



ORDINARY COUNCIL MEETING

Tuesday 22 October 2019

6:00pm

Community Hub

Room 1

48 Burns Street, Maryborough

AGENDA

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10. Notices of Motion Nil

11. Urgent Business

12. Confidential Business Nil

13. Meeting Close

5 CONFIRMATION OF THE MINUTES OF PREVIOUS COUNCIL MEETINGS

Author: **Manager Governance Property and Risk**

Responsible Officer: **Chief Executive Officer**

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

SUMMARY/PURPOSE

To present for confirmation the minutes of the Ordinary Council Meeting held on 24 September 2019.

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.

CONCLUSION

The unconfirmed minutes of the Ordinary Council Meeting held on 24 September 2019 are presented for confirmation.

ATTACHMENTS

1. Unconfirmed Minutes of Ordinary Council Meeting held 24 September 2019.

RECOMMENDATION

That Council confirms the Minutes of the Ordinary Council Meeting held on 24 September 2019.

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

Author: **Manager Governance Property and Risk**

Responsible General Manager: **Chief Executive Officer**

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

SUMMARY/PURPOSE

To present for noting the confirmed minutes of Council's Special Committees established under section 86 of the *Local Government Act 1989*.

POLICY CONTEXT

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

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

4.3 Objective: Provide leadership in governance and Council decision making

BACKGROUND INFORMATION

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

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

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

REPORT

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

- Audit and Risk Advisory Committee Meeting 3 June 2019
- Dunolly Historic Precinct Management Special Committee Meeting 26 August 2019
- Dunolly Historic Precinct Management Special Committee Annual General Meeting 2018
- Talbot Town Hall Special Committee Annual General Meeting 2018
- Talbot Town Hall Special Committee Meeting 22 July 2019

CONSULTATION/COMMUNICATION

Not applicable.

RESOURCE IMPLICATIONS

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

CONCLUSION

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

ATTACHMENTS

1. Audit and Risk Advisory Committee Meeting 3 June 2019
2. Dunolly Historic Precinct Management Special Committee Meeting 26 August 2019
3. Dunolly Historic Precinct Management Special Committee Annual General Meeting 2018
4. Talbot Town Hall Special Committee Annual General Meeting 2018
5. Talbot Town Hall Special Committee Meeting 22 July 2019

RECOMMENDATION

That Council notes the confirmed Minutes of the:

- *Audit and Risk Advisory Committee Meeting 3 June 2019*
- *Dunolly Historic Precinct Management Special Committee Meeting 26 August 2019*
- *Dunolly Historic Precinct Management Special Committee Annual General Meeting 2018*
- *Talbot Town Hall Special Committee Annual General Meeting 2018*
- *Talbot Town Hall Special Committee Meeting 22 July 2019*

8. OFFICER REPORTS

8.1 ASSEMBLIES OF COUNCILLORS

Author: **Manager Governance Property and Risk**

Responsible Officer: **Chief Executive Officer**

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

SUMMARY/PURPOSE

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

POLICY CONTEXT

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.

The requirement for reporting provides increased transparency and the opportunity for councillors to check the record, particularly the declarations of conflict of interest.

REPORT

Outlined below are the details of assemblies of councillors since the last meeting:

Date	8 October 2019	Meeting:	Briefing Meeting
Councillor Attendees	Noel Harvey (Chief Administrator), Hugh Delahunty (Administrator), Karen Douglas (Administrator)		
Council Staff Attendees	Lucy Roffey (CEO); Paul Brumby (GMCP); Rebecca Stockfeld (GMIAP); Martin Collins (GMCW); Megan Kruger, Manager Governance, Property and Risk; Tamara Marwood, Manager Community Engagement; Lynn Waters, Healthy Heart Broker; Belinda McKnight, Emergency Management Coordinator; Ellen Brown, Compliance Coordinator		
Guests	NIL		

Conflict of interest disclosures:		NIL
Matters Considered	<ul style="list-style-type: none"> • Action Plan Progress Report as at 30 September 2019 • Central Goldfields Shire Council 2018-2019 Annual Report • Municipal Health & Wellbeing Plan • NVEMC Emergency Animal Welfare Plan • Neighbourhood Safer Places • Fire Preparedness • Sale of Council Land rear 91 Inkerman Street Maryborough • Talbot Recreation Reserve 	

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

RECOMMENDATION

That Council note the record of assemblies of councillors for the period 18 September to 15 October 2019.

8.2 MUNICIPAL PUBLIC HEALTH AND WELLBEING PLAN 2017 – 2021

Author: Health Broker – Healthy Heart of Victoria

Responsible Officer: General Manager Community Wellbeing

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

SUMMARY/PURPOSE

The purpose of this report is to present to Council the Municipal Public Health and Wellbeing Plan 2017 – 2021 (2019 refresh) and the progress of actions.

The purpose of the Municipal Public Health and Wellbeing Plan (MPHWP) is to set the Council's agenda for improving health and wellbeing across the Shire over a four year period.

LEGISLATION AND POLICY CONTEXT

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

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

1.3 Objective: Ensure that all of our community, regardless of diversity, can live a full and healthy life.

Initiative: Implement Central Goldfields Public Health and Wellbeing Plan

BACKGROUND INFORMATION

The Public Health and Wellbeing Act 2008 requires all Victorian councils to prepare a Municipal Health and Wellbeing Plan within 12 months of local council elections.

The Central Goldfields Public Health and Wellbeing Plan 2017 – 2021 was adopted by the previous Council on 30 January 2018. The Plan identifies 3 priorities for the Shire, with a range of associated actions. The three priorities are:

1. Healthy eating and active living
2. Mental wellbeing
3. Prevention of violence against women

The Central Goldfields Shire Action Plan 2018 – 19 included an action to review and refresh the Municipal Public Health and Wellbeing Plan (MPHWP).

REPORT

The majority of the plan remains unchanged between the original and updated versions. The minor updates incorporated into the first 19 pages of the document include:

- Reference to the recently released Victorian Public Health and Wellbeing Plan 2019 – 2023

- Updates in job titles to reflect Councils' organisational structure changes since 2018.
- Minor changes to terminology have been applied for clarity and consistency of language across the document.

The substantive change between the original and refreshed versions of the plan is that the update provides commentary on progress against the plan's 3 'priorities' between 2018 and June 2019. This commentary is presented in table form from page 20 of the draft document and reflects strong progress by Council across the majority of action areas.

CONSULTATION/COMMUNICATION

The refresh of the plan has been informed by discussions with the Primary Care Partnership and Department of Health and Human Services.

It is anticipated that the updated plan, incorporating the 2019 progress update will be made publicly available on the Central Goldfields Shire website following endorsement by Council. The document will be finalised by the original publishers to incorporate the new progress report section.

