

# Hepburn

## SHIRE COUNCIL

Confirmed at the Ordinary Meeting of Council held 18 May 2021



Chair, Cr Lesley Hewitt, Mayor

### HEPBURN SHIRE COUNCIL ORDINARY MEETING OF COUNCIL PUBLIC MINUTES

Tuesday 20 April 2021

Daylesford Town Hall  
76 Vincent Street Daylesford

6:00PM

A LIVE STREAM OF THE MEETING CAN BE VIEWED  
VIA [COUNCIL'S FACEBOOK PAGE](#)

The meeting was conducted in person, but members of the public were not able to attend in person due to the COVID-19 Pandemic restrictions.

# MINUTES

Tuesday 20 April 2021

Daylesford Town Hall

76 Vincent Street Daylesford

Commencing at 6:00PM

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**MR BRADLEY THOMAS**

INTERIM CHIEF EXECUTIVE OFFICER

Tuesday 20 April 2021

## 1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

We would like to acknowledge we are meeting on Jaara people country, of which members and elders of the Dja Dja Wurrung community and their forebears have been custodians for many centuries.

On this land, the Jaara people have performed age old ceremonies of celebration, initiation and renewal.

We acknowledge their living culture and their unique role in the life of this region.

## 2 OPENING OF MEETING

**COUNCILLORS PRESENT:** Cr Brian Hood, Cr Don Henderson, Cr Jen Bray, Cr Juliet Simpson, Cr Lesley Hewitt, Cr Tessa Halliday, Cr Tim Drylie

**OFFICERS PRESENT:** Mr Bradley Thomas - Interim Chief Executive Officer, Mr Andrew Burgess - Acting Director Community and Corporate Services, Mr Bruce Lucas - Director Infrastructure and Development Services, Mr Chris Whyte – Manager Information and Communication Technology, Ms Krysten Forte - Manager Governance and Risk, Mr Nathan Aikman – Coordinator Planning

The meeting opened at 06:02 pm.

### STATEMENT OF COMMITMENT

“WE THE COUNCILLORS OF HEPBURN SHIRE  
DECLARE THAT WE WILL UNDERTAKE ON EVERY OCCASION  
TO CARRY OUT OUR DUTIES IN THE BEST INTERESTS OF THE COMMUNITY  
AND THAT OUR CONDUCT SHALL MAINTAIN THE STANDARDS OF THE CODE OF  
GOOD GOVERNANCE  
SO THAT WE MAY FAITHFULLY REPRESENT AND UPHOLD THE TRUST PLACED IN THIS  
COUNCIL BY THE PEOPLE OF HEPBURN SHIRE”

## 3 APOLOGIES

Nil

## 4 DECLARATIONS OF CONFLICTS OF INTEREST

Cr. Hood declared a general conflict of interest at item 12.2 Community Grants Program 2020/2021 due to his association with one of the Community Grants recipients, the Trentham Neighbourhood Centre, due to his role as Chair of Committee of Management.

Cr. Drylie declared a general Conflict of Interest due to item 12.1 the Adoption of Policy 85 (C) – Affordable Housing Policy due to his previous involvement in the Committee and his current position as a general member of Safe Place Homes Inc. Cr. Henderson declared a general Conflict of interest at item 12.2 Community Grants Program 2020/2021 due to his association with the Community Grants recipients Creswick Football Netball Club and the Creswick Railway Workshop and Creswick Family History Group.

## 5 CONFIRMATION OF MINUTES

### RECOMMENDATION

*That the Minutes of the Ordinary Meeting of Council held on 16 March 2021 and the Special Meeting of Council held on 29 March 2021 (as previously circulated to Councillors) be confirmed.*

### MOTION

*That the Minutes of the Ordinary Meeting of Council held on 16 March 2021 and the Special Meeting of Council held on 29 March 2021 (as previously circulated to Councillors) be confirmed.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Tessa Halliday

**Carried**

## 6 NOTICES OF MOTION

## 7 ITEMS OF URGENT BUSINESS

Nil.

## 8 COUNCILLOR AND CEO REPORTS

### 8.1 MAYOR'S REPORT

#### **Councillor Lesley Hewitt, Birch Ward**

Since the last Council meeting Councillors and staff have been working on the draft budget and draft revenue and rating plan both of which will be presented this evening and continuing with the Hepburn Together Project as the 4 year Council Plan and 10 year Council Vision is prepared.

Below is a list of mayoral activities during this past month.

#### **Councillor Meetings**

Councillor Briefings – 1 1 1 1 1

Special Council Meeting Planning Scheme

#### **Media Interviews**

Media Interviews – Wombat Post -130 Days of Council, The Local 2 From the Mayor, Courier – Affordable Housing and Disappointment in Grant from Victorian Planning Authority

#### **Council Committees**

Reconciliation Action Plan Committee

Disability Advisory Committee

Loddon Campaspe Council Meeting -climate change and environment, transport options, digital connectivity, affordable housing

#### **Community Activities**

Deliberative Engagement Workshop

Friends of Wombat Hill AGM

Creswick Youth Activation Strategy

Swiss Italian Festa Book Launch

Meetings with residents re various issues

### 8.2 COUNCILLOR REPORTS

#### **Councillor Brian Hood, Coliban Ward**

In the past month councillors have focussed our efforts on critically important matters such as implementing well-overdue changes to the planning scheme, undertaking long term strategic planning to guide council's direction, formulating a vision statement and developing financial budgets – all of which are overlaid with extensive consultation with the community. It is pleasing to note that so early in our term these issues are being embraced and are progressing for the benefit of the Hepburn community. In Coliban ward it is equally pleasing that the concept plans for the much-needed and long-awaited community centre have recently been endorsed by Council thereby enabling the final round of community consultant being carried

out in the coming three weeks. I look forward to hearing the community's feedback and progressing this project to the next stage.

**Councillor Juliet Simpson, Holcombe Ward**

No written report presented

**Councillor Jen Bray, Birch Ward**

Activities since 16 March 2021

March

Undertook a detailed investigation of the draft Amendment C80Hepb of the Hepburn Planning Scheme for consideration for adoption at Special Council Meeting 29 March.

Attended the meeting at the Newlyn Reserve of concerned residents responding to the Western Vic Transmission Network project. A well organised panel of speakers were very informative about the potential impacts of the towers and transmission station. They also spoke about alternatives and a course of community action. 200 members of the farming community and district residents were there (appropriately spaced for COVID safety). Also present were, Cr Drylie and Cr Henderson as well as State and Federal politicians.

Helped promote to the wider community the invitation to join the Deliberative Engagement Community Panel for Hepburn Together. Encouraged young people to apply.

Attended Swiss Italian Festa Book Launch, Belinzona

Interview with Courier Newspaper for Women in Council article

March - April

Ongoing CEO recruitment actions with councillors and mayor.

April

Met with active community members in the HWVTNP Working Group to discuss Hepburn Shire's approach to Transmission Lines project.

Have had contact via email, phone or in person with local community members on matters relating to:

Community Panel,

Transmission lines,

Planning matters,

Bike racks and cycle paths,

Glenlyon development,

Safety signage at Daylesford Community Skate Park,

Daylesford Speedway,  
Daylesford Waste Management Facility, and  
Anzac Day.

**Councillor Tim Drylie, Creswick Ward**

No written report presented.

**Councillor Tessa Halliday, Cameron Ward**

No written report presented.

**Councillor Don Henderson, Creswick Ward**

No written report presented.

**RECOMMENDATION**

*That Council receives and notes the Mayor's and Councillors' reports.*

**MOTION**

*That Council receives and notes the Mayor's and Councillor Reports.*

**Moved:** Cr Juliet Simpson

**Seconded:** Cr Tim Drylie

**Carried**

**8.3 CHIEF EXECUTIVE OFFICER'S REPORT**

**RECOMMENDATION**

**MOTION**

*That Council receives and notes the Interim Chief Executive Officer's Report for April 2021.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Jen Bray

**Carried**



## INTERIM CHIEF EXECUTIVE OFFICER REPORT

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Presented at the Ordinary Meeting of Council on 20 April 2021

The Interim CEO Report is a report to inform Council and the community of current issues, initiatives and projects undertaken across Council.

