function or power conferred on the Council or Council committee or any Councillor, member of the Council committee.

**Insurance**

Members of Special Committees are covered by the Council's voluntary workers and fidelity guarantee policy.

Any facilities managed by special committees are covered by Council's public liability and building and contents insurance policies.

**Misuse of position (section 76D)**

A person who is, or has been, a member of a Special Committee must not misuse his or her position:

- a) to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person; or
- b) to cause, or attempt to cause, detriment to the Council or another person.



**Confidential information (section 77)**

A person who is, or has been, a member of a Special Committee, must not disclose information that the person knows, or should reasonably know, is confidential information.

**Conflicts of interest (section 79).**

Members of Special Committees must, at a meeting, disclose any conflict of interests by advising the meeting of the conflict immediately before the matter is considered and must leave the room until the matter has been resolved.

The declaration of the conflict must be recorded in the minutes.

**Register of interests (section 81)**

Members of Special Committees may be required to lodge a "primary return" and "ordinary returns" (twice yearly) of their interests however the Council may exempt members of Special Committees from this provision and has done so in relation to the non-Council representatives.

**Special committee meetings**

The requirements are:

- a) a meeting of a Special Committee must be held at a time and place determined (ie: by resolution) of the Special Committee (section 87 {5});
- b) meetings must be open to the public (section 89 {1}) unless the Special Committee is considering any of the following;
  - i. personnel matters;
  - ii. the personal hardship of any resident or ratepayer;
  - iii. industrial matters;
  - iv. contractual matters;
  - v. proposed developments;
  - vi. legal advice;
  - vii. matters affecting the security of Council property;
  - viii. any other matter which the Council or special committee considers would prejudice the Council or any person;
  - ix. a resolution to close the meeting to members of the public;

- c) the Chairperson of a Special Committee that is not comprised solely of Councillors must provide reasonable notice to the public of meetings of the Special Committee - section 89 {5}. In this context, "reasonable notice" could include a notice;
- i. at the front of the venue;
  - ii. in an newspaper/publication circulating in the local community;
  - iii. on the Council website;
- d) voting;
- x. each member has a vote (section 90 {1});
  - xi. voting must not be in secret (section 90 {1}{ca});
  - xii. voting is not compulsory - the question is determined in the affirmative by a majority of the members of the Special Committee present at a meeting at the time the vote is taken voting in favour of the question (section 90 {1}{d}). This means that if a member refrains from voting, the member may stay in the room while the vote is taken but refraining from voting is effectively a vote against the motion. A different result may occur if the member leaves the room;
- e) minutes must be kept (section 93 {3});
- f) the minutes must be submitted to the next meeting for confirmation (section 93 {4});  
and
- g) the chairperson must sign the minutes once they are confirmed (section 93 {5}).

**CENTRAL GOLDFIELDS SHIRE COUNCIL  
MEMBERSHIP OF SPECIAL COMMITTEES**

**Special Committees**

<b>Committee</b>	<b>Surname</b>	<b>Given name</b>	<b>Office</b>
Adelaide Lead Hall	Bartlett	Keith	President
	Bartlett	Colin	Vice President
	Martin	Noreen	Secretary
	Hummel	John	Treasurer
	Jennings	Kerrie	Committee
	Jennings	Mark	Committee
	George	Dennis	Committee
	Perry	Gary	Committee
	Taggart	Jean	Committee
	Walsh	Trish	Committee
	Webb	Judy	Committee
Daisy Hill Recreation Reserve	Auger	Neil	President
	Nicholls	Laurie	Vice President
	Robinson	Bill	Secretary
	Page	Janet	Treasurer
	Laurie	Robbie	Committee
	Meddows-Taylor	Chris	Committee
	Reid	John	Assistant Secretary
	Burns	Maree	Bookings and Purchasing
	Laurie	Robbie	Committee
	Nicholls	Lorraine	Committee
	Newitt	Wendy	Committee
	Perry	Gordon	Committee
	Perry	Pat	Committee
	Reid	Helen	Committee
	Wiseman	Rita	Committee
Dunolly Historic Precinct	Lindsay	Fiona	President
	Da Costa	Marion	Secretary
	Ford	Jan	Treasurer
	Meldrum	Judy	Committee
	Scott	Jenny	Committee
	Eddy	Jo	Committee
	Ryan	Kath	Committee
Energy Breakthrough	Delahunty	Hugh	Chair
	Brown	Phil	Country Education
			EBT Operations Grp
	Roffey	Lucy	Council
	Collins	Martin	Council proxy
	Haywood	Bronwyn	Committee for Maryborough
	Hooper	Jeff	>24 years old
	Barby	Jackson	<25 years old
	Main	Windsor	Local business

Talbot Community Homes	Gunther	Reiny	President
	Seach	Annie	Secretary/Treas
	Meddows-Taylor	Chris	Committee
	Smith	Kenny	Committee
Talbot Town Hall	Greenwood	Daryl	President
	Mann	Roger	Vice President
	Rosemeier	Klaus	Secretary
	Patterson	Shirley	Treasurer
	Fowler	Tina	Market Manager
Tullaroop Leisure Centre	Cain	Russell	Chair
	Cain	George	Committee
	Evans	Noela	Committee
	Nicholson	Kelvin	Committee
	Prime	James	Committee
	Fettling	Ian	Committee

## 8.5 COUNCIL MEETINGS DURING COVID-19 PANDEMIC

**Author:** Manager Governance Property and Risk

**Responsible Officer:** Chief Executive Officer

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

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### SUMMARY/PURPOSE

The purpose of this report is to recommend to Council that all Council Meetings be conducted via videoconference and the public be excluded from attending in person while the COVID-19 Pandemic Stage 3 Government Restrictions are in place.