FINANCIAL & RESOURCE IMPLICATIONS

The cost and resources for the implementation of the action areas of the MPHWP are either covered by current allocated budgets, will be included in yearly budget bids, or will be sourced through external funding sources such as Healthy Heart of Victoria.

RISK MANAGEMENT

There are no identifiable risks. The action areas still to be completed will be researched and implemented based on best practice interventions to mitigate any financial or resourcing risks.

CONCLUSION

The refreshed MPHWP reflects strong progress made by Council in the last 18 months to deliver against its key priorities for improving the health and wellbeing of people living in Central Goldfields Shire.

ATTACHMENTS

1. Municipal Public Health and Wellbeing Plan 2017 – 2021 (2019 Refresh)

RECOMMENDATION

That Council adopts the Municipal Public Health and Wellbeing Plan 2017 – 2021 (2019 Refresh).

8.3 NORTHERN VICTORIAN EMERGENCY MANAGEMENT CLUSTER – EMERGENCY ANIMAL WELFARE PLAN

Author: Emergency Management Coordinator

Responsible Officer: General Manager Community Wellbeing

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

SUMMARY/PURPOSE

The purpose of this report is to recommend Council adopt the Emergency Animal Welfare Plan which complements the Integrated Municipal Emergency Management Plan (IMEMP).

The focus of the Emergency Animal Welfare Plan is to prescribe the municipal coordination arrangements that exist to support agencies which have a responsibility for emergency animal welfare support.

LEGISLATION AND POLICY CONTEXT

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

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

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

The Emergency Animal Welfare Support Plan has been produced pursuant to Section 20(1) of the Emergency Management Act 1986.

BACKGROUND INFORMATION

The Northern Victorian Emergency Management Cluster (NVEMC) municipalities are vulnerable to a number of hazards that could affect the welfare of domestic animals (pets), livestock and wildlife. The five municipalities which comprise the cluster are home to a large number of domestic animals, livestock and wildlife. The area is also traversed by major highways, which carry livestock in large volumes on a daily basis.

The Integrated Municipal Emergency Management Planning Committee (IMEMPC) provides multi-agency oversight for emergency management planning and operations across the cluster.

The Emergency Animal Welfare Plan was endorsed by the Committee on 1st August 2019. Each Council should consider and endorse an animal welfare plan as part of their emergency planning arrangements.

REPORT

The purpose of the plan is to assist in the coordination of animal welfare support for domestic animals, livestock and wildlife before, during and after an emergency. Its scope entails:

- identification and assessment of affected animals in an emergency event

- management of displaced animals in an emergency event
- veterinary treatment and triage of affected animals
- humane destruction and disposal of animals as a result of an emergency event
- logistical coordination of goods and services for animals affected by an emergency event

The plan identifies key actions and responsibilities for a range of agencies including local government, in respect of the following 5 objectives:

- assess and ensure animal welfare support is considered before, during and after an emergency
- identify resources that are locally available to support the plan
- identify resources available externally that may support the plan
- outline the municipal coordination arrangements for animal welfare support
- provide advice to the community on animal welfare support before, during and after an emergency

CONSULTATION/COMMUNICATION

The Emergency Animal Welfare Plan has been developed by the Integrated Municipal Emergency Management Planning Committee with input from all agencies included on the committee.

FINANCIAL & RESOURCE IMPLICATIONS

It is intended that the bulk of the actions contained within this plan will be undertaken within the current operational budget parameters. Where additional activities require additional resources, external funding will be sought to support these.

RISK MANAGEMENT

The plan actively reduces the risk to animals and people in the Shire in the event of an emergency situation.

ATTACHMENTS

1. Northern Victorian Emergency Management Plan – Emergency Animal Welfare Plan

RECOMMENDATION

That Council endorse the Northern Victorian Emergency Management Cluster – Emergency Animal Welfare Plan.

8.4 MUNICIPAL NEIGHBOURHOOD SAFER PLACES PLAN 2019

Author: Manager Statutory Services

Responsible Officer: General Manager Infrastructure Assets and Planning

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

SUMMARY/PURPOSE

The purpose of this report is to recommend Council adopt the Municipal Neighbourhood Safer Places Plan 2019 (MNSPP).

The 2018 Plan recently underwent annual review by the Country Fire Authority (CFA) and Council in accordance with the requirements of the Emergency Services Legislation Amendment Act 2009 (which amends the Emergency Management Act 1986) and the Country Fire Authority Act 1958.

Adoption of the 2019 plan will see Neighbourhood Safer Places re-nominated in the townships of Maryborough (Princes Park & Pascoe Reserve), Talbot (Pioneer Reserve), Dunolly (Gordon Garden Reserve) and Carisbrook (Market Reserve).

LEGISLATION AND POLICY CONTEXT

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

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

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

Initiative: Coordinate Municipal Emergency Management Plans and Committee.

The Emergency Services Legislation Amendment Act 2009 (which amends the Emergency Management Act 1986) and the Country Fire Authority Act 1958 provide the legislative responsibility to Council to recommend and adopt Neighbourhood Safer Places within the municipal district.

BACKGROUND INFORMATION

The designation of Neighbourhood Safer Places (Places of Last Resort) (NSPs) and the development of the Municipal Neighbourhood Safer Places Plan (MNSPP) are direct consequences of the Black Saturday fires and the interim recommendations from the Bushfires Royal Commission. NSPs are legislated under the Emergency Services Legislation Amendment Act 2009 (which amends the Emergency Management Act 1986) and the Country Fire Authority Act 1958.

Councils in Victoria, are required to identify, certify, designate, establish and maintain Neighbourhood Safer Places (Places of Last resort) within their Municipal district. Section one of the MNSPP (Attachment 1), the flow chart, sets out the process to follow in establishing a NSP.

In short this process includes:

1. Identification of potential sites by Council;
2. Assessment by Council against Council's criteria;
3. Assessment by CFA against CFA criteria;
4. Designation by Council of the approved sites;
5. Establishment and signage of site by Council; and
6. Annual review of existing and potential new sites by Council and CFA.

Within the Council assessment criteria there is a need to ascertain ownership of the land being considered as a potential NSP. If the land is owned by Council no further action in this regard is required, however if the potential NSP is on private land, or public land under the control of a Crown Land Manager (other than Council), Council can enter into arrangements which allow it to use the land as a potential NSP.

Previous Council Decisions and Date:

At the September 2018 council meeting, the recommended designation of five Neighbourhood Safer Places were adopted by Council along with the 2018 Municipal Neighbourhood Safer Places Plan.