## Interim CEO Update

Late last month the State Government announced that we were successful in obtaining a \$2.1 million grant for the multi-million-dollar Hammon Park Trailhead. Hammon Park will serve as the main trailhead for the network of mountain bike trails coming soon to Creswick. It will also serve as a community precinct focusing on accessible play, cycling safety, cyclocross, and a site for local, regional and national events. Improvements to Hammon Park will include accessible toilets, community spaces, gathering points, natural play spaces, parking and maps. This is a fantastic boost for us and the community and shows that the State Government has confidence in us to deliver great projects. Advocacy for grant funding is a key role undertaken by Councillors and Officers.

At last month's Ordinary Meeting of Council, Council made some important decisions about deferring or cancelling a number of projects to respond to our workload and financial position. We are in a good financial position; however, this position and the deliverability of projects are something which require our continued review especially with Council's revenue streams reducing. Tonight, Council will consider the advertising of the 2021/2022 Budget – a lot of work from officers and Councillors goes into this development, thank you to everyone's effort.

We have had a fantastic response to our Hepburn Together project, receiving more than 1,000 submissions to a broad survey and community pop-ups in relation to the 10-year community vision and 4-year council plan. We have moved into the next stage of the Hepburn Together project with 40 community members forming the Community Panel which has come together over the past week for a number of sessions to participate in deliverable engagement – thanks to the many community members that nominated.

We have also started our consultation and development of the Municipal Public Health and Wellbeing Plan - Council has an important role to play in improving the health and wellbeing of people living in the community. I have been thrilled with the number of key agencies involved in the project and especially the positive relationship that is developing with Central Highlands Rural Health.

It was great to have the State Government's announcement in late March advising of further easing of restrictions. The AFL also started back last month, and even if you are not a footy fan, the symbolism that things are starting to be more 'normal' was fantastic.

At a Special Meeting of Council considered and determined on the Independent Panel Report for the Hepburn Planning Scheme Review, which is now being referred to the Minister for approval. The amendment is a comprehensive review of the Hepburn Planning Scheme and was an enormous project and I thank the many community members, stakeholders and officers who have provided input and feedback over the last eighteen months.

It has been terrific to see the streets of our shire busy with visitors over the school holiday period. I'm sure this is fantastic for our businesses after a very tough 12 months, and is also great to see people and families out enjoying themselves.

Our staff continue to transition back into the workplace and most meetings continue to be a hybrid of attendance by video conferencing and in person with some people working in the office and some from home. Over the past month some of the meetings I've participated in include:

- Council briefings
- Audit and Risk Committee (ARC) meeting
- Budget meetings
- Meeting with a PhD Student from UTS studying Deliberative Engagement
- Meeting regarding HSC Rating Plan
- Community pop-up sessions & Hepburn Together Pop-up sessions across the Shire where we have been discussing how Council engages with you on works, projects and news going forward.
- Hepburn Together project control group meetings
- Guest Speaker – LGPro Leadership 'Ignite Forum'
- Western Victorian Transmission Network Project - Council CEO's meeting
- Creswick & District Community Bank meeting
- MAV briefing re Workcare
- Central Highlands Community Partnerships quarterly meeting
- Daylesford Museum Reserve Committee of Management event to celebrate the completion of Conservation Management Plan
- Central Highlands Councils Victoria – CEO's meeting
- Customer Experience Review Managers Workshop
- OH&S Committee Meeting
- Loddon Campaspe Councils group meeting
- Project meetings for the Hepburn Hub at The Rex

▶ CEO REPORT

- Regular and recurring meetings with Directors and direct reports
- Executive Team and Leadership Team meetings, and an Executive Team and Coordinators meeting
- Launch of animal registrations during the school holiday program at Trentham Library
- MAV & LGPro CEO Forum
- Deliberative Engagement Meetings
- Transition to the Hepburn Hub at the Rex – Project Control Group meetings
- Weekly meeting with Hutchinson Builders re Hepburn Hub at the Rex

## 9 PUBLIC PARTICIPATION TIME

This part of the Ordinary Meeting of Council allows for the tabling of petitions by Councillors and Officers and 30 minutes for the purposes of:

- Tabling petitions
- Responding to questions from members of our community
- Members of the community to address Council

Community members are invited to be involved in public participation time in accordance with Council's Governance Rules.

Individuals may submit written questions or requests to address Council to the Chief Executive Officer by 10:00am the day before the Council Meeting.

Some questions of an operational nature may be responded to through usual administrative procedure. Separate forums and Council processes are provided for deputations or for making submissions to Council.

Questions received may be taken on notice but formal responses will be provided to the questioners directly. These responses will also be read out and included within the minutes of the next Ordinary Meeting of Council to make them publicly available to all.

### **BEHAVIOUR AT COUNCIL MEETINGS**

Council supports a welcoming, respectful and safe environment for members of the community to participate at Council Meetings regarding issues that are important to them. Council's Governance Rules sets out guidelines for the Mayor, Councillors, and community members on public participation in meetings. It reinforces the value of diversity in thinking, while being respectful of differing views, and the rights and reputation of others.

Under the Governance Rules, members of the public present at a Council Meeting must not be disruptive during the meeting.

Respectful behaviour includes:

- Being courteous when addressing Council during public participation time and directing all comments through the Chair
- Being quiet during proceedings
- Being respectful towards others present and respecting their right to their own views

Inappropriate behaviour includes:

- Interjecting or taking part in the debate
- Verbal abuse or harassment of a Councillor, member of staff, ratepayer or member of the public
- Threats of violence

## 9.1 PETITIONS

No petitions have been received this month in accordance with the Governance Rules.

## 9.2 PUBLIC QUESTIONS

The Chair will read and respond to new questions received in accordance with Council's Governance Rules.

### Question 1 – Mr David Brown

I am very concerned about the extended mapping of the SLO1. I have a 40 hectare property in the shire which I hobby farm. This property already has several overlays upon it which presently make it difficult to build anything. Since I first took ownership of this property i have made significant investments with the ultimate goal of building a house on this property outside of the SLO1 overlay. SLO1 overlay currently takes up about 50% of the land but the proposed mapping will envelope the whole property. Where does this leave me, I am in the process drafting plans for build a house, i have sold my house to free up money for this future build, invested 150k in shedding. tens of thousands in fencing. all of which are complimentary to a future house.

I still do not know why there is a requirement to extend this SLO mapping to way beyond the top of hill, There is absolutely no relationship to topography in the new mapping as it even follows boundary fencing in some areas. as topography was the original intent of the this overlay. It has gone from VIEW OF HILL to now be VIEW OF HILL and VIEW FROM HILL

There still has still been no real consultation, most of people in my area are unaware of these change and probably don't really understand them either. I am in Blampied and our local community has been blindsided by the transmission towers. Is there a steering committee or focal group?

-no one knows, no one has addressed my concerns.

Has the right to build on 40+ hectare gone?

### Response – Mayor Lesley Hewitt

There is no extended mapping change to the SLO's in the Planning Scheme. Amendment C80hepb, the Planning Scheme Review, was adopted at the Special Council Meeting on 29 March 2021. The extended mapping for SLO1 was removed after the amendment was exhibited to the public and it was not considered as part of the Amendment.

Additional strategic work is required to establish the appropriateness of future significant landscape mapping. The minimum lot size in the Blampied area remains at 40 hectares. There has been no change to this requirement in the Planning Scheme Review. Any development proposed on land under 40 hectares does require a planning permit.

### **9.3 REQUESTS TO ADDRESS COUNCIL**

Members of our community who have submitted a request in accordance with Council's Governance Rules will be heard.

No requests to address Council were heard.

## **10 STATUTORY PLANNING**

### **10.1 PLANNING APPLICATION 2969 – DEMOLITION OF EXISTING BUILDINGS, USE AND DEVELOPMENT OF LAND FOR ACCOMMODATION AND A FUNCTION CENTRE AND WAIVER OF ON-SITE PARKING AT 9 ALBERT STREET TRENTHAM DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Statutory Planner, I Callum Murphy have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. PA 2969 - Objections - 9 Albert Street Trentham [**10.1.1** - 16 pages]
2. PA 2969 - Application - 9 Albert Street Trentham [**10.1.2** - 28 pages]

#### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to determine Planning Application PA 2969 for the Demolition of Existing Buildings, Use and Development of Land for Accommodation and a Function Centre and a Waiver of Car Parking Requirements for 9 Albert Street, Trentham, otherwise known as Lot 1 TP127421 and Lot 2 TP127421.