### LEGISLATION AND POLICY CONTEXT

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

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

**4.3 Objective:** Provide leadership in governance and Council decision making.

### BACKGROUND INFORMATION

The Local Government Act 1989 and the Local government Act 2020 require Council Meetings to be held face to face, and do not provide the opportunity for the meetings to be conducted via videoconference. It also requires Council Meetings to be open to the public, except in specific circumstances.

During the COVID-19 pandemic this may result in failure to achieve a quorum and it is becoming increasingly difficult to facilitate meetings that meet social distancing requirements.

### REPORT

The COVID-19 Omnibus (Emergency Measures) Bill 2020 ("the Bill") passed both houses of the Victorian Parliament on 23 April 2020.

The purpose of the Bill is to temporarily change the operation of the Local Government Act 2020 in response to the COVID-19 pandemic. The Bill inserts new Part 12 into the Local Government Act 2020 to provide for temporary measures in response to the COVID-19 pandemic.

New Part 12 provides an alternative way for members of a Council or other persons to attend meetings under the Local Government Act 2020 or other Acts. By enabling meetings to be conducted by electronic means, new Part 12 ensures that Council and other meetings can still proceed and that information relating to Council and other meetings can continue to be made publicly available despite any necessary restrictive measures resulting from direction under the Public Health and Wellbeing Act 2008 relating to COVID-19.

The period these temporary measures are in place is from 1 May 2020 to 1 November 2020. The bill also states that the requirement for meetings to be open to the public is satisfied if the

meeting is streamed live on the internet site of the Council, or if the meeting is recorded and uploaded to the internet site of the Council as soon as practicable after the meeting.

Council is already currently live streaming its Council Meetings and strongly recommended that members of the public not attend the March 2020 Council Meeting in person. Community members have been advised that they are not able to attend the April 2020 Council Meeting in person.

It is recommended that Council hold its Council Meetings via videoconference, exclude members of the public from attending and live stream its Council Meetings, for the remaining time the Stage 3 Government Restrictions are in place, or if any additional restrictions are introduced.

### **CONSULTATION/COMMUNICATION**

External consultation has not been undertaken in relation to these recommendations. The recommendations are made in accordance with the Stage 3 Government Restrictions in relation to the COVID-19 Pandemic.

### **FINANCIAL & RESOURCE IMPLICATIONS**

There are no financial implications in conducting Council Meetings via electronic means and livestreaming the meetings for the community.

### **RISK MANAGEMENT**

Conducting Council Meetings via electronic means allows Councils to conduct its Council Meetings safely and in accordance with the Stage 3 Government Restrictions by preventing unnecessary travel and social interaction between staff and the Administrators. It supports the Government's social distancing measures, while allowing Council decision making to continue.

### **CONCLUSION**

It is recommended that Council conduct all its meetings during the Stage 3 Government Restrictions via electronic means, in accordance with the amendments in the COVID-19 Omnibus (Emergency Measures) Bill 2020 ("the Bill") in relation to the holding of Council Meetings via electronic means.

## **ATTACHMENTS**

Nil.

### **RECOMMENDATION**

*That, in accordance with the COVID-19 Omnibus (Emergency Measures) Bill 2020, Council:*

- 1. Conduct its Council Meetings via electronic means;*
- 2. Exclude members of the public from attending Council Meetings; and*
- 3. Live stream its Council Meetings*

*during the period 1 May 2020 to 1 November 2020 or until government restrictions in relation to social distancing and indoor gathering limits are eased.*

## 8.6 MARCH FINANCIAL REPORT

**Author:** Acting Manager Finance

**Responsible Officer:** General Manager Corporate Performance

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

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### SUMMARY/PURPOSE

The purpose of this report is to brief Council on its financial performance for the year to date and how it is tracking against the adopted budget.

### LEGISLATION AND POLICY CONTEXT

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

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

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

**Initiative:** Review budget and financial reporting processes to improve monitoring of financial performance.

Section 138(1) of the Local Government Act 1989 requires a statement, comparing the budgeted revenue and expenditure with the actual revenue and expenditure to date, to be presented to the Council at least every three months.

### BACKGROUND INFORMATION

This finance report is provided for the year to 31 March 2020 and does not include results for Council's Section 86 Committees such as the Tullaroop Leisure Centre that are consolidated within the annual financial report at year end.

### REPORT

The monthly financial report comprises the following:

- Operating Statement;
- Balance Sheet;
- Statement of Changes in Equity;
- Cash Flow Statement;
- Statement of Capital Works



- Rate and General Debtor Information;
- Investment Schedule.