The 2018 Neighbourhood Safer Places Plan identifies that there are five designated Neighbourhood Safer Places (Places of Last Resort) in Central Goldfields Shire Council municipality as follows:

- Talbot, - Pioneer Reserve (Grounds Only) - (Corner of Fyffe and Scandinavian Crescent,), Crown Land – Council Committee of Management;
- Maryborough, - Princes Park (Oval Only) Precinct/Jubilee Oval Complex - (as defined by Park Road, Burns Street, Holyrood Street and Earl Street), Crown Land – Council Committee of Management; and
- Maryborough - Pascoe Reserve (Oval Only) - (Gillies Street), which is Council owned land.
- Dunolly – Gordon Garden Reserve (Grounds Only) Crown Land – Council Committee of Management
- Carisbrook – Market Reserve (Grounds Only) – Adjacent to Green, Birch, Powlett, & Urquart Streets, which is Crown Land – Council Committee of Management.

REPORT

As part of the obligation in the CFA Act 1958 the CFA and Council staff have accordingly re-assessed (as per NSP process above) each of the Shire's existing NSPs in accordance with the CFA and Council Assessment Guidelines as requested by 31 August each year to produce the MNSPP (Refer Attachment 1).

Once a NSP is designated and/or reassessed each year as compliant to the CFA & Council assessment guidelines, Council Staff are required to:

1. Maintain the Neighbourhood Safer Place(s) in accordance with the requirements of the Municipal Neighbourhood Safer Places Plan;
2. Record the designated Neighbourhood Safer Place(s) in the Municipal Fire Management Plan in accordance with section 55A(2)(ca) of the Country Fire Authority Act 1958 and in the Municipal Emergency Management Plan in accordance with section 20(2)(ba)(i) of the Emergency Management Act 1986;
3. The Municipal Emergency Management Coordinator (MEMC) is required to provide to the CFA, by 30 September each year, an up-to-date list of all designated NSPs in the municipality; and
4. Communicate to the public: the designation of the Neighbourhood Safer Places - Places of Last Resort as follows.
 - a. that the purpose of the Neighbourhood Safer Places - Places of Last Resort is to provide some protection from the effects of radiant heat during the passage of a bushfire;
 - b. that there is no guarantee of safety or survival at the Neighbourhood Safer Places - Places of Last Resort or travelling to the Neighbourhood Safer Places - Places of Last Resort;
 - c. that Neighbourhood Safer Places - Places of Last Resort may not have the capacity to cater for special needs; and there will be no support services (food or drink, material aid) or provision for pets; and
 - d. That the use of a Neighbourhood Safer Places - Places of Last Resort should only be contemplated when all other bushfire plans have failed.

Priority/Importance:

The priority importance of the designation of NSPs within the Shire will improve the community's perception of safety and local fire management process. The establishment and requirements to have NSPs, and a MNSPP are direct consequences of the Black Saturday fires.

Options/Alternatives:

Under Section 50F-50O of the CFA Act 1958 Councils are required to identify, establish and maintain NSPs within their municipality and also have established MNSPP in place available to the public on the Councils website.

Timelines:

Under Section 50J of the CFA Act 1958 Council must by 31 August each year conduct a review of each designated neighbourhood safer place in its municipal district to determine if it is still suitable to be designated as a Neighbourhood Safer Place and ask the CFA to assess each Neighbourhood Safer Place in its municipal district in accordance with the CFA Assessment Guidelines.

Once the Council assessment and CFA Assessment has been completed and the established NSPs have been assessed by each organisation as compliant, the Municipal Fire Prevention Officer (MFPO) under section 50K of the CFA Act 1958 must provide to the Authority by 30 September in each year an up to date list of all designated neighbourhood safer places and community fire refuges in the municipal district.

Progress:

In compliance with Section 50J of the CFA Act 1958, Council staff requested in July 2019 that the CFA conduct the annual inspection of the current designated NSPs (five sites). The Compliant NSP Reassessment results were received from the CFA in August 2019. The inspections of the NSPs were conducted on 29 August 2019 by the MFPO to complete the Municipal Neighbourhood Safer Places Plan 2019 (Refer Attachment 1).

CONSULTATION/COMMUNICATION

A consolidated community consultation process was originally undertaken within the development of the Municipal Fire Management Plan (MFMP) process in 2012 which also included an overview of the NSPs located within the municipality and an overall summary of this process is outlined within the final MFMP.

Council staff have continued to communicate to the public via local media outlets and Council web-site the designation of the Neighbourhood Safer Places - Places of Last Resort as follows;

- a. that the purpose of the Neighbourhood Safer Places - Places of Last Resort is to provide some protection from the effects of radiant heat during the passage of a bushfire;
- b. that there is no guarantee of safety or survival at the Neighbourhood Safer Places - Places of Last Resort or travelling to the Neighbourhood Safer Places - Places of Last Resort;
- c. that Neighbourhood Safer Places - Places of Last Resort may not have the capacity to cater for special needs; and there will be no support services (food or drink, material aid) or provision for pets; and
- d. that the use of a Neighbourhood Safer Places - Places of Last Resort should only be contemplated when all other bushfire plans have failed.

FINANCIAL & RESOURCE IMPLICATIONS

Budget Allocation in the Current Financial Year

An allocation for Fire Management planning and the provisions for the establishment and maintenance of NSPs is provided under the Community Emergency Management section of the budget.

Previous Council Support and External Funding Sources

An allocation for Fire Management planning and the provisions for the establishment and maintenance of NSPs was provided under the Community Emergency Management section of previous council budgets.

Projected costs for future financial years: and any ongoing recurrent expenditure required

Treatment actions from the MFMP provisions for the establishment and maintenance of NSPs will require an integrated approach from a number of emergency agencies including Council such as continuing normal fire prevention and emergency management activities within Councils current and future budgets.

RISK MANAGEMENT

The endorsement of the Neighbourhood Safer Places recommended within the 2019 MNSSP will provide our community with certainty regarding suitable places that provide some protection from the effects of radiant heat during the passage of a bushfire.

CONCLUSION

Council is required to adopt the amended MNSSP September 2019 which identifies and confirms that the following sites have been designated as NSPs within the Central Goldfields Shire Council boundaries:

- Talbot - Pioneer Reserve (Grounds Only)
- Maryborough - Princes Park (Oval Only)
- Maryborough – Jack Pascoe Reserve - (Oval Only)
- Dunolly – Gordon Garden Reserve (Grounds Only)
- Carisbrook – Market Reserve (Grounds Only)

Council staff also confirm that the current designated NSPs above were re-assessed under Section 50J of the *CFA Act 1958* as compliant to CFA and Councils Guidelines and therefore the designation of these sites will remain in place and that the MFPO has provided to the Authority by 30 September (as per Section 50J of the *CFA Act 1958*) an up to date list of all designated NSPs within the municipal district.

ATTACHMENTS

1. Municipal Neighbourhood Safer Places Plan 2019

RECOMMENDATION

That Council adopt the Municipal Neighbourhood Safer Places Plan 2019.