The application proposes to demolish the existing dwelling and outbuildings (ancillary sheds to the dwelling) and removal all existing vegetation from the subject land. The application has proposed the construction of a permanent two storey building at the site frontage (Albert Street) to be used for the purpose of short stay accommodation. The application also proposes the construction of four 'domes' with private outdoor areas to be used for short stay accommodation that have an outer shell constructed from a PVC covered canvas. The application also proposes to construct a small function room to be used for a variety of purpose that includes a toilet, a covered front porch and an outdoor area.

The short stay accommodation would be managed by an off-site manager and would be offered for rent for time periods that would be within the ranges of one day to one month. There is no intention to accommodate permanent residents on the subject site. The two-storey building includes three bedrooms, a living area, a meals area, a kitchen, bathroom facilities. Each dome will have their own private outdoor area. The domes are relocatable. The purpose of the function room is to be made available to guests and other members of the wider community for a variety of purposes. The proposal does not include on-site car parking.

The site is located in the Commercial 1 Zone, Environmental Significance Overlay 1 and Heritage Overlay. The site is located centrally in the Trentham Commercial Centre. There stands to be an impact on the limited Commercial Space in Trentham, and a Heritage impact resulting from the proposed development.

The application was referred to Determining and Recommended Referral Authorities and received no objections. The application was advertised to surrounding land users with a sign on site. Six (6) objections have been received.



## **OFFICER'S RECOMMENDATION**

*That Council, having caused notice of Planning Application PA 2969 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of The Act, determines to refuse to grant a planning permit for the Demolition of Existing Buildings, Use and Development of Land for Accommodation and a Function Centre and a Waiver of Car Parking Requirements at 9 Albert Street, Trentham for the following reasons:*

- 1. The proposal is inconsistent with the decision guidelines of 43.01-8 – Heritage Overlay by standing to impact upon the significance, character, and appearance of the heritage place.*
- 2. The proposal does not align with the objective and strategies of Clause 15.03-1S – Heritage Conservation by standing to impact upon the setting and context of the heritage place and will limit the value of any efforts for conservation or development of sympathetic heritage works.*
- 3. The proposal does not meet the objective and strategies of Clause 17.02-1S – Business by impacting the limited supply of Commercially Zoned areas in Trentham with a Use that is permissible in more appropriate Zones and preventing the provision of commercial facilities for an accommodation use.*
- 4. The proposal does not address the Key Issues raised in Clause 21.07 - Economic Development as the application does not recognise the limitations or objective 4 of Clause 21.07 of the Local Planning Policy Framework's concerns of encouraging the establishment of value-added industry and business in Trentham based on sustainable agricultural, heritage, townscape and rural lifestyle.*
- 5. The waiver of carparking would adversely affect the amenity of the area and would impact on the character of the area.*
- 6. The proposal is inconsistent with the decision guidelines of Clause 65 of the Hepburn Planning Scheme as it stands to result in disorderly planning of the area, and an effect on the amenity of the area resulting in a poor planning outcome.*

Mr Geoff Thomas and Mr Luka Mrkonjic addressed Council in support of the application.

Mr Adam Howard addressed Council in objection to the application.

## **MOTION**

*That Council, having caused notice of Planning Application PA 2969 to be given under Section 52 of the Planning and Environment Act 1987, and having considered all the matters required under Section 60 of The Act, determines to refuse to grant a planning permit for the Demolition of Existing Buildings, Use and Development of*

*Land for Accommodation and a Function Centre and a Waiver of Car Parking Requirements at 9 Albert Street, Trentham for the following reasons:*

- 1. The proposal is inconsistent with the decision guidelines of 43.01-8 – Heritage Overlay by standing to impact upon the significance, character, and appearance of the heritage place.*
- 2. The proposal does not align with the objective and strategies of Clause 15.03-1S – Heritage Conservation by standing to impact upon the setting and context of the heritage place and will limit the value of any efforts for conservation or development of sympathetic heritage works.*
- 3. The proposal does not meet the objective and strategies of Clause 17.02-1S – Business by impacting the limited supply of Commercially Zoned areas in Trentham with a Use that is permissible in more appropriate Zones and preventing the provision of commercial facilities for an accommodation use.*
- 4. The proposal does not address the Key Issues raised in Clause 21.07 - Economic Development as the application does not recognise the limitations or objective 4 of Clause 21.07 of the Local Planning Policy Framework’s concerns of encouraging the establishment of value-added industry and business in Trentham based on sustainable agricultural, heritage, townscape and rural lifestyle.*
- 5. The waiver of carparking would adversely affect the amenity of the area and would impact on the character of the area.*
- 6. The proposal is inconsistent with the decision guidelines of Clause 65 of the Hepburn Planning Scheme as it stands to result in disorderly planning of the area, and an effect on the amenity of the area resulting in a poor planning outcome.*

**Moved:** Cr Tessa Halliday

**Seconded:** Cr Brian Hood

**Carried**

## **BACKGROUND**

### *Site and Surrounds*

The subject site consists of two lots that are regular in shape and take form in two rectangular blocks.

The site is zoned Commercial 1 Zone, with a Heritage Overlay and Environmental Significance Overlay, Schedule 1.

The site is located adjacent to Wolff Lane with an unnamed rear access way. The site is a part of the Trentham central commercial centre. The site has a north facing frontage and an area of 647sqm.

Of the 2 lots that make up the site, Lot 1 (Lot 1 on TP127421) has an area of 252 square metres, and Lot 2 (Lot 2 on TP127421) has an area of 395 square metres.

Lot 2 is developed with an existing single storey timber weatherboard dwelling with a galvanised roof that appears to be constructed within the 1930s. This dwelling does not have individually recognised Heritage significance but forms part of the wider Trentham Township Heritage Area. The site has access via the north along Albert Street, the site also has the opportunity to be accessed in the rear via Wolff Lane.

Surrounding the site are a mixture of increasing intensive residential uses, and commercial activity. The site is located to the direct North of High Street in Trentham. To the East, North and South of the site are residential uses located in the General Residential 1 Zone.

Proposal

The application proposes the following:

- Demolition of all existing buildings (dwelling and outbuildings) and to remove all existing vegetation from the subject land;
- The construction of a permanent two storey building at the site frontage to be used for the purpose of short stay accommodation;
- The erection of four movable ‘domes’ with private outdoor areas to be used for the purpose of short stay accommodation;
- The construction of a permanent function room to be used for a variety of purposes that includes a toilet, a covered front porch and an outdoor area.

The short stay accommodation will be managed by an off-site manager and would be offered for rent for time periods that would be within the ranges of one day to one month. This applies to the 4 domes and the permanent two storey building at the sites north-frontage. The second storey building at the frontage includes three bedrooms, a living area, meals area, a kitchen, bathroom facilities and laundry facilities. Outdoor open space is limited to a front veranda.

The four domes are to be made of a PVC covered canvas material. The domes include a bedroom, bathroom and cooking facilities. Each dome will have their own decked private outdoor area. The four domes as well as their associated decked outdoor area and fencing are of a non-permanent/relocatable nature.

The proposed function room is a permanent building which will be available to guests and other members of the wider community. A waiver of all on-site carparking is proposed.

Relevant Planning Ordinance Apply to the Site and Proposal

Zoning	Clause 34.01 - Commercial 1 Zone
Overlays	Clause 42.01 - Environmental Significance Overlay (Schedule 1) Clause 43.01 - Heritage Overlay

Particular Provisions	Clause 52.06 - Car Parking Clause 52.34 - Bicycle Facilities	
Relevant Provisions of the PPF	11.01-1R – Settlement – Central Highlands 11.01-1S – Supply of Urban Plan 11.01-2S – Structure Planning 13.05-1S – Noise Abatement 13.07-1S – Land Use Compatibility 15.01-1S – Urban Design 15.01-2S – Building Design 15.01-5S – Neighbourhood Character 15.03-1S – Heritage Conservation 17.01-1S/R – Diversified Economy - Central Highlands 17.02-1S – Business 17.02-2S – Out-Of-Centre Development 17.04-1S – Facilitating Tourism 18.01-1S – Land Use and Transport Planning 18.02-3S – Road System 18.02-4S – Car Parking 21.03 - Vision and Strategic Framework 21.06 - Infrastructure and Transport 21.07 - Economic Development	
Under what Clause(s) is a permit required?	Clause 34.01 - Commercial 1 Zone	Construct a building or construct or carry out works
	Clause 43.01 - Heritage Overlay.	Construct a building or construct or carry out works
	Clause 52.06	Waiver of carparking
Covenants / Agreements?	None.	
Objections?	Six (6)	

## KEY ISSUES

### Commercial 1 Zone

The purpose of the Commercial 1 Zone is to:

- Implement the Municipal Planning Strategy and the Planning Policy Framework;
- Create vibrant mixed-use commercial centres for retail, office, business, entertainment and community uses;
- Provide for residential uses at densities complementary to the role and scale of the commercial centre.