### Operating Statement

The year to date operating result at 31 March 2020 is a surplus of \$2.86 million. Year to date income is at \$25.07 million compared to year to date budgeted income of \$26.99 million, an unfavourable variance to budget of 7.1%. This variation of \$1.92 million is mainly due to the:

- timing of year to date budgeted grant revenue including:
  - Carisbrook drainage mitigation construction grant of \$600,000, unlikely to be received this financial year,
  - Maryborough Skate Park grant funding of \$460,000 not proceeding in 2019-20 with application for \$250,000, if successful, received in 2020-21 and 2021-22,
  - Go Goldfields grant revenue of \$450,000, including a further \$250,000 anticipated to be received in 2019-20 and \$400,000 anticipated to be carried forward to 2020-21,
  - Maryborough Outdoor Pool Living Heritage unsuccessful grant application \$300,000 and reforecast at the December quarter budget review.,
  - Maryborough Sport & Leisure Centre upgrade project grant of \$280,000 (including \$172,000 received in advance in 2018-19 and \$108,000 anticipated in March 2020),
  - Maryborough Sport & Leisure Centre accessibility grant \$150,000 (including \$108,000 received in advance in 2018-19 and \$43,000 anticipated on completion in July 2020), and
  - Roads to Recovery Programme grant funding not yet received \$111,000.

This is offset by:

- Fixing Country Roads renewal grant funding of \$558,000 for Majorca Road, Burke Street, Rodborough Road and Avoca Road Stage 2, claimed earlier than anticipated in February, and
- Healthy Hearts Infrastructure and Activation Stream 2 grant received of \$93,000 not budgeted with \$140,000 total expected in 2019-20.
- Internal charges for use of Council plant and vehicles below budget \$255,000 due to timing of road works resulting in lower utilisation of plant to date, and
- budgeted Go Goldfields Ten20 Data Management contribution of \$75,000 no longer available.

Year to date expenditure is at \$22.21 million compared to year to date budgeted expenditure of \$22.99 million, an unfavourable variance to budget of 3.4%. The variation of \$775,000 is primarily attributable to the:

- timing of expenses below budget, including:

- transport expenditure below budget of \$311,000, including unsealed roads maintenance, bridges and culverts maintenance, line marking, pathways maintenance and plant operating expenses,
- waste disposal expenditure of \$294,000, including waste contractor payments and Carisbrook Landfill maintenance,
- Go Goldfields evaluation contract \$100,000 anticipated to commence in March quarter, and
- Dunolly Deledio Reserve Concept Plan \$96,000.

This is offset by expenses above budget, including:

- employee costs of \$382,000, relating to payment of Council's Workcover premium and long service leave earlier than anticipated,
  - Go Goldfields Family Violence contract above budget of \$100,000, relating mainly to \$60,000 carried forward funding from 2018-19, and
  - Energy Breakthrough expenses over budget by \$75,000.
- Transport expenditure below budget of \$582,000, including sealed roads maintenance, seals maintenance, bridges maintenance, and minor maintenance, with savings to be allocated to other Transport projects.

#### Statement of Financial Position

Council's equity position has increased from 30 June 2019 by \$2.86 million to \$323.10 million, due to:

- \$2.09 million higher rates and charges receivables,
- \$1.98 million lower current creditors, and
- \$1.55 million lower borrowings,

This is offset by:

- \$1.16 million lower cash and other financial assets, and
- \$1.34 million lower non-current assets.

Rates and charges Receivables has increased by \$390,000 to \$3.68 million due to rates and charges levied in August with the remaining fourth rate instalment due on 31 May 2020.

Council has introduced a range of financial support measures on 6 April 2020 to assist local businesses and the community with the impact of the COVID-19 pandemic. These measures include extension of rate payments, thus delaying arrears and fourth rate instalment payments for local businesses and community experiencing financial hardship until 30 September 2020. In addition, Council will hold interest on rates and charges debt accumulated during the COVID-19 pandemic from the declaration of the State of Emergency on 16 March 2020. Council officers will be regularly monitoring the impact of the new measures on Council's cash flow to ensure that Council's financial position is not compromised.

Other Financial Assets has decreased by \$1.25 million to \$9.00 million due to matured short term deposits transferred to cash to meet budgeted operational requirements and the unbudgeted redemption of a \$1.50 million loan on 4 November 2019. It is anticipated that term deposits will continue to reduce to effectively manage the impact of delayed payments of rates and charges receivables due to COVID-19 financial hardship applications. The loan is budgeted to be refinanced during 2019-2020. Refinancing, although delayed, will be required in June 2020 to ensure Council maintains a strong cash flow position and has capacity to implement the COVID-19 financial support measures for local businesses and community.

Creditors has decreased by \$1.98 million to \$3.50 million and includes the Fire Services Property Levy (FSPL) which totalled \$531,000 at 31 March 2020. This balance includes arrears, however, excludes the FSPL Concession (which effectively reduces the payable amount). Council's third instalment for 2019-2020 of \$518,000 was paid in March 2020.

### Statement of Changes in Equity

Council has not budgeted to make any transfers to reserve during the 2019-2020 year.

### Cash Flow Statement

The balance of cash and investments as at 31 March 2020 is \$10.91 million, which includes \$9.00 million in short-term deposits.