8.5 FIRE PREVENTION ACTIVITIES

Author:	Manager Statutory Services
Responsible Officer:	General Manager Infrastructure Assets and Planning

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

SUMMARY/PURPOSE:

The purpose of this report is to update Council on the fire prevention activities undertaken prior to the annual fire danger period commencing.

Councils fire prevention activities are broad and include activities such as the issuing of Permits to Burn, monitoring of potential fire hazards and serving of Fire Prevention Notices, fire prevention planning including establishment of Councils Municipal Fire Prevention Plan and Municipal Neighbourhood Safer Places Plan, investigation of complaints, administration of the CFAs Fire Access Road Subsidy Scheme and broader community education activities.

LEGISLATION AND POLICY CONTEXT

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

Outcome:	A supported, cohesive community, living full and healthy life.
1.4 Objective:	Provide leadership in municipal emergency and fire prevention planning and strengthen public safety.
Initiative:	Coordinate Municipal Emergency Management Plans and Committee.

The Emergency Services Legislation Amendment Act 2009 (which amends the Emergency Management Act 1986) and the Country Fire Authority Act 1958 provide the legislative responsibility to Council to conduct fire prevention activities within the municipality.

BACKGROUND INFORMATION

Municipal Fire Prevention is a statutory responsibility of all Victorian Councils. Section 43 of the CFA Act states 'it is the duty of every municipal council and public authority to take all practical steps (including burning) to prevent the occurrence of fires on, and minimise the danger of the spread of fires on and from – any land vested in it or under its control or management: and any road under its care and management'.

Council is required to appoint a Municipal Fire Prevention Officer (MFPO) to act as the executive officer of the Municipal Fire Prevention Committee (MFPC). The MFPO is responsible for issuing permits to burn during the fire danger period and issuing fire prevention notices for hazard removal to private landowners in their municipality.

Municipalities have prosecution powers under the CFA Act, relating specifically to failure to comply with Fire Prevention Notices and breaching conditions of Permits to Burn issued during the Fire Danger Period (FDP). Councils may enter private lands to remove fire hazards if fire prevention notices are not complied with.

REPORT

The fire season and associated fire restriction dates will soon be announced for Central Goldfields Shire. Prior to this Council is educating property owners about their role and responsibilities for land management prior to the commencement of the season. Community education is preferred over the issuing of fines for not undertaking land management activities. Fines are punitive, do not result in the outcome sought and are difficult to recover in instances where the fine is not paid.

Fire Prevention Notices

In preparation for the commencement of the fire season, Council's MFPO has sent out notices to approximately 800 owners of vacant parcels of land or properties with known bush fire risks to remind them to eliminate bush fire risks. Fire hazards on private property can include any of the following:

- Dead or long dry grass;
- Fuel such as dead branches, piles of cuttings etc.;
- Wood piles placed too close to house or fence lines;
- Other combustible material.

The notice contains information about the legal responsibilities to eliminate bush fire risks and also has details of local contractors who can undertake that work.

When the fire restriction dates commence, MFPOs have the power to enter properties to undertake inspections and to issue directional Fire Prevention Notices requiring fire hazards to be removed with specified periods. If the property owner/occupier doesn't undertake the required works on time, Council also has the legal right to carry out the works on private land and recoup the costs and does so frequently during the FDP.

During the 2018 FDP the MFPO issued 278 Fire Prevention Notices against property owners who had not maintained fire risks.

Permits to Burn

Council are required to assess Permits to Burn (Schedule 13 Permits) for open air burning during the Declared Fire Danger Period each year. In rural areas a permit (permit to burn) pursuant to section 38(1) of the CFA Act 1958 must be obtained prior to burning off during the FDP. The MFPO will only issue permits that are in accordance with the delegated responsibility of the position.

Permits to burn may be issued by the MFPO at any time throughout the FDP. The MFPO will determine if a permit to burn will be issued based on the seasonal fire conditions, the potential for the planned burn to become uncontrolled and the impact if that burn was to become uncontrolled. Based on the risk factors above, permits to burn generally will not be issued from 1 December to 1 March.

During the 2018 Fire Danger Period, Council issued 159 Permits to Burn.

Planning (Municipal Fire Prevention Plan/Neighbourhood Safer Places Plan)

Municipal Fire Prevention Plans (MFPP) should chart the planned and co-ordinated implementation of measures that will minimise the occurrence, and mitigate the effect, of bushfire, grassfires, residential and industrial fires on the community over a 4-year planning cycle.

This plan seeks to reflect the direction emanating from the State sponsored Integrated Fire Management Planning (IFMP) project to deliver an increased integrated approach to all fire issues between agencies and the community. Through a continuous improvement philosophy of agencies and enhanced community feedback, the plan aims to progressively close the gap between identified risks and on ground treatments over the next planning cycle of four years.

Council's MFPP is currently outdated but we are working with other agencies under the Northern Victorian Integrated Emergency Management Cluster to prepare a MFPP for future strategic fire prevention planning.

Councils in Victoria, are required to identify, certify, designate, establish and maintain Neighbourhood Safer Places (Places of Last resort) within their Municipal district on an annual basis. The designation of Neighbourhood Safer Places (Places of Last Resort) (NSPs) and the development of the Municipal Neighbourhood Safer Places Plan (MNSPP) are direct consequences of the Black Saturday fires and the interim recommendations from the Bushfires Royal Commission. NSPs are legislated under the *Emergency Services Legislation Amendment Act 2009* (which amends the *Emergency Management Act 1986*) and the *Country Fire Authority Act 1958*.

Councils 2019 MNSPP has been prepared and NSPs have been identified.

Fire Access Road Subsidy Scheme

Under the Fire Access Road Subsidy Scheme (FARSS) Council maintains approximately 8 fire access tracks throughout the municipality (this number may increase/decrease subject to demand). The FARSS is administered by CFA and is a State Government funded subsidy scheme. Subsidies are available for Municipalities for the construction and maintenance of fire access roads or construction of static water supplies. Funding is provided annually.

Fire access roads should be planned to overcome deficiencies in the permanent road network. They should facilitate a rapid and concentrated response to areas where the application of these two principles will be critical to early containment of an outbreak of fire, and where road access is limited and off road operation of two wheel drive firefighting vehicles would be difficult.

Education

Community education is a core component of the successful prevention of fire each year. Council typically have performed poorly in relation to community education campaigns in the past. The formation of Councils MFPP will set the future strategic direction relating to community education relating to fire prevention. However, in the interim, Councils MFPP is planning a number of education initiatives in 2019 including educational material on Council's websites, regular social media posts throughout the FDP and drop in sessions for farmers prior to the Permit to Burn periods.