The relevant Decision Guidelines of the Commercial 1 Zone are;

- The Municipal Planning Strategy and the Planning Policy Framework;
- The interface with adjoining zones, especially the relationship with residential areas;
- The effect that existing uses may have on the proposed use;
- The provision of car parking;

This application is deemed to be inappropriate to the above relevant considerations as per the Hepburn Planning Scheme. The application for the construction of accommodation services, including a function centre in the Commercial 1 Zone of the township of Trentham is deemed to not meet the purposes listed above relating to providing mixed use commercial centre, while not respecting the role and scale of the existing commercial centre. The application may be deemed appropriate if located outside of the commercially recognised centre of Trentham due to the limited scope of growth for commercial services in Trentham in conjunction to the wide availability of out-of-centre land and zoning that is more appropriately equip in hosting accommodative services in the Hepburn Shire.

There is no relevant information in the Schedule to the Commercial 1 Zone in the Hepburn Planning Scheme.

### Heritage Overlay (HO352)

HO 352 Trentham Township Heritage Area,

External Paint Controls and Tree Controls apply.

The purpose of the Heritage Overlay is to:

- Implement the Municipal Planning Strategy and the Planning Policy Framework;
- Conserve and enhance heritage places of natural or cultural significance;
- Conserve and enhance those elements which contribute to the significance of heritage places;
- Ensure that development does not adversely affect the significance of heritage places;

- Conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

The relevant decision guidelines of the Heritage Overlay are:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place;
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place;
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

This application is considered to not meet the relevant purposes or decision guidelines of the Heritage Overlay. The proposed removal of the existing dwelling on the site, the poor design response of the building at the frontage of the sites and the readily visible dome structures from the surrounding area is not considered to be design response appropriate in the context of the site and surrounds in which it they are proposed. The proposed development is not considered to contribute but rather would detract from the heritage precinct that it is located within. The built form of the proposed domes and the building that fronts Albert Street is not considered to be a design that conserve or enhance the existing heritage qualities which encompass the surrounding area. Specific to the heritage precinct the site is located within, the citation associated with the listing provided the following relevant guidelines for the area:

- *To encourage the retention of 19th and early 20th century (pre-1930) buildings, structures and plantings that are not individually listed where these buildings make a positive contribution to the streetscape, to groups of individually identified buildings and/or have historic or other culturally significant qualities.*
- *To require all new buildings and works to be so designed, detailed and sited that they blend into their surroundings and have a direct relationship with any individually listed buildings on neighbouring sites in respect of frontage setback if any, building volume and form, overall height and facade detailing, materials and finishes.*

The removal of the existing dwelling from the site and the design and built form of the proposed development are not considered to be supported by the objectives for development within the Trentham Township Heritage Precinct. It is on this bases that is it asserted that the proposal does not contribute and will adversely affect the

significance of the township of heritage due to the incorporation into the area which has been strategically recognised as a part of the Trentham town centre.

#### Carparking

The application proposes to waive the required on-site carparking required by Clause 52.06 of the Scheme. The scheme based on a place of assembly (function centre) use of approximately 50-80m<sup>2</sup> and 5 accommodation units would conservatively generate a requirement for 20 car parking spaces. A waiver of this degree is not considered to be appropriate in the context of the site and surrounds and sufficient information/justification for such a waiver has not been provided with the application.

#### Response to Planning Policy Framework

While there is a breath of policy encouraging the intensification and establishment of a commercial and tourism type developments within existing commercial centres, this must be tempered and balanced against the relevant design and built form policy direction and heritage conservation and enhancement of the public realm. As has previously explored, the design and built form of the proposed development coupled with the proposed waiver of car parking is not considered to result in an appropriate outcome for the site.

### **POLICY AND STATUTORY IMPLICATIONS**

This application meets Council's obligations as Responsible Authority under the Planning and Environment Act 1987.

### **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

### **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

### **FINANCIAL IMPLICATIONS**

Any application determined by Council or under delegation of Council is subject to appeal rights and may incur costs at VCAT if appealed.

### **RISK IMPLICATIONS**

There are no risk implications associated with this report.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The application has been advertised by sending notification of the proposal to adjoining and adjacent landowners. Advertisement has also taken form through the erection of a sign on the properties frontage to advertise to the public of the

planning application. A total of six (6) objection have been received to date. The issues raised in the objections are addressed as follows:

- Inappropriate Location for Use and Development.

There is limited scope within the applicable planning controls to assess the impact of the appropriate location of development other than assessing the existing context of the area and the demand of commercial activity. The consideration of the appropriate location for a dwelling has been considered in relation to whether the proposed development is responsive to the demand of the Commercially Zoned land in Trentham and whether there are other more appropriately zoned areas in Hepburn Shire that can facilitate the development without impacting on the limited commercial space in the Township of Trentham.

- Impact to Heritage, Amenity and Neighbourhood Character.

The character, amenity and heritage significance of the site and surrounding area has been appropriately assessed under the relevant planning controls. The design response proposed as part of the application is not considered to be sympathetic to the significance of Trentham's commercial centre. The amenity of the area is considered to be impacted as the development on the frontage which is intended to block the views to the dome structures is not a sympathetic design to the existing heritage significance surrounding and existing for the Heritage Overlay.

- Waiver of On-Site Carparking.

Many objections raise there is difficulty finding car parking during busy periods, particularly during the weekends and holidays. It was expressed that Albert Street is used by locals as a car park for the commercial stores as the main street has limited car parking, particularly in relation to the growth of the township. A desktop isochrone (walking survey) was conducted by the Planning Department and determined that walking distance is gradually increased due to increasing on-street carparking from increasing yearly visitors and increasing township population.

- Bushfire Planning.

There is limited scope with the applicable planning controls to assess the impact of Bushfire Risk as the site is not considered to be of high threat to warrant a Bushfire Management Overlay. Applicable planning controls such as Clause 13.02-1S - Bushfire Planning can be used in context of the concerns raised by objectors to the proposal.

Many objectors raise concerns around the provision of four fire pits on the external decking space, and fireplaces in the dome structures, as well as the wood-fired spa baths. The objectors raised concerns pertaining to the increased fire risk during high fire danger periods in conjunction with no Bushfire Management Overlay which would require the Country Fire Authority to be able assess the potential risk involved with the structures and ancillary features which produce a fire threat.



Concerns in relation to the internal layout and materials used in the construction of the buildings is a matter to be dealt with through the building permit stage should a permit be issued for the proposed development.

- Effects on Tourism.

It is considered by multiple objectors that the waiver of carparking for a Function Centre and accommodation services will impact on tourism. It is suggested that the daily rotation of on street car parks allows for day trip visitors to stop in the township. The objectors raised concern that those in the accommodation will park on on-street car parking for a significant amount of time during their stay reducing the already limited on-street car parking for day trip visitors.

- Application Inaccuracy.

A reoccurring objection point was that the application proposed accommodation uses without specifying the type of accommodation. The objectors raise concerns that the application should specify that the application would be considered Glamping or Camping as to inform those who were notified of the application to better understand the proposal. The objectors raise a point that there would be increased concern of the application if this stipulation was raised.

**From:** [REDACTED]  
**To:** [Hepburn Shire Mailbox](#)  
**Subject:** OBJECTION - PA 2969 - Advertised Plans - 9 Albert St, Trentham - 13971P  
**Date:** Wednesday, 30 December 2020 5:49:33 PM  
**Importance:** High

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Hi,

Please see below my objection to 9 Albert St, Trentham.