Council's year to date cash position is \$853,000 unfavourable to budget at 31 March 2020, due to:

- \$1.24 million higher operating payments mainly due to reduced trade payables,
- \$1.50 million unbudgeted redemption of loan borrowings,
- \$1.09 million lower Recreation receipts mainly due to capital grant funding not received,
- \$0.62 million lower debtor rates and charges receipts,
- \$0.55 million lower Transport receipts mainly due to capital grant funding not received, and offset by \$558,000 Fixing Country Roads capital grant funding received earlier than budgeted,
- \$0.37 million lower Community receipts mainly due to project grant funding not yet received,
- \$0.21 million lower proceeds from sale of fixed assets, and

This unfavourable variance is offset by:

- \$2.30 million lower payments for capital works,
- \$1.99 million higher cash balance at the beginning of the financial year, and
- \$0.35 million lower Recreation operating payments.

Future cash flows are being monitored closely to enable completion of scheduled works and to meet recurrent obligations. Surplus funds are anticipated to decrease in the short term as cash flow reduces following the roll out of Council's COVID-19 financial support measures. Council will continue to monitor the cash flow and review its COVID-19 Financial Hardship

Policy when the State of Emergency is lifted or if Council's cash flow position is threatened to be adversely impacted.

### Capital Works Statement

The 2019-2020 budget included a capital works budget of \$9.88 million across property, plant and equipment and infrastructure asset classes.

As at 31 March 2020, Council had expended \$3.83 million in capital works, an unfavourable year to date variance of \$2.31 million. The variance is due timing issues relating to completion of budgeted works and capital works completed relating to carry forward projects from the previous financial year.

Timing of works below budget includes:

- Civic centre building upgrades \$474,000 underway,
- Seals renewal reseals \$465,000,
- Rodborough Road stabilisation \$440,600,
- Avoca Road Talbot renewal and upgrade Stage 2 Part 1 \$387,000,
- Burke Street Renewal \$248,000,
- Porteous Road Wareek Bridge replacement \$208,000 completed in January,
- Maryborough Sport & Leisure Centre upgrade \$188,000,
- Drainage renewals \$173,000,
- Pathways renewals/upgrades \$142,000,
- Healthy Hearts Infrastructure Goldfields Reservoir path upgrade and Park Run \$84,700 carried forward from 2018-19,
- Major patches \$72,000, and
- Major culvert program \$64,000.

This is offset by timing of capital works expenses above budget relating to:

- Stage 1 Avoca Road upgrade works design \$207,000 carried forward works from 2018-19,
- Carisbrook Bowls Club synthetic green upgrade \$136,000 carried forward works from 2018-19,
- Carisbrook drainage mitigation \$86,000,
- Tullaroop Road/Bucknall Street intersection works \$86,000,
- COVID-19 Business Continuity Plan implementation unbudgeted \$76,000,
- Rural unsealed road renewal completed over budget by \$47,000, and

- Maryborough Outdoor Swimming Pool \$37,000.

### Receivables Summary

The Rate Debtor balance at 31 March 2020 is \$3.68 million (excluding FSPL), which is \$390,000 or 12% higher than this time last year with the fourth and final rate instalment due on 31 May 2020. COVID-19 financial support measures will delay payment of arrears and the fourth rate instalment for local businesses and community experiencing financial hardship until 30 September 2020.

The level of arrears at 24.4% is higher than the same time last year (22.5% as at March 2019). Council has suspended all current debt recovery action in response to the COVID-19 pandemic.

The Other Debtors balance totals \$1.07 million which is \$656,000 or 157% higher than this time last year, and mainly relates to an increase in sundry debtors, including claims for capital grant funding.

### Operating and Cash Flow Budget Amounts

Council's budget forecast for 2019-2020 has been divided into monthly amounts. While every attempt is made to accurately predict when income and expenditure will occur and phase budgets appropriately, Council should make allowances for variations in these monthly budget allocations throughout the year. This is especially true for receipt of non-recurrent Government grants and completion of capital and large maintenance works which can be planned but not proceed due to a variety of issues including variable weather.

The monthly year-to-date (YTD) operating budget forecast amounts should be used to indicate budget position rather than an absolute result for each month.

### **CONSULTATION/COMMUNICATION**

Nil required to this report.

### **FINANCIAL & RESOURCE IMPLICATIONS**

The financial statements were prepared internally by Council officers.

### **RISK MANAGEMENT**

Any risks in relation to this report have been discussed in the report above.

### **CONCLUSION**

The financial position to the end of March 2020 does not highlight any issues for concern, however is impacted by the following:

- timing of grant revenue,
- waste disposal expenditure below budget,
- transport expenditure below budget,
- internal charges for use of Council plant and vehicles below budget,

- timing of employee costs below budget,
- timing of Go Goldfields contract work,
- timing of the Dunolly Deledio Reserve Concept Plan,
- delivery of the capital works program, and
- implementation of COVID-19 Business Continuity Planning.

Surplus funds have been partially used to redeem loan borrowings of \$1.5 million in November. The balance of surplus funds have been reinvested to ensure interest earnings are maximised wherever operational requirements permit.