CONSULTATION/COMMUNICATION

Many aspects of the broader fire prevention activities involve consultation and communication with the broader community and relevant stakeholders. A detailed community consultation process was originally undertaken within the development of the Municipal Fire Management

Plan (MFMP) process in 2012 which also included an overview of the NSPs located within the municipality and an overall summary of this process is outlined within the final MFMP.

Council staff have continued to communicate to the public via local media outlets and Council website and social media platforms the designation of the Neighbourhood Safer Places - Places of Last Resort as well as timely information regarding permits to burn, reminders regarding Designated Fire Danger Periods and Fire Restrictions.

FINANCIAL & RESOURCE IMPLICATIONS

This report does not propose any changes to the current annual fire prevention operational processes. Rather, this report provides an outline of the activities undertaken in preparation to manage the declared fire risk season.

Councils fire prevention activities are partly funded via State Government grants, Council fees and charges, penalty infringement notices, and landowner charges for various services.

RISK MANAGEMENT

We live in a fire prone natural environment dictated by our climate of wet winters (which creates fuel) and hot dry summers. Fire management needs to be conducted with an understanding of both the role fire plays with the threats it can pose to life and property, in biodiversity maintenance and the management of our parks and forests.

Bushfires are a vital part of our natural environment, driving regeneration and maintaining the health of species and ecosystems. The combination of drought, climate change and unnaturally high fuel loads have created an unprecedented bushfire risk. The last two decades have seen a dramatic increase in the number, size and severity of bushfires in Victoria, evidenced by the 2003 Alpine, 2006 Grampians, 2006/07 Great Divide fires, 2009 Black Saturday fires and the 2018 Gippsland fires.

Council's fire prevention activities will not completely eliminate bush fire risks to the community. However, fire prevention and preparedness are a vital component in the protection of life and property against loss caused by fire. No matter how well trained and equipped Fire Brigades are, the greatest factor in limiting fire damage is the extent to which fire prevention measures have been carried out before the event of fire.

CONCLUSION

Municipal fire prevention is a statutory responsibility of all Victorian Councils. Fire prevention and preparedness are both a vital component in the protection of life and property against loss caused by fire and form part of Councils broader emergency management responsibilities.

ATTACHMENTS

Nil.

RECOMMENDATION

That Council note that the fire prevention activities undertaken prior to the annual fire danger period commencing.

8.6 SALE OF COUNCIL LAND 91 INKERMAN STREET MARYBOROUGH

Author: Property and Risk Officer

Responsible Officer: General Manager Corporate Performance

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

SUMMARY/PURPOSE

The purpose of this report is to advise Council on the outcome of the public notice process on the proposed sale land located at the rear of 91 Inkerman Street, Maryborough and recommend the sale of the land by private treaty.

This report provides information on the next steps required to finalise the sale of land at the rear of 91 Inkerman Street, Maryborough.

LEGISLATION AND POLICY CONTEXT

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

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

3.1 Objective: Ensure investment in roads, footpaths and buildings meet community needs now and in the future

Any sale of Council land must be in accordance with Section 189 and Section 223 of the Local Government Act 1989 (the Act) and in accordance with Council's Disposal or Sale of Council Assets and Land Policy.

BACKGROUND INFORMATION

Council received an expression of interest from the owner of 91 Inkerman Street, Maryborough to purchase a parcel of Council owned land identified as Lot 1 on Title Plan 559585L (Attachment 1) contained in Certificate of Title Volume 02479 Folio 671. .

The subject land is approximately 80m², appears to be fenced within the property boundary of 91 Inkerman Street, Maryborough and has been maintained by the current and previous owners for many years (Attachment 2). In addition, Council's rating system dating back to 2002, confirms that the owners of 91 Inkerman St have paid municipal rates on the land.

The subject land is not suitable for any Council purpose or community use and is considered to be surplus to Council's requirements.

REPORT

Council's Disposal or Sale of Council Assets and Land Policy states that all sales, exchanges and transfer of land are required to comply with the provisions (Section 189) of the Act. In addition, all sale and exchanges of land should occur for not less than the market value assessed by a certified practicing valuer.

Council at its meeting on 25 June 2019 resolved:

That Council:

- 1- Gives public notice under Sections 189, 82A and 223 of the Local Government Act 1989 of the proposed sale of land in the appropriate newspapers and on Council's website, and state in the notice that Council proposes to sell the land adjoining the rear of 91 Inkerman Street, Maryborough by private treaty;
- 2- Receives public submissions during the 28 day notice period ending 5.00pm on Monday 29 July 2019;
- 3- Obtains a current market valuation undertaken by a certified practicing valuer for the land adjoining the rear of 91 Inkerman Street, Maryborough in accordance with Section 189 of the Local Government Act 1989 ("the Act"); and
- 4- Commences the statutory process under Section 189 of the Act to sell the land adjoining the rear of 91 Inkerman Street, Maryborough, known as Lot 1 on Title Plan 559585L contained in Certificate of Title Volume 02479 Folio 671 In accordance with Council Policy.

Public Notice

In accordance with section 223 of the Act, Council notified the community of its proposed intention to sell the land adjoining 91 Inkerman Street Maryborough by private treaty by placing a public notice on Council's website, social media and in the Maryborough Advertiser on 28 June 2019 (Attachment 2) for a period of 28 days.

The submission period ended at 5.00pm on 29 July 2019 and Council had not received any submissions. As no submissions were received the hearing meeting scheduled for 5.30pm on Tuesday 13 August 2019 to consider submissions was cancelled.

Valuation

In accordance with the Council resolution on 25 June 2019, officers engaged VRC property to undertake a market valuation assessment of the land. On 17 September 2019, Council received the valuation report which valued the subject land at \$2,000.00 (exclusive of GST).

Drainage easement

A Council drainage asset is located within the land, therefore to ensure Council retains right of access to the asset for ease of maintenance/ repair a creation of easement is required.

Consolidation of titles

As part of the sale of land, the purchaser will be required to consolidate the title for this land with the title for the existing property at 91 Inkerman Street within two years from the date of sale.

CONSULTATION/COMMUNICATION

Public notice of the proposal was given in the Maryborough Advertiser newspaper on 28 June 2019. Notification was also given on Council's website and social media. The notice period ended on 29 July 2019. No submissions were received.

FINANCIAL & RESOURCE IMPLICATIONS

If Council resolve to sell the land, it would receive an income of \$2,000.00 (exclusive of GST).

In accordance with Council's Disposal or Sale of Council Assets and Land Policy, the direct costs associated with sale of the land would be recovered from the purchaser, should the sale proceed. The direct costs associated with the valuation, transfer of land and creation of easement including legal fees and disbursements (land registry fees and stamp duty, if applicable) are estimated at \$3,250.00.

RISK MANAGEMENT

For Council, the benefits of selling the land would include revenue from the sale of the land which is no longer required for Council purposes, and the reduction of Council's stock of freehold land that is surplus to Council's operating requirements. The owner of 91 Inkerman Street would benefit from the purchase of land by formalising their current occupation.