The whole proposal is out of character for the centre of Trentham and having an unsupervised camping site with no allowance for parking is something that shouldn't be allowed. I have added some points below:

1. Misleading advertising –
  - a. Short stay accommodation makes no mention of camping site
  - b. Reference to location being “fringe of Hepburn Shire” – while technically correct, it should also mention “in the heart of the Trentham CBD”
2. This concept belongs on acreage, in a vineyard or farm stay accommodation ie plenty of space & open air, without neighbours
  - a. Camping site is completely inappropriate for Business Zoning
3. Completely out of character for neighbourhood & ‘historical feel’ of the town/village
4. Circumvents the building code as the ‘camping domes’ are considered removable, albeit they are provisioned with showers, toilets & running water, ie will be connected to services.
5. Circumvents the requirement for CFA referral because NOT in a bushfire area – however, the site will be unsupervised, with 4x open fire pits – which are not to be lit in
6. Loss of amenity for businesses & residents
  - a. Noise – no acoustic insulation for tents
  - b. Smoke – multiple outdoor fire pits proposed, plus wood fired spas
  - c. Parking – no onsite parking AT ALL (existing residence has off street parking for several cars and Albert St is already filled with visitors cars most days of the week)
    - i. For example, short stay accommodation on the other side of Albert Street, requires the provision of 1 parking space for every 2 guests. Translating this into the proposed development would require provision for AT at least car spaces and up to 15:
      1. 6 guests (3 couples) in the dwelling
      2. 8 – 24 guests in the camping domes (each can comfortably sleep 6 guests)
    - ii. This ignores the parking (off-street) required for additional guests arriving at the “small” function centre
  - d. Loss of sense of place – there will be a rowdy, unsupervised reception centre & camping ground with open fire pits in the heart of the CBD & immediately adjoining peaceful residential homes.

Feel free to call me or email me to discuss further.

[REDACTED]

[REDACTED]

[REDACTED]



**PRIVATE & CONFIDENTIAL**

The content of this e-mail and any attachments may be private and confidential, intended only for use of the individual or entity named. If you are not the intended recipient of this message you must not read, forward, print, copy, disclose, use or store in any way the information this e-mail or any attachment contains.

If you are not the intended recipient, please notify the sender immediately and delete or destroy all copies of this e-mail and any attachments. Our firm does not accept liability in connection with computer viruses, data corruption, delay or denial of service as a result of virus infection. Our organisation respects the privacy of individuals.

Please use block letters

Planning & Environment Act 1987

**WHO IS OBJECTING:**

Name/s: [REDACTED]

Property address: [REDACTED]

Postal Address (if different to above)

Te [REDACTED] Email [REDACTED]

**WHAT APPLICATION DO YOU OBJECT TO?**

Permit application no. PA-2969

Proposal: Construction of short-term stay accommodation

Who has applied for the permit: Edge DCI Pty Ltd

**WHAT ARE THE REASONS FOR YOUR OBJECTION?**

The waiver of on-site parking: Although this is not required in a commercial zone this facility will be dependent on car transport, with up to maybe 15 people staying overnight or more at a time. In addition, the construction will also include a conference function centre that will implicate gatherings of persons all expecting car-parking in the vicinity.

Albert Street frontage may provide for 2-3 cars parked at maximum. The north side of Albert will continue to be residential and is already looking at increased infill and the likelihood of weekend visitors which is no doubt when this facility at No 9 will be at its busiest.

It will not be considered as contributing to the amenity of the centre of town if nearby residents have to compete for car parking outside their own homes.

In addition, making use of parking say in Victoria Street, at the Railway Station etc will not really be very practicable for those coming to stay in the centre of town.

**HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?**

This will affect me and many others in the older age demographic of the town as it will inevitably put pressure on car parking spaces in the vicinity of essential businesses such as Post Office, Bank, Pharmacy and IGA. This is already a difficulty on weekends. This group of residents rely on easy access to essential businesses to avoid excessive walking and carrying of shopping bags.

It is this loss of amenity in the town which can increasingly lead to residents choosing to shop for essentials in other centres, thus not contributing to the local economy.

.....  
 .....  
 .....  
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*If insufficient space, please attach separate sheet*

**Privacy Collection Notice**

Your objection and the personal information on this form is collected by Hepburn Shire Council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act).  
 If you do not provide your name and address, Hepburn Shire Council will not be able to consider your objection.  
 Your objection will be available at the Hepburn Shire Council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.  
 You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright.

Signature: ..... Or Tick Box  Date: **30 November 2020**

**IMPORTANT NOTES ABOUT OBJECTIONS TO PLANNING PERMIT APPLICATIONS**

1. This form is to help you make an objection to an application in a way which complies with the Planning and Environment Act 1987, and which can be readily understood by the Responsible Authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice – Application for a Planning Permit.
4. An objection must:
  - state the reasons for your objection, and
  - state how you would be affected if a permit is granted.
5. The Responsible Authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the Responsible Authority considers your objection, make sure that the Authority received it by the date shown in the notice you were sent, or which you saw in a newspaper, or on the site.
9. If you object before the Responsible Authority makes a decision, the Authority will tell you its decision.
10. If despite your objection the Responsible Authority decided to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for appeals is 21 days of the Responsible Authority giving notice of its decision.
11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.

Dear Planning Officer,

**RE: PA-2969 – Planning Application for 9 Albert Street, Trentham VIC 3458**

While we have ***no objection to the concept*** of “short term accommodation”, we ***strongly object to the concept at the proposed location.***

This concept belongs in an open air site, ideally on acreage, a good distance away from a quiet residential area. In our view, this proposal has no place in the heart of a historic town CBD that has an extremely limited supply of commercially zoned land and does not add any commercial value to the Trentham community. Arguably, it detracts by reducing amenity.

We consider this proposal to be highly INAPPROPRIATE at this location for a number of reasons, including but not limited to:

- **Neighbourhood Character:**
  - Completely **out of character** with the neighbourhood
  - Effectively an unsupervised camping site & function centre in the heart of the Trentham CBD, in a street that is also a quiet residential area
- We consider it INAPPROPRIATE to have an **unsupervised function centre & site with several open fires** in the heart of the Trentham CBD in a quiet residential street which experiences peak activity predominantly from day trippers (tourists) during weekends from 10am – 4 pm.
- **Absence of onsite car parking via request for parking waiver**
  - Short stay accommodation in the Shire requires one onsite parking space to be provided for every 2 guests; this translates into a requirement for between 7 and 15 onsite car spaces based on:
    - 3 car spaces for the building fronting Albert Street assuming 2 guests stay in each of the 3 bedrooms
    - 4 car spaces assuming 2 guests per glamping dome
    - An incremental 8 car spaces assuming 6 guests per glamping dome (designed for up to 6 guests)
  - The request for a waiver for the provision of onsite parking is completely unjustified.
  - To suggest that the proposal is “*just another business*” and therefore should be exempt from provision of on-site parking, a) ignores the Planning Scheme requirement for the provision of onsite parking and b) overlooks the fundamental difference in the nature of this business proposal, in that guests are staying for days not minutes or hours and usually at weekends when parking is at a premium
- **Loss of amenity**
  - Trentham is a historical village/town in close proximity to Melbourne, making it ideal for a day visit.
  - This proposal is completely out of character with this historic, old world feel of the town – this feel would be significantly compromised through the provision of a camping site.

#### **Advertising**

We consider the advertising signage for the proposal to be misleading.

- “Accommodation”
  - What is the maximum number of people envisaged to stay in the home and each glamping dome/tent?
  - Information provided by the company that sells the domes/tents indicates they are designed to easily accommodate 6 people in each dome/tent.

- Irreconcilable description that these are on one hand “luxury tents” being “non-permanent/relocatable” structures and the requirements for connection of the glamping domes to water and sewerage and electricity.
- This proposal circumvents normal building code requirements to meet a minimum 6-star energy rating by providing permanent, “non-permanent” tents/domes, making a mockery of the Planning Process that would normally apply to any other conventional structure.
- Function Centre
  - What is the maximum number of people able to attend functions such as “small celebrations”?
  - What are the proposed hours of operation of the function center?
  - How will the operating hours, alcohol consumption and noise levels for this operation will be enforced without an onsite manager?

### Arguments

The proposal will conflict with many aspects of the Municipal Planning Strategy and the Planning Policy Framework.

#### 1 Neighbourhood character

**Clause 15.01-5S** of the Victorian Planning Provisions states the objective of Neighbourhood Character is: “To recognise, support and protect neighbourhood character, cultural identity and sense of place”.

**Clause 55.02-1** of the Hepburn Planning Scheme states amongst its objectives:

- “To ensure that the design respects **existing neighbourhood character** or contributes to a preferred neighbourhood character”

**Standard B1** of Clause 55.02-1 requires:

- “the design response must be **appropriate to the neighbourhood** and the site”

The proposal advocates:

- a) demolishing the existing cottage – ie **destroys neighbourhood character**;
- b) replacing the cottage with structures including geodesic camping domes that are **completely “out of character”** with the heritage feel of the town will adversely impact the “sense of place” and the village atmosphere we have in our town/village.