Rate Debtor balances will continue to be monitored, including how Council's financial support measures in response to COVID-19 impact Council's cash flow from rates and charges revenue over the coming months.

The financial impact of implementing Council's Business Continuity Plan and Pandemic Response Plan in March 2020, including roll out of Council's COVID-19 financial support measures, is currently unknown. Council officers will continue to closely monitor the financial impacts of COVID-19 on Council's financial position.

Council is committed to supporting local business and community in an unprecedented period to alleviate financial pressure in a financially responsible way. Council will monitor the impact of COVID-19 financial support measures on Council's cash flow to ensure that Council's financial position is not compromised.

## **ATTACHMENTS**

1. 31 March 2020 Financial Report

### **RECOMMENDATION**

*That Council receives and notes the attached 31 March 2020 Financial Report showing progress against the budget.*

# CENTRAL GOLDFIELDS SHIRE

## Operating Statement

For Period 1 July 2019 to 31 March 2020

	Actual Year to Date \$	Budget Year to Date \$	Variation on Budget	% Variation	Annual Budget \$
<b>Revenues</b>					
Community	649,617	1,086,441	(436,824)	(40.2%)	1,195,982
Health & Human Services	3,213,361	3,264,469	(51,108)	(1.6%)	4,284,112
Economic Development	782,301	796,469	(14,168)	(1.8%)	1,050,484
Culture & Heritage	172,176	164,367	7,809	4.8%	168,165
Recreation & Leisure	156,890	1,251,265	(1,094,375)	(87.5%)	1,255,402
Transport	2,761,543	3,169,287	(407,744)	(12.9%)	5,171,860
Waste & Environment	3,350,467	3,309,013	41,454	1.3%	3,324,265
Administration	507,614	498,653	8,961	1.8%	583,106
Rates	12,015,803	11,961,309	54,494	0.5%	11,958,810
Financial Assistance Grants	1,478,098	1,521,348	(43,250)	(2.8%)	2,028,469
Profit/(Loss) on sale of Fixed Assets	(14,017)	(34,875)	20,858	(59.8%)	(46,500)
	<b>25,073,853</b>	<b>26,987,746</b>	<b>(1,913,893)</b>	<b>(7.1%)</b>	<b>30,974,157</b>
<b>Expenditures</b>					
Community	1,452,650	1,564,002	(111,352)	(7.1%)	2,023,683
Health & Human Services	3,161,561	3,224,878	(63,317)	(2.0%)	4,299,874
Economic Development	1,894,928	1,762,941	131,987	7.5%	2,189,214
Culture & Heritage	590,965	618,393	(27,428)	(4.4%)	815,554
Recreation & Leisure	2,164,493	2,313,609	(149,116)	(6.4%)	3,103,944
Transport	6,359,669	6,941,767	(582,098)	(8.4%)	9,247,695
Waste & Environment	2,107,599	2,558,984	(451,385)	(17.6%)	3,411,986
Administration	4,479,834	4,002,414	477,420	11.9%	5,205,278
	<b>22,211,699</b>	<b>22,986,988</b>	<b>(775,289)</b>	<b>(3.4%)</b>	<b>30,297,228</b>
Surplus/(Deficit) on operations	2,862,154	4,000,758	(1,138,604)	(28.5%)	676,929

# CENTRAL GOLDFIELDS SHIRE

## Balance Sheet as at

	30-Jun-2019	31-Mar-2020
	\$	\$
<b>Current Assets</b>		
Cash	1,824,473	1,911,921
Other Financial Assets	10,250,000	9,000,000
Receivables	3,349,430	5,443,205
Inventories	119,115	41,600
Non-current assets held for resale	245,223	245,223
Other assets	217,029	46,859
<b>Total Current Assets</b>	<b>16,005,270</b>	<b>16,688,807</b>
<b>Current Liabilities</b>		
Creditors	3,503,102	1,527,177
Borrowings	3,846,793	2,295,216
Provisions	2,660,766	2,669,558
<b>Total Current Liabilities</b>	<b>10,010,661</b>	<b>6,491,951</b>
<b>NET CURRENT ASSETS</b>	<b>5,994,610</b>	<b>10,196,856</b>
<b>Non-Current Assets</b>		
Land Under Roads	381,486	381,486
Land & Buildings	44,758,066	43,816,878
Plant & Machinery	3,900,686	3,512,635
Furniture & Equipment	370,528	272,291
Infrastructure	263,365,806	259,625,042
Artwork Collection	222,683	225,183
Library Bookstock	329,036	329,036
Works in Progress	1,287,316	5,112,963
<b>Total Non-Current Assets</b>	<b>314,615,607</b>	<b>313,275,514</b>
<b>Non-Current Liabilities</b>		
Other Liabilities	88,798	88,798
Borrowings	38,520	38,520
Provisions	241,650	241,650
<b>Total Non-Current Liabilities</b>	<b>368,969</b>	<b>368,969</b>
<b>NET ASSETS</b>	<b>320,241,247</b>	<b>323,103,402</b>
<b>Equity</b>		
Accumulated Surplus	126,070,443	128,932,597
Reserves	194,170,804	194,170,804
<b>TOTAL EQUITY</b>	<b>320,241,247</b>	<b>323,103,402</b>