If Council's decision is to abandon the sale of land, Council would retain ownership and the land would continue to be occupied by the owner of 91 Inkerman Street. As Council is the registered proprietor of the Land, it is protected from adverse possession, so taking no action to formalise the occupation (e.g. through sale to the occupier) would not present a risk of losing the land.

CONCLUSION

The parcel of land has been fenced, occupied and maintained by the property owners of 91 Inkerman Street, Maryborough for many years.

It is a small parcel of land that could not be utilised by Council or the community for any other purpose other than its current use and is considered to be surplus to Councils requirements.

ATTACHMENTS

1. Copy of Title Plan 559585L
2. Aerial Photo of subject land
3. Copy of Public Notice of 28 June 2019

RECOMMENDATION

That Council having given public notice under section 189 of the Local Government Act 1989 (the Act) to Sell the Land by Private Treaty to the adjoining owner of 91 Inkerman Street, Maryborough, contained within Certificate of Title Volume 2479 Folio 671 and shown as Lot 1 on Title Plan 559585L:

1. *Proceeds with the sale of land by private treaty for \$2,000 plus costs to the owners of 91 Inkerman Street, Maryborough; and*
2. *Authorises the Chief Executive Officer to sign all documents relating to the sale and transfer of the land.*

8.7 COUNCIL ACTION PLAN PROGRESS REPORT – AS AT 30 SEPTEMBER 2019

Author: **Manager Governance Property and Risk**

Responsible Officer: **Chief Executive Officer**

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

SUMMARY/PURPOSE

The purpose of this report is to provide Council with an update on the status of the projects identified in the 2018-19 Action Plan to 30 September 2019.

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

Under Section 125 of the Victorian Local Government Act 1989 Council must prepare a Council Plan, which identifies the strategic objectives of the Council and strategies for achieving the objectives for at least the next four years. The Council Plan must also be reviewed annually. An annual plan is not required to be prepared under the Local Government Act, however it is best practice and provides Council and the community with a regular progress report against the objectives in the Council Plan.

BACKGROUND INFORMATION

The 2017-2021 Refreshed Council Plan was adopted by Council at the Ordinary Meeting of Council in August 2018. The 2019-20 Action Plan was developed to support the achievement of the strategic objectives identified in the Refreshed Council Plan and to provide a reporting framework to measure progress against the Council Plan. The 2019-20 Action Plan was adopted by Council at the Ordinary Meeting of Council 25 June 2019.

This is the first progress report against the Action Plan and is for the period to 30 September 2019.

REPORT

There has been progress against the initiatives and projects outlined in the 2019-20 Action Plan. There are 93 actions identified in the plan, of these 25 are complete, 2 are not yet started and 66 are underway.

CONSULTATION/COMMUNICATION

Council has developed the Action Plan through consultation with the community during the development of the 2017-2021 Refreshed Council Plan, through Listening Posts held quarterly across the Shire, and the development of the 2019-20 Budget.

FINANCIAL & RESOURCE IMPLICATIONS

The 2019-20 Budget and the four year Strategic Resource Plan were prepared in line with the initiatives identified in the Action Plan subject to grants from State and Federal Government being received in some cases.

RISK MANAGEMENT

Development of an annual plan allows Council to plan the use of its resources throughout the financial year and ensure that it is achieving its Council Plan objectives by detailed the actions that will be achieved on an annual basis.

CONCLUSION

The 2019-20 Action Plan outlines the projects and programs being undertaken during the 2019-20 financial year to meet the objectives of the Council Plan. This report shows progress for the period to 30 September 2019.

ATTACHMENTS

1. 2019-20 Action Plan Progress Report.

RECOMMENDATION:

That Council notes the 2019-20 Action Plan Progress Report to 30 September 2019.

8.8 CENTRAL GOLDFIELDS SHIRE COUNCIL 2018-2019 ANNUAL REPORT

Author: Manager Community Engagement

Responsible Officer: General Manager Community Wellbeing

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

SUMMARY/PURPOSE

The purpose of this report is to present Council with the 2018-2019 Annual Report for consideration.

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.

The Annual Report has been prepared in accordance with sections 131-132 of the Local Government Act 1989 (the Act) and the regulations. The Annual Report was submitted to the Minister in accordance with section 133 of the Act. Section 134 of the Act requires that Council consider the Annual Report at a meeting of Council within one month of submitting the Annual Report to the Minister.

BACKGROUND INFORMATION

The Local Government Act provides that Council must:

- Prepare an annual report in respect of each financial year (containing specific information)
- Submit the annual report to the Minister within 3 months after the end of the financial year
- Consider the annual report at a meeting of Council held as soon as practicable after the Council has sent the report to the Minister.

REPORT

The report provides an overview of Council's operations and achievements for 2018-2019, including a summary of activity for each of the four Council Plan themes – Our Community, Our Economy, Our Built and Natural Environment and Our Organisation. A comprehensive review of the 2018-2019 highlights and challenges is included on pages 7-8 of the report.

The report also contains the audited financial statements, the audited performance statement and the Victorian Auditor-General's opinion on the financial and performances statements.

A copy of the annual report was forwarded to the Minister on 30 September 2019.

CONSULTATION/COMMUNICATION

Public notice of a meeting to consider the annual report has been given on 4 October 2019, as required by Section 134 of the Act.

The Annual Report is an important communication tool and reference source for Council stakeholders. In accordance with Section 133 of the Act the Annual Report has been placed on Council's website and is available for viewing at Council's customer service centre.

FINANCIAL & RESOURCE IMPLICATIONS

The cost of producing the Annual Report is provided for in the budget.

RISK MANAGEMENT

The Act and Regulations are very detailed in relation to the preparation, submission and public availability of the Annual Report. This detail provides councils with clear guidance and ensures consistency in the production of annual reports in Victoria.

CONCLUSION

The Central Goldfields 2018-2019 Annual Report has been prepared and submitted to the Minister in accordance with the requirements of the Local Government Act 1989.

ATTACHMENTS

1. 2018-2019 Central Goldfields Shire Council Annual Report.

RECOMMENDATION

That Council considers the 2018-2019 Central Goldfields Shire Council Annual Report.

8.9 2018-2019 BUDGET CARRY FORWARDS

Author: General Manager Corporate Performance

Responsible Officer: General Manager Corporate Performance

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

SUMMARY/PURPOSE

The purpose of this report is to advise Council on the budgetary impacts of capital works projects, operating expenditure activities and grants carried forwards from the 2018-2019 financial year.

The carry forwards budgetary process is a method of Council exercising sound financial management, by allowing Council to complete projects and activities that were scheduled for the prior financial year, but were not completed due to a variety of reasons. It also allows Council to carry forward unbudgeted grants received during the 2018-2019 financial year that were actually budgeted for in the 2019-2020 year.