**Clause 15.01-6s** of the Hepburn Planning scheme seeks to “*protect the visual amenity of...sensitive tourist routes by ensuring new development is sympathetically located*”

**Clause 15.03-1s** of the Hepburn Planning scheme seeks to “*ensure the conservation of places of heritage significance*”. The strategies to achieve this objective include:

- “*encourage appropriate development that respects places with identified heritage values*” and
- “*Ensure an appropriate setting and context for heritage places is maintained or enhanced*”

In our view, this proposal is incongruent with the provisions of Clauses 15.01-6s and 15.03-1s.

The application states:

*“This particular proposal achieves an appropriate balance of a well-designed commercial building that acknowledges the heritage significance of this particular heritage place.”*

There is no evidence to support this assertion and no “**commercial building**” as such.

What is proposed is a quasi-residence with 3 rooms catering for short stay accommodation (6 people), 4 camping domes (up to 6 people per dome) and a structure serving as a “function centre” catering for an estimated 25-50 people (0.5-1 person/sq m). No arguments are provided to support how this camping site acknowledges the heritage significance of this particular heritage place.

The domes will not be assessed against any building codes that would normally apply to any proposed “commercial building”, by virtue of their classification as “non-permanent” structures notwithstanding they will be connected to sewer and town water.

The proposal includes provision for fireplaces in each of the 4 domes, fire pits outside each dome PLUS wood fired outdoor spas. This concentration of wood fires in a small allotment in the heart of the CBD not only poses a significant fire risk, it will cause a significant loss of amenity to residents, business owners and day-trippers by virtue of the concentration of smoke from the fires. Being located in the heart of the Trentham CBD, the proposal will NOT require referral to the CFA.

The “**built form**” of the proposed development is **completely out of character** with the streetscape and neighbourhood character.

The north side of Albert Street comprises single level, cottage style residences set back from the street. The south side of Albert Street contains a mixture of residences and businesses also set back from the street.

The glamping domes are a generic design, manufactured in Poland. There has been no design context consideration as these are an “off-the-shelf” product which by definition cannot possibly “*acknowledge the heritage significance of this particular heritage place.*”

The proposal further states:

*“The proposal accords with Clause 21.09 relating to environment and heritage, by ensuring that the proposed redevelopment of land will be in sympathy with the heritage character of Trentham.”*

We strongly DISAGREE with this statement that has no supporting arguments.

The following statement is highly subjective:

*“the streetscape character will be improved by this particular proposal”*

The suggested “*improvement in streetscape character*” is highly subjective and draws on the run-down state of the existing dwelling, which is a residential cottage typical of the area. Trentham cottages have plenty of character & reflect the heritage of our town. The proposed demolition of the cottage destroys this character and its associated heritage. The proposed construction of a dwelling with no front setback to the street is completely out of character with the streetscape, as are the proposed camping domes. There is an argument that what is being proposed actually detracts from the streetscape character.

By way of contrast, the urban renewal that has/is occurred/ing in Market Street, between High and Victoria streets has been undertaken in a manner that preserves and enhances the neighbourhood character and “sense of place” within our town/village.

## **2 Heritage conservation**

**Clause 15-03-1s** states as its objective, “*to ensure the conservation of places of heritage significance*” by:

- *“encouraging appropriate development that respects places with identified heritage values...”*
- *“ensure an appropriate setting and context for heritage places is maintained or enhanced”*

The proposed demolition of a residential cottage conserves nothing.

The proposed design is an inappropriate development for this location in the context of this clause.

## **3 Design for rural areas**

While **Clause 15.01-6S** “Design for Rural Areas” does not envisage the centre of a CBD as being subject to this clause, the centre of town nonetheless attracts many tourists. The proposal, particularly the geodesic camping domes, will adversely affect the visual amenity of the rural character of our town/village. It is just so out of place for the centre of a CBD – anywhere – let alone the heart of the Trentham CBD.

## **4 Car Parking**

**Clause 52.06** of the Victorian Planning Provisions requires that car parking is provided (among other things):



- To ensure the provision of an appropriate number of car parking spaces, having regard to the demand likely to be generated, the activities on the land and the nature of the locality
- To ensure that car parking does not adversely affect the amenity of the locality

#### Appropriate number of car parking spaces

##### Accommodation

Short stay accommodation is required to provide one *“off-street” car space for every 2 guests staying in the accommodation.*

The **proposal therefore requires off-street parking for between 7-15 cars**, calculated as follows:

- 3 off-street car spaces for the residence at the front, 2 guests for each of 3 bedrooms;
- 4 – 12 off-street car spaces assuming the 4 camping domes each accommodate 2-6 guests

Clearly this site cannot support that level of off-street parking, hence the request for an onsite parking exemption.

Guests will need to park their cars in Albert Street, in front of existing residences and businesses. Given these vehicles will be staying for up to 2 days, likely on weekends, this will impact the amenity of visitors seeking parking close to the shops, business owners losing custom as visitors cannot find ready places to park and residents having cars parking in front of their homes for extended periods.

##### Function Centre

In addition to the car parking required for guests staying in the accommodation, the function centre will also attract guests NOT staying in the accommodation. Depending on the time of the function, there will be further pressure on parking by guests attending any functions, with further loss of amenity for visitors to the town, business owners and residents.

the provision of no on-site car parking will be detrimental and adversely affect the character of the area, and availability for travelling tourists to park close to the central business district. We survive on day travellers being able to easily find a parking spot close to town to provide profitable businesses that can then employ locals.

*“The subject land is located on the **outer edge of the main commercial precinct of Hepburn.** There are ample on-site car parking opportunities within Albert Street”.*

**Fact:** there are no *“on-site”* parking opportunities within Albert Street.

To suggest this development is on the outer edge of any commercial precinct is **highly misleading**. The relevant commercial precinct of interest is the Trentham commercial precinct. *“Outer edge of the main commercial precinct?”*

You would be hard pressed to get more **central** than adjacent to the Historic Redbeard Bakery in Wolff Lane, Trentham which connects to the middle of the High Street shops, immediately opposite the town square.

*“The surrounding area is not identified as being one where car parking is in short supply”*

Clearly, the proponents have not experienced Trentham on a typical weekend where parking is at a premium.

*“The area being serviced by public transport”*

**Fact:** Public transport is limited to a restricted bus service between Daylesford and Woodend.

*“The function room is small (limited to 51.5 square metres), which is designed to accommodate small functions that would not generate significant car parking demand.”*

Refer response above. Leaving aside 2020 social distancing “norms”, a function centre could easily attract between 20-50 additional guests or 10-25 cars on top of the 7-15 cars required for the short stay accommodation.

This is hardly insignificant, particularly in a street that is partly residential, partly commercial.

*“The subject land reflects a site that is intended to accommodate short-term visitors and not permanent residents, eliminating the necessity to accommodate permanent on-site car parking”*

Another misleading statement. Short stay accommodation exacerbates parking requirements. The issue isn't whether the onsite parking is permanent where 1-2 car on-site spaces would be quite adequate, rather the parking needs of short stay accommodation INTENSIFY the need for parking, hence the Planning Scheme requirement for the provision of 1 onsite space for every 2 guests.

*“existing businesses within this activity centre do not provide exclusive on-site car parking for its customers on their own site.”*

This is NOT a valid comparison or argument as this is not an apples vs apples comparison.

The development proposal is NOT for a business that operates on the same basis as other businesses in town. Established businesses cater to people that enter & leave the premises within minutes. As such, no single business needs to accommodate onsite parking as there is a high turnover of patrons who often visit multiple businesses within a short timeframe, then leave, en route to their next destination.

In contrast, short stay accommodation caters to guests who stay overnight or over multiple nights and therefore require parking dedicated to that establishment many hours at a minimum and multiple days at a maximum.

### **5 Economic Development**

**Clause 21.07** objective 4 states *“encourage a greater diversity of economic activity in towns, in particular by encourage the establishment of value-added industry and businesses in Trentham based on sustainable agriculture, heritage, townscape and rural town lifestyle”*.

This proposal is completely incongruent with the objectives of this clause.

The proposed use of land will adversely affect the adjoining Commercial 1 Zone.

- Lack of parking availability -> lack of custom -> lack of business -> lack of local employment
- Heritage character feel that Trentham is
- Amenity – peace of walking down Wolfe Lane or sitting enjoying a meal while stepping back in time and embracing the fresh country air.

### **6 Diversified economy**

**Clause 17.01-1s** seeks to strengthen and diversify the economy.

The proposal potentially detracts from existing businesses through the removal of a significant quantum of on-street parking and arguably detracts from local businesses as a result.