# CENTRAL GOLDFIELDS SHIRE

## Statement of Changes in Equity

For the period ended 31/3/2020

	Accumulated Surplus	Reserves	Total
<b>Balance at beginning of period</b>	<b>126,070,443</b>	<b>194,170,804</b>	<b>320,241,247</b>
Adjustments due to changes in accounting policies	0	0	0
	<hr/>	<hr/>	<hr/>
	126,070,443	194,170,804	320,241,247
<b>Increase/(Decrease) in net assets resulting from operations</b>	<b>2,862,154</b>	<b>0</b>	<b>2,862,154</b>
Transfers to reserves	0	0	0
Transfers from Reserves	0	0	0
<b>Balance at end of period</b>	<b>128,932,597</b>	<b>194,170,804</b>	<b>323,103,402</b>

# CENTRAL GOLDFIELDS SHIRE

## Cash Flow Statement

For the period ended 31/3/2020

	Actual Year to Date Inflows/ (Outflows)	Budget Year to Date Inflows/ (Outflows)
<b>Cash flows from operating activities</b>		
<b>Payments</b>		
<i>Community</i>	(1,407,238)	(1,519,031)
<i>Health &amp; Human Services</i>	(3,136,881)	(3,201,956)
<i>Economic Development</i>	(1,867,149)	(1,735,602)
<i>Culture &amp; Heritage</i>	(531,571)	(559,439)
<i>Recreation</i>	(1,637,059)	(1,982,581)
<i>Transport</i>	(4,511,211)	(2,887,993)
<i>Waste &amp; Environ</i>	(2,006,481)	(2,458,306)
<i>Administration</i>	(4,256,901)	(3,771,283)
	<u>(19,354,489)</u>	<u>(18,116,191)</u>
<b>Receipts</b>		
<i>Community</i>	715,242	1,086,441
<i>Health &amp; Human Services</i>	3,213,361	3,264,469
<i>Economic Development</i>	782,301	796,469
<i>Culture &amp; Heritage</i>	172,176	164,367
<i>Recreation</i>	156,890	1,251,265
<i>Transport</i>	2,761,543	3,311,478
<i>Waste &amp; Environ</i>	2,880,522	3,021,858
<i>Administration</i>	1,081,625	498,653
<i>Debtors/Rates</i>	10,148,720	10,849,099
<i>FSPL collected/paid</i>	80,391	0
<i>Grants Commission</i>	1,478,098	1,521,348
	<u>23,470,869</u>	<u>25,765,447</u>
<b>Net cash inflow/(outflow) from operating activities</b>	<u>4,116,380</u>	<u>7,649,257</u>
<b>Cash flows from investing activities</b>		
<i>Proceeds from Sale Fixed Assets</i>	107,272	310,000
<i>Payments for Capital Works</i>	(3,821,753)	(6,121,545)
	<u>(3,714,481)</u>	<u>(5,811,545)</u>
<b>Net cash inflow/(outflow) from investing activities</b>		
<b>Cash flows from financing activities</b>		
<i>Financing costs</i>	(12,873)	(103,924)
<i>Repayment of loan borrowings</i>	(1,551,577)	(51,576)
	<u>(1,564,450)</u>	<u>(155,500)</u>
<b>Net cash inflow/(outflow) from financing activities</b>		
<b>Net increase (decrease) in cash</b>	(1,162,550)	1,682,212
<i>Cash at beginning of the financial period</i>	12,074,473	10,083,127
<b>Cash at the end of March</b>	<u>10,911,924</u>	<u>11,765,339</u>