LEGISLATION AND POLICY CONTEXT

Section 136(1) of the Local Government Act determines that Council must implement the principles of sound financial management.

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.

Objective 4.1 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.

BACKGROUND INFORMATION

Prior to the commencement of each financial year Council sets a budget that outlines the financial resources required to undertake an array of capital works projects and operating expenditure activities in the next financial year.

At the end of the financial year there are usually a number of capital works and operating expenditure activities that are either incomplete or not started, but which need to be undertaken in the following financial year.

It is also normal for Council to receive unbudgeted grants during the year that require expenditure on certain capital works projects or operating expenditure activities. Often these grants are received late in the financial year, with little capacity to complete the expenditure in the year of the grant.

Sometimes grants budgeted for in the following financial year are received in the current year, and the impact of these grants in advance need to be reflected in Council's financial records.

REPORT

Carry forwards

At the conclusion of the 2018-2019 financial year on 30 June 2019 there were 14 outstanding capital works projects that need to be completed in 2019-2020, with their combined budgets totaling \$732,151. Council also received three capital grants that are for projects where the grant income is budgeted for in 2019-2020 and the unspent portion of these grants (totaling \$1,611,343) needs to be carried forward to fund those capital works projects.

20 operating expenditure activities from 2018-2019 also need to be undertaken in 2019-2020, with their combined budgets totaling \$1,038,619. Included in these 20 activities are 16 that are fully or partly grant funded, with the grant funded portion of these 20 activities totaling \$798,928 or 77%.

Council's 2018-2019 budget included capital expenditure totaling \$6,211,000. The carried forward capital budget of \$732,151 represents 12% of the 2018-2019 total capital expenditure budget.

Full details of the carry forwards are as follows:

Description	Carry Forward	Grant Funded	Council Funded
2018-2019 Capital projects to be completed			
Infrastructure works	\$175,415		\$175,415
Carisbrook Bowls Club Synthetic Green Upgrade	\$139,814	\$139,814	
Skate Park Design Works	\$28,000		\$28,000
Gillies Street Renewal & Upgrade - Design	\$19,613		\$19,613
Carisbrook Amenities Upgrades	\$5,750		\$5,750
Carisbrook Transfer Station Pavement Rehabilitation	\$85,000		\$85,000
Drainage - Aerodrome Silt - EPA	\$54,428		\$54,428
Carisbrook Drainage Mitigation – Creek Clearing	\$96,659	\$96,659	
Council Administration Building	\$75,526		\$75,526
IT Strategy Initiatives	\$51,946		\$51,946
Total capital projects to be completed	\$732,151	\$236,473	\$495,678

2019-2020 Capital income received in 2018-2019			
Fixing Country Roads Grant	\$1,328,400	\$1,328,400	
Maryborough Indoor Aquatics Upgrade Grant	\$169,387	\$169,387	
Maryborough Sports Centre Accessibility Upgrade Grant	\$113,556	\$113,556	
Total 2019-2020 capital income received in 2018-2019	\$1,611,343	\$1,611,343	\$0
Total capital carry forwards	\$2,343,494	\$1,847,816	\$495,678

Description	Carry Forward	Grant Funded	Council Funded
2018-2019 Special projects to be completed			
Healthy Hearts Project	\$307,273	\$300,000	\$7,273
Kindergarten Central Enrolment Project	\$45,000	\$45,000	
3-Y-O Kindergarten Implementation Project	\$22,000	\$22,000	
Supported Playgroups	\$27,882	\$27,882	
Walk to School Project	\$15,000	\$15,000	
Integrated Transport Strategy	\$40,000	\$30,000	\$10,000
Maryborough Flood Study	\$89,833	\$89,833	
Free From Violence Project	\$64,234	\$64,234	
TAC Youth Projects	\$28,162	\$28,162	
Go Goldfields	\$75,295	\$75,295	
Child Care Centre Grounds & Playground Maintenance	\$9,446		\$9,446
Mapping of On-road Bike Tracks	\$4,000	\$2,000	\$2,000
Economic Development Strategy	\$58,946	\$58,946	
Planning Scheme Review	\$35,000		\$35,000
Residential Development Strategy	\$85,000		\$85,000
Carisbrook Recreation Reserve Pavilion Design	\$53,542		\$53,542
Recreation Strategy	\$54,000	\$27,000	\$27,000
Waste Management Strategy Update	\$7,239		\$7,239
Freeza Program	\$5,432	\$5,432	
Engage Youth Program	\$11,335	\$8,144	\$3,191
Total operational carry forwards	\$1,038,619	\$798,928	\$239,691
Grand total carry forwards	\$3,382,113	\$2,646,744	\$735,369

In total, 78% of the carry forwards are grant funded.

Cash result

Council finished the 2018-2019 financial year with a cash surplus of \$4.06 million as per the reconciliation below:

	\$000's
Operating surplus	\$3,603
Less non-cash income	
Contributions - non-monetary	-\$174
Found assets	-\$3,040
Add back non-cash expenses	
Depreciation	\$8,231
Bad debts	\$48
Loss on disposal of assets	\$319
Less net capital outflows	
Capital expenditure	-\$4,945
Capital income	\$597
Loan repayments	-\$575
Cash surplus	\$4,064
Less proposed carry forwards	-\$3,382
Cash surplus after carry forwards	\$682

After allowing for the cash backing of \$3.38 million carry forwards, Council still has \$682,000 additional cash at the end of the 2018-2019 financial year.

Allocation of remaining cash surplus

Since 1 November 2017 Council's internal auditor has conducted 16 internal audits, with each internal audit providing between six and 30 recommendations for actions to improve Council's policies, procedures, systems or processes. Recommended actions from the various external audits that occur across Council are also added to this register. Currently there are 165 outstanding audit action items on the action register, and these are in essence the lower level actions required to fully implement the findings and the spirit of the governance reform program. This list of 165 actions will increase as further internal audits are conducted in the future.

The capacity of Council's current staff structure is designed for business as usual, so making meaningful progress on reducing these outstanding audit actions is beyond the current staffing capacity. It would be demonstrating good governance to action the majority of the improvements on this register prior to the arrival of the elected Council in November 2020.

Therefore it is recommended that Council allocate \$250,000 from the remaining cash surplus from the 2018-2019 financial year towards this task.

CONSULTATION/COMMUNICATION

No public consultation or communication has been undertaken on this matter to date. Should Council resolve to adopt the recommendations in this report, communication with the community will be undertaken.

FINANCIAL & RESOURCE IMPLICATIONS

The financial and resource implications in relation to this matter have been discussed in the report sections above.