This proposal does nothing to diversify the economy of Trentham as there is ample short stay accommodation already available in Trentham, with function rooms already available at The Plough and The Cosmo hotels.

### **7 Business**

**Clause 17.02-1s** seeks to *“encourage development that meets the community's needs for retail, entertainment, office and other commercial services”*

This proposal does NOT meet the objectives of this clause. The community is not served by this proposal - period. Commercially zoned land in Trentham is extremely limited.

- The proposed use of land will adversely affect the businesses
  - Lack of parking availability -> lack of custom -> lack of business -> lack of local employment
  - Heritage character feel that Trentham is
  - Detracts from the amenity – peace of walking down Wolfe Lane or sitting enjoying a meal while stepping back in time and embracing the fresh country air. People are leaving the noise, people, unruly behaviour to re-connect to the countryside.

### **8 Facilitating tourism**

Removing viable parking spots does not facilitate tourism – it detracts from it.

### **9 Amenity**

- Parking:
- Ability to get a close parking spot in town – Trentham has an aging population that requires parking availability close to shops.
- Parking on Albert street near Wolfe lane is a spill-over area once the parking in High Street is full.
- The accommodation (four domes and the front building) will adversely affect the amenity by resulting in significant emissions of noise, smell, smoke, soot, ash.
- Loss of sense of place – what we as residents of the town (not distant commercial operators) have come to enjoy and know our township to be and stand for.

### **10. Bushfire planning**

The provision of 4x outdoor fire pits AND fireplace in the main building AND proposed wood-fired spa baths results in an increased fire risk during the high fire danger period when the outdoor areas would most likely be used (winter is too cold/wet).

Given the location, there is no requirement for the proposal to be referred to the CFA, so this risk will not likely be addressed during the planning application process.

In addition, the concentration of so many open fires in such a confined space will likely create significant smoke at ground level and create loss of amenity for tourists to the area.

#### **How are we affected by this proposal?**

As residents of Trentham with significant property interests, we are pro-sustainable development that respects and enhances the character of the town, stimulates economic activity and provides additional amenity.

We are horrified that this proposal for effectively a high density camping site in the heart of the CBD even got to the advertising stages. We know of no precedent for a camping site in the heart of any village/town in Victoria. It just wouldn't fly anywhere else.

This proposal will result in significant loss of amenity for through loss of parking spaces, increased noise and smoke in an otherwise peaceful village setting and an assault on neighbourhood character through a combination of the proposed structures being built almost to the title boundary (no setback) and the nature of the structures in the rear being completely out of character for the historical neighbourhood.

Our three sons have all worked in the Trentham businesses and two continue to do so. All businesses are acutely aware of the economic value of day trippers on weekends. A critical factor is the provision of adequate parking. Albert Street behind High Street is quiet during the week and chaotic on weekends. The proposal would significantly add to this weekend chaos.

We considered purchasing the 7 Albert Street commercial site and will not proceed with that on the basis of this planning application which in our view would significantly detract from our view of what is possible for this location.

We also developed 12/12A Albert Street to provide high quality dwellings on smaller allotments in close proximity to the CBD. Had we retained that development site, we would have no hesitation in taking this proposal to VCAT.



Please use block letters

Planning & Environment Act 1987

**WHO IS OBJECTING:**

Name/s: [REDACTED]

Property address: [REDACTED]

Postal Address (if different to above) [REDACTED]

Tel: [REDACTED]

Email: [REDACTED]

**WHAT APPLICATION DO YOU OBJECT TO?**

Permit application no. PA 2969

Proposal: Demolition of existing buildings, use and development of the land for accommodation and function centre and waiver of car parking

Who has applied for the permit: Luka Mrkonjic Town Planning Services

**WHAT ARE THE REASONS FOR YOUR OBJECTION?**

(1) Neighbourhood Character and Albert Street

o Albert Street contains no two storey development and the impact of a new 2 storey accommodation building onto Albert Street is at significant odds with the existing streetscape and the wider Trentham heritage area.

o The development proposes to build a raised deck and associated balustrading to the veranda directly onto Albert Street. The current characteristic of Albert Street is for single storey dwellings with front setbacks and landscaping.

o The proposed development allows for no setback from Albert Street and no landscaping and is significantly at odds with the prevailing neighbourhood character of Albert Street and the village quality of Trentham.

(2) Heritage Impact

o The loss of a single storey cottage onto Albert Street would be detrimental to the streetscape quality of Albert Street and the wider Trentham Township Heritage Area.

o No two storey buildings existing on Albert Street and the design of the building to Albert Street is overbearing and dominant from a heritage perspective.

o The design of the "pod" accommodation is in stark contrast to the heritage characteristics of the area and would represent a significant anomaly for the area. The design would be significantly out of character for the heritage township of Trentham and we also question the quality of the materials and the longevity of the materials proposed.

(3) Built form setbacks and landscaping

o The accommodation pods are built in close proximity to the boundary fence with our home at 11 Albert Street with no setback provided to outdoor baths or decking area. This raises design and amenity impacts onto our property through noise and proximity of new accommodation.

o The development includes no landscaping along the boundaries which is not reflective of the character of the area nor allow for landscaping buffering and maintaining the landscaping setting of buildings along

Albert Street and the wider Trentham township.

o No landscape plan has been provided with the application material which demonstrates the limited focus on landscaping and the lack of any meaningful landscaping for the development.

(4) Intensity of use

o The use of land for a function centre is vague and uncertain. No patron amenity plan has been provided nor information around the nature and scale of functions are proposed. Matters including serving of alcohol, car parking, noise have not been addressed in the submitted material and are of significant concern given the residential character of Albert Street and the peace and quiet of our home and the neighbourhood.

**HOW WILL YOU BE AFFECTED BY THE GRANT OF A PERMIT?**

The granting of a permit will significantly impact upon our residential amenity through design, noise and car parking. More specifically,

- The proposed design is not in keeping with Trentham's style and inappropriate for the area – E.g. a proposed 2 level street facing construction at the front of the property (there are only single level dwellings on our block and proposed domes at the rear of the property in and amongst Gold Rush era, Federation and Victorian style dwellings and low key shops – and adversely impacting the aesthetic of the street.
- Is an egregious use of space – a 2 storey main building, 4 domes in the rear for accommodation and a separate dining hall is congested and more so without any landscape buffering. The waiver for parking will create overflow in peak times creating congestion in our street and in front of our house and noise.
- The proposed development has the potential for being very noisy for us given all 3 bedrooms of our house are on the side of our house closest to the proposed development at 9 Albert St.

*If insufficient space, please attach separate sheet*

**Privacy Collection Notice**

Your objection and the personal information on this form is collected by council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, council will not be able to consider your objection. Your objection will be available at the council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. You can request access to your personal information by contacting Councils Governance Department.

Signature: .....Or Tick Box  Date: 27/11/2020

**IMPORTANT NOTES ABOUT OBJECTIONS TO PLANNING PERMIT APPLICATIONS**

1. This form is to help you make an objection to an application in a way which complies with the Planning and Environment Act 1987, and which can be readily understood by the Responsible Authority. There is no requirement under the Act that you use any particular form.
2. Make sure you clearly understand what is proposed before you make an objection. You should inspect the application at the Responsible Authority's office.
3. To make an objection you should clearly complete the details on this form and lodge it with the Responsible Authority as shown on the Public Notice – Application for a Planning Permit.

4. An objection must:
  - state the reasons for your objection, and
  - state how you would be affected if a permit is granted.
5. The Responsible Authority may reject an application which it considers has been made primarily to secure or maintain a direct or indirect commercial advantage for the objector. In this case, the Act applies as if the objection had not been made.
6. Any person may inspect an objection during office hours.
7. If your objection related to an effect on property other than at your address as shown on this form, give details of that property and of your interest in it.
8. To ensure the Responsible Authority considers your objection, make sure that the Authority received it by the date shown in the notice you were sent, or which you saw in a newspaper, or on the site.
9. If you object before the Responsible Authority makes a decision, the Authority will tell you its decision.
10. If despite your objection the Responsible Authority decided to grant the permit, you can appeal against the decision. Details of the appeal procedures are set out on the back of the Notice of Decision which you will receive. An appeal must be made on a prescribed form (obtainable from the Victorian Civil and Administrative Tribunal) and accompanied by the prescribed fee. A copy must be given to the Responsible Authority. The closing date for appeals is 21 days of the Responsible Authority giving notice of its decision.
11. If the Responsible Authority refuses the application, the applicant can also appeal. The provisions are set out on the Refusal of Planning Application which will be issued at that time.