# CENTRAL GOLDFIELDS SHIRE COUNCIL

## Statement of Capital Works

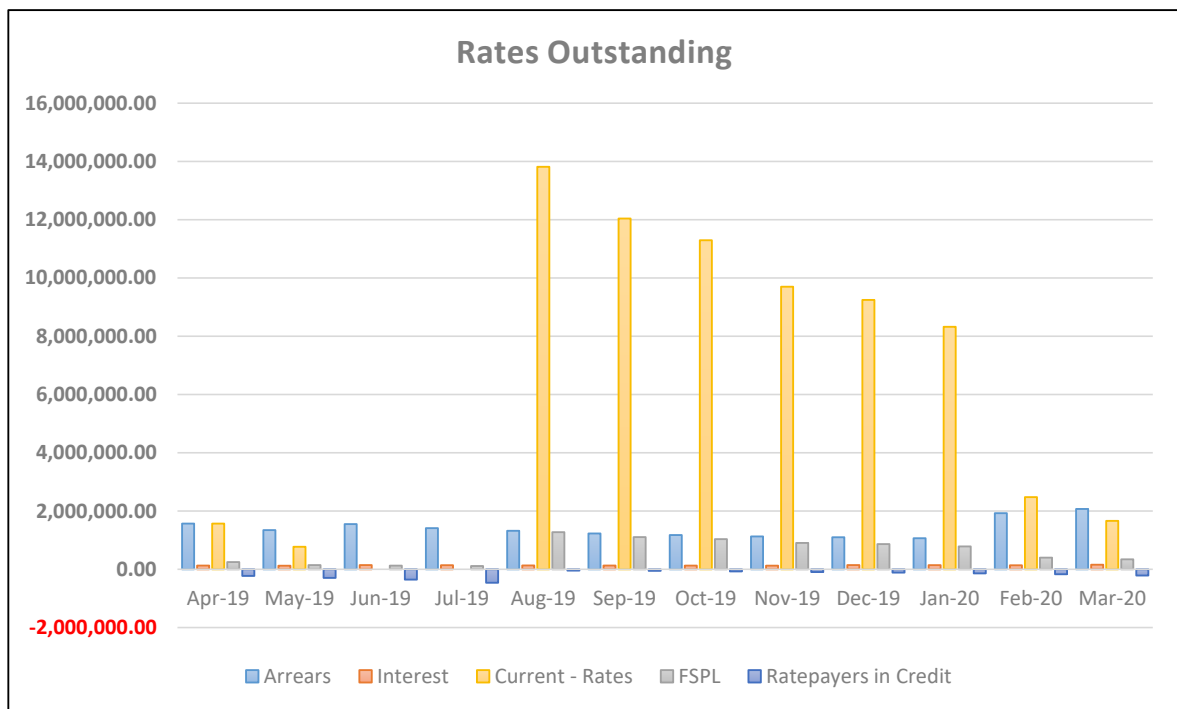
For the period ended 31/3/2020

	Annual Budget 2019-2020	Budget Year to Date	Actual Year to Date	Variance Act v Budget YTD
<b>Property</b>				
Land	111,000	97,672	154,447	56,775
Land Improvements	13,000	13,000	208	(12,792)
Buildings	2,160,000	1,099,999	672,299	(427,700)
<b>Total property</b>	<b>2,284,000</b>	<b>1,210,671</b>	<b>826,954</b>	<b>(383,717)</b>
<b>Plant and equipment</b>				
Plant, machinery and equipment	792,000	224,000	211,318	(12,682)
Fixtures, fittings and furniture	215,000	161,248	195,765	34,517
<b>Total plant and equipment</b>	<b>1,007,000</b>	<b>385,248</b>	<b>407,083</b>	<b>21,835</b>
<b>Infrastructure</b>				
Roads	3,399,545	2,994,541	1,649,111	(1,345,430)
Bridges and major culverts	850,000	850,000	595,413	(254,587)
Pathways	176,000	176,000	34,126	(141,874)
Drainage	1,117,000	198,332	113,645	(84,687)
Parks, Open Space & Streetscapes	657,000	145,750	81,627	(64,123)
Car Parks	180,000	-	-	-
Other Infrastructure	212,000	177,001	117,690	(59,311)
<b>Total infrastructure</b>	<b>6,591,545</b>	<b>4,541,624</b>	<b>2,591,612</b>	<b>(1,950,012)</b>
<b>Total capital works expenditure</b>	<b>9,882,545</b>	<b>6,137,543</b>	<b>3,825,649</b>	<b>(2,311,894)</b>
<b>Represented by:</b>				
New asset expenditure	1,111,000	279,001	276,616	(2,385)
Asset renewal expenditure	6,824,545	4,934,042	2,769,135	(2,164,907)
Asset expansion expenditure	-	-	-	-
Asset upgrade expenditure	1,947,000	924,500	779,898	(144,602)
<b>Total capital works expenditure</b>	<b>9,882,545</b>	<b>6,137,543</b>	<b>3,825,649</b>	<b>(2,311,894)</b>