RISK MANAGEMENT

The risk of not adopting the recommendations of this report are that Council will be in breach of approximately 21 grant funding agreements. Failure to deliver the unfinished capital works projects and operating expenditure activities budgeted for in the 2018-2019 will cause Council reputational damage, as Council is essentially breaking a service delivery promise to our community published in the 2018-2019 Council budget document.

CONCLUSION

In order to enable ongoing sound financial management, Council needs to update the 2019-2020 budgetary forecasting in its financial management reporting system to recognise the budgetary impact of capital works projects, operating expenditure activities and grants carried forwards from the 2018-2019 financial year, as outlined in this report.

Council should also allocate \$250,000 from the remaining cash surplus from the 2018-2019 financial year to fund a team to implement the majority of the 165 outstanding audit action items prior to the return of the elected Council in November 2020.

ATTACHMENTS

Nil

RECOMMENDATION

That Council:

- 1. Adopts the financial carry forwards of \$3,382,113 as detailed in this report*
- 2. Allocates \$250,000 from the remaining cash surplus from the 2018-2019 financial year to resource the completion of 165 outstanding audit actions.*

8.10 SEPTEMBER FINANCIAL REPORT

Author: 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.

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) –

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

BACKGROUND INFORMATION

This finance report is provided for the year to 30 September 2019 and does not include results for Council's Section 86 Committees such as the Tullaroop Leisure Centre which 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 operating result, for the year to date as at 30 September is a surplus of \$10.38 million. Income is at \$17.90 million compared to a budgeted income of \$18.04 million, a minor variance to budget of 0.8%. This variation is mainly due to the timing of the budgeted emergency management grant revenue.

Expenditure is at \$7.51 million compared to budgeted expenditure of \$7.61 million, a favourable variance of 1.3% for the year to date. The variation is primarily attributable to the timing of waste related expenditure.

Statement of Financial Position

Council's equity position has increased from 30 June 2019, due to the levying of rates and charges during August. Refer to the receivables summary for an explanation for the movement in current receivables.

Other Financial Assets has decreased by \$2.45 million due to matured short term deposits transferred to cash to meet budgeted operational requirements.

The creditors balance includes the Fire Services Property Levy (FSPL) which totalled \$1.49 million as at 30 September 2019. This balance includes arrears, however, excludes the FSPL Concession (which effectively reduces the payable amount). Council's first instalment for 2019-2020 is to be paid by 28 October 2019.

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 30 September 2019 is \$9.97 million, which includes \$7.80 million in short-term deposits.

Council's cash position is \$2.87 million favourable to budget as at 30 September 2019, due to a higher cash balance at the beginning of the financial year.

Future cash flows are being monitored closely to enable completion of scheduled works and meeting recurrent obligations, as well as ensuring surplus funds are invested to generate maximum interest revenue.

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 30 September, Council had expended \$763,000 on capital works, a favourable year to date variance of \$216,000. The variance is due to the majority of capital works completed in the first quarter of the year being carry forward projects from the previous financial year.

Receivables Summary

The Rate Debtor balance at 30 September is \$13.35 million (excluding FSPL), which is \$0.36 million or 1% higher than this time last year, primarily due to the 2.5% increase in rates and increase in garbage service charges.

This level of arrears is higher than the same time last year at 8.2% (7.2% as at September 2018). Those ratepayers with arrears are currently being progressed for additional debt collection action in accordance with Council's Debt Collection Policy.

The Other Debtors balance totals \$440,000, which is \$195,000 or 31% lower than this time last year, primarily due to \$560,000 invoiced to Vicroads for Rural Roads Victoria funding which was paid during September.

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 September 2019 does not highlight any issues for concern, however is impacted by the following:

- The timing of emergency management grant revenue, and
- The timing of waste related expenditure.

Rate Debtor balances will continue to be monitored with debt collection action to be undertaken in accordance with Council's Debt Collection Policy.

Surplus funds have been invested to ensure interest earnings are maximised, and cash flows are to be monitored closely.

ATTACHMENTS

1. 30 September 2019 Financial Report

RECOMMENDATION

That Council receives and notes the attached 30 September 2019 Financial Report showing progress against the budget.

9.1 DOCUMENTS FOR SEALING CONFIRMATION REPORT

Author: **Manager Government Property and Risk**

Responsible Officer: **General Manager Corporate Performance**

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

SUMMARY/PURPOSE

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

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

Section 5 of the Local Government Act 1989 reads as follows:

The Council

S. 5(1) repealed by No. 109/2003 s. 7(2).

(2) A Council—

(a) is a body corporate with perpetual succession; and

(b) must have a common seal; and

(c) may sue or be sued in its corporate name; and

(d) is capable of acquiring, holding, dealing with or disposing of property for the purpose of performing its functions and exercising its powers; and

(e) is capable of doing and suffering all acts and things which bodies corporate may by law do and suffer and which are necessary or expedient for performing its functions and exercising its powers.

(3) The common seal of a Council must—

S. 5(3)(a) amended by No. 78/1991 s. 13(a).

(a) bear the name of the Council (which name may refer to the inhabitants of the municipal district) and any other word, letter, sign or device the Council determines should be included; and

(b) be kept at the Council office; and

(c) be used in accordance with the local laws of the Council.

(4) All courts, judges and persons acting judicially must take judicial notice of the imprint of the seal of a Council on any document and must presume that the document was properly sealed until the contrary is proved.”

In the case of Central Goldfields Shire Council, regulation of the common seal is dealt with under section 9 of Council’s Governance Local Law 2015, which states:

9. Common Seal

9.1 The Council’s common seal and words to be used accompanying it on any document to which it is affixed are as follows –

The COMMON SEAL of CENTRAL

GOLDFIELDS SHIRE COUNCIL

was affixed in the presence of:

.....

Chief Executive Officer

9.2 The Chief Executive Officer must keep the Common Seal in safe custody and must ensure that access to it is restricted.

9.3 Every document to which the Common Seal is affixed must be signed by the Chief Executive Officer or his or her delegate.

REPORT

At an ordinary meeting of Council held on 24 September 2019 Council resolved that:

- 1. That Council adopt the attached s11A Instrument of Appointment and Authorisation for the member 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.*

Since the last Council meeting the following document has been signed under seal:

- s11A Instrument of Appointment and Authorisation

CONSULTATION/COMMUNICATION

Nil.

FINANCIAL & RESOURCE IMPLICATIONS

Nil.

CONCLUSION

The Instrument of Delegation was signed under seal in accordance with the resolution of Council passed on 24 September 2019.

ATTACHMENTS

Nil

RECOMMENDATION

That Council note that the Instrument of Delegation was signed and sealed by the Chief Executive Officer under delegation on behalf of Council, in accordance with the following resolution of Council made on 24 September 2019:

- 1. That Council, adopt the attached s11A Instrument of Appointment and Authorisation for the member 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.*