# CENTRAL GOLDFIELDS SHIRE

## Receivables - Rates

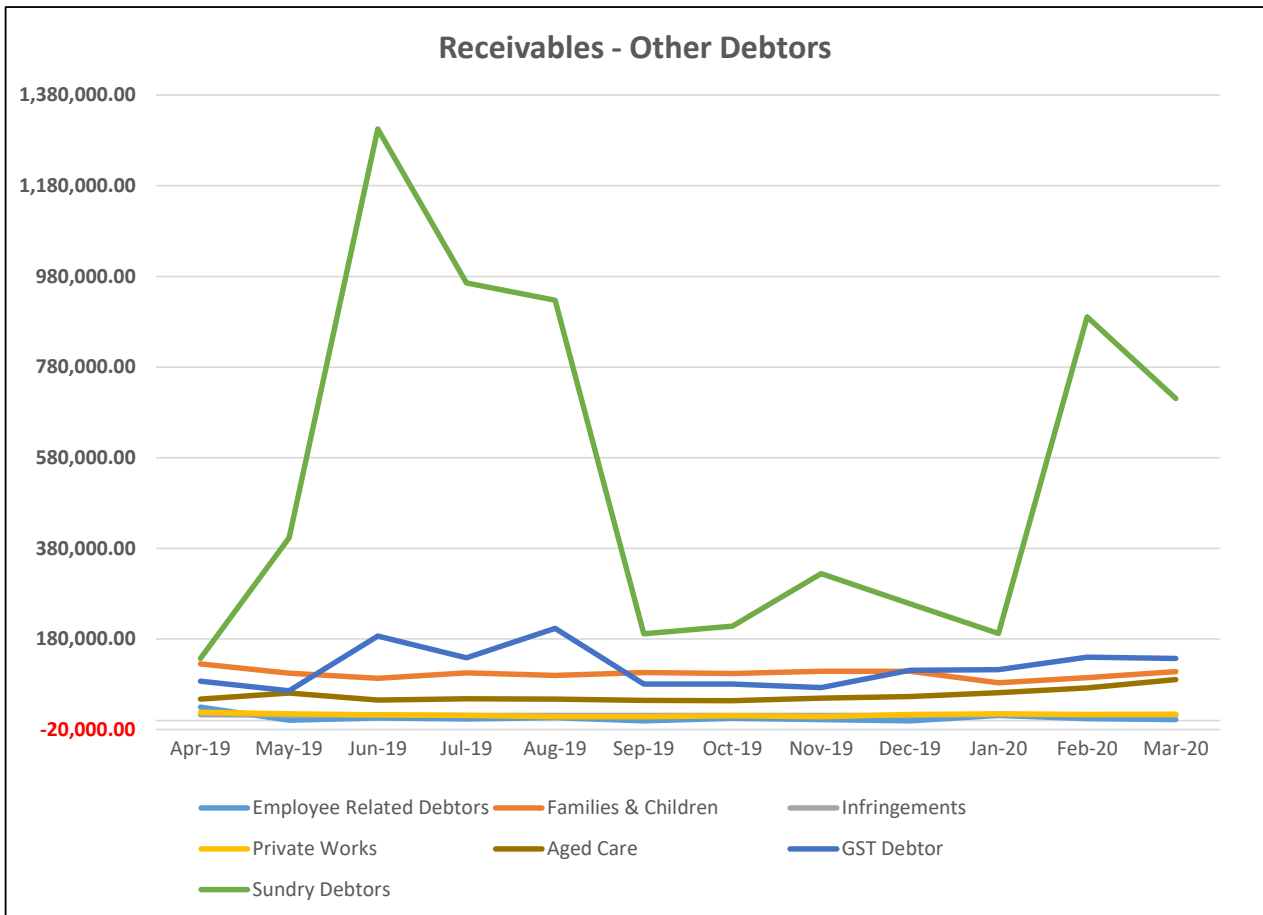
	31 March 2019		31 March 2020	
	Amount \$	% (Rate Income)	Amount \$	% (Rate Income)
Arrears	1,734,619.05	11.9%	2,071,013.81	13.8%
Interest	132,534.01	0.9%	157,520.72	1.0%
Current - Rates	1,420,466.84	9.7%	1,449,405.39	9.6%
Total (excluding FSPL)	<u>3,287,619.90</u>	<u>22.5%</u>	<u>3,677,939.92</u>	<u>24.4%</u>
Annual Rate Movement			390,320.02	12%
Fire Services Property Levy (FSPL)	265,772.82		342,280.84	
Total Rates (including FSPL)	<u>3,553,392.72</u>		<u>4,020,220.76</u>	



# CENTRAL GOLDFIELDS SHIRE

## Receivables - Other Debtors

	31 March 2019		31 March 2020	
	Amount \$	% (Budget Income)	Amount \$	% (Budget Income)
Employee Related Debtors	9,043.19	0.1%	1,682.34	0.0%
Families & Children	111,297.48	0.8%	107,632.48	0.7%
Infringements	12,753.75	0.1%	12,089.36	0.1%
Private Works	18,158.92	0.1%	13,684.18	0.1%
Aged Care	49,469.73	0.4%	89,986.47	0.6%
GST Debtor	67,797.46	0.5%	137,025.19	0.9%
Sundry Debtors	148,070.35	1.1%	710,477.67	4.5%
	<b>416,590.88</b>	<b>1.5%</b>	<b>1,072,577.69</b>	<b>1.5%</b>
Annual Movement			655,986.81	157%



# CENTRAL GOLDFIELDS SHIRE

## Investment Register as at 31/3/2020

Financial Institution	Term	Maturity Date	Rating	Amount \$	Interest Rate
Australian Unity	125	15/04/2020	A2	500,000.00	1.70%
ME Bank	62	27/04/2020	A2	500,000.00	1.45%
AMP	172	11/05/2020	A2	500,000.00	1.90%
Macquarie	89	25/05/2020	A1+	500,000.00	1.60%
ME Bank	120	2/06/2020	A2	500,000.00	1.60%
AMP	183	10/06/2020	A2	750,000.00	1.80%
ME Bank	183	16/06/2020	A2	750,000.00	1.60%
AMP	183	16/06/2020	A2	250,000.00	1.80%
NAB	110	22/06/2020	A1+	500,000.00	1.35%
Macquarie	119	3/07/2020	A1+	500,000.00	1.70%
Bendigo Bank	132	6/07/2020	A1+	500,000.00	1.40%
Australian Unity	125	20/07/2020	A2	750,000.00	1.70%
AMP	182	17/08/2020	A2	500,000.00	1.80%
Defence Bank	182	25/08/2020	A-2	1,000,000.00	1.65%
AMP	180	31/08/2020	A2	500,000.00	1.85%
MyState	183	15/09/2020	A2	500,000.00	1.75%
<b>Total</b>				<b>\$ 9,000,000</b>	

NB: The balance of cash is held within Cheque Accounts and At Call Accounts.