To the Planning Officer,

**Re: PA 2969 - 9 Albert Street Trentham**

I am writing to object to the proposed development at 9 Albert Street Trentham, comprising Demolition of existing buildings, use and development of the land for Accommodation and Function Centre and waiver of car parking requirements.

The grounds for my objection are as follows:

- **Car parking:** The area is already difficult to find car parking during busy periods and the application's request for a full waiver is unacceptable. The function centre itself is likely to generate the requirement for dozens of car spaces, which will put additional strain on an area which is already over capacity.

The applicant notes that this area is serviced by public transport, but the notion that visitors of this establishment would be likely to use public transport is ridiculous.

- **Neighbourhood Character:** The two storey dwelling on Albert St
- **Tourism:** (Clause 21.02 of the Local Planning Policy Framework) The applicant refers to the need for encouragement of tourism and quotes 21.07 as

*"Tourism is a significant economic contributor to the local economy but requires development standards and guidelines. Day-trippers and overnight visitors need to be targeted by the tourism market."*

The reason tourists come to Trentham is for the small village feel and country charm. This development is not in keeping with the character of Trentham and would in fact deter visitors who come seeking to experience the traditional architectural language and rural feel of Trentham.

- **Heritage:** The proposed domed buildings and two storey element are not appropriate responses in this heritage context. The domes in particular are completely out of place and have no reference to the qualities that are sought to be protected by the *Trentham Township Heritage Area*.
- "Glamping" in a heritage area is totally inappropriate. The proposed domes would be better suited to a bushland environment.

The zero front setback to Albert street is completely inappropriate in this context.

The applicant's South and West proposed elevations show that the dome structures in the rear of the property will be highly visible from Wolff Lane and the entry to Red Beard Bakery, which is one of Trentham's key visitor destinations. The negative visual impact of the domes in a heritage area is not to be underestimated.

We will be directly affected by this application in the following ways:

- As real estate owners and investors in Trentham, we are concerned our investments in this town will be negatively impacted by this development.
- As residents, the impact on car parking will negatively affect us.
- As residents who have chosen to live in Trentham for its Heritage rural character, our ability to enjoy the area will be lessened as the heritage character is eroded.
- As rate-payers we feel inappropriate developments such as this will over time degrade the character of Trentham and negatively impact our property prices as the reasons that people choose to live here are lost.

Yours Sincerely,

A solid black rectangular box used to redact the signature of the sender.



**From:** [REDACTED]  
**To:** [Heppburn Shire Mailbox](#)  
**Subject:** re application PA 2969  
**Date:** Sunday, 29 November 2020 7:48:13 PM  
**Attachments:** [image001.jpg](#)

---

Good Morning,

Re application for proposed development 9 Albert street TRENTHAM Vic. 3458

We..

[REDACTED]  
[REDACTED]  
[REDACTED]

Would like to lodge our formal objection to this proposed development. council

We feel that the impact on parking in this commercial area will cause major problems for the retail traders.

Currently there is a shortage of parking spaces in High Street, with many visitors ( and traders )

Who will either park all day or for extended periods.

The parking in High street needs to be addressed with the provision of loading zones and timed zones

During trading hours.

Also parking in Albert street needs to be upgraded.

This proposed development at 9 Albert Street will only compound the existing problems in High Street.

Possibly it would be a good idea for council reps to visit on weekends and public holidays to see for themselves, rather than rely on photos that are submitted with the application that are taken at off peak times.

I have a display yard for our products at the rear of our property [REDACTED]

I currently have restricted access to our yard thru lack of parking and pedestrians

[REDACTED]  
[REDACTED]  
[REDACTED]

## Application for a Planning Permit

If you need help to complete this form, read MORE INFORMATION at the end of this form.

**⚠** Any material submitted with this application, including plans and personal information, will be made available for public viewing, including electronically, and copies may be made for interested parties for the purpose of enabling consideration and review as part of a planning process under the *Planning and Environment Act 1987*. If you have any questions, please contact Council's planning department.

**⚠** Questions marked with an asterisk (\*) must be completed.

**⚠** If the space provided on the form is insufficient, attach a separate sheet.

**i** Click for further information.

Clear Form

### The Land **i**

Address of the land. Complete the Street Address and one of the Formal Land Descriptions.

#### Street Address \*

Unit No.:	St. No.: <b>9</b>	St. Name: <b>Albert Street</b>
Suburb/Locality: <b>Trentham</b>		Postcode: <b>3458</b>

#### Formal Land Description \*

Complete either A or B.

**⚠** This information can be found on the certificate of title.

If this application relates to more than one address, attach a separate sheet setting out any additional property details.

A	Lot No.: <b>1 &amp; 2</b>	<input type="radio"/> Lodged Plan	<input checked="" type="radio"/> Title Plan	<input type="radio"/> Plan of Subdivision	No.: <b>127421 E</b>
<b>OR</b>					
B	Crown Allotment No.:		Section No.:		
Parish/Township Name:					

### The Proposal

**⚠** You must give full details of your proposal and attach the information required to assess the application. Insufficient or unclear information will delay your application.

**i** For what use, development or other matter do you require a permit? \*

- Demolition of existing buildings.  
- The use and development of land for accommodation and a function centre.  
- A waiver of on-site parking.

**⚠** Provide additional information about the proposal, including: plans and elevations; any information required by the planning scheme, requested by Council or outlined in a Council planning permit checklist; and if required, a description of the likely effect of the proposal.

**i** Estimated cost of any development for which the permit is required \*

Cost \$ **870,000**

**⚠** You may be required to verify this estimate. Insert '0' if no development is proposed.

## Existing Conditions i

ATTACHMENT 10.1.2

### Describe how the land is used and developed now \*

For example, vacant, three dwellings, medical centre with two practitioners, licensed restaurant with 80 seats, grazing.

One house and associated outbuilding.

Provide a plan of the existing conditions. Photos are also helpful.

## Title Information i

### Encumbrances on title \*

Does the proposal breach, in any way, an encumbrance on title such as a restrictive covenant, section 173 agreement or other obligation such as an easement or building envelope?

Yes (If 'yes' contact Council for advice on how to proceed before continuing with this application.)

No

Not applicable (no such encumbrance applies).

Provide a full, current copy of the title for each individual parcel of land forming the subject site. The title includes: the covering 'register search statement', the title diagram and the associated title documents, known as 'instruments', for example, restrictive covenants.

## Applicant and Owner Details i

Provide details of the applicant and the owner of the land.

### Applicant \*

The person who wants the permit.

Name:		
Title:	First Name:	Surname:
Organisation (if applicable): EDGE DCI PTY LTD		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 20 A	St. Name: Warrick Street
Suburb/Locality: Ascot Vale	State: VIC	Postcode: 3032

Please provide at least one contact phone number \*

Contact information for applicant OR contact person below	
Business phone:	Email: luka.townplanning@gmail.com
Mobile phone: 0439593231	Fax:

Where the preferred contact person for the application is different from the applicant, provide the details of that person.

Contact person's details*		Same as applicant <input type="checkbox"/>
Name:		
Title: Mr	First Name: Luka	Surname: Mrkonjic
Organisation (if applicable): Luka Mrkonjic Town Planning Services		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.:	St. No.: 20 A	St. Name: Warrick Street
Suburb/Locality: Ascot Vale	State: VIC	Postcode: 3032

### Owner \*


The person or organisation who owns the land

Where the owner is different from the applicant, provide the details of that person or organisation.

Name:		Same as applicant <input type="checkbox"/>
Title:	First Name:	Surname:
Organisation (if applicable): G & M Thomas P/L		
Postal Address:		If it is a P.O. Box, enter the details here:
Unit No.: 1	St. No.: 424	St. Name: Bourke Road
Suburb/Locality: CAMBERWELL	State: VIC	Postcode: 3124
Owner's Signature (Optional):		Date:
		day / month / year

## Declaration

This form must be signed by the applicant \*

 Remember it is against the law to provide false or misleading information, which could result in a heavy fine and cancellation of the permit.

I declare that I am the applicant; and that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application. ATTACHMENT 10.1.2

Signature:



Date: 28/10/2020

day / month / year

If completing this form electronically, please tick the box to the right, include a date and type your name above to serve as a declaration that all the information in this application is true and correct; and the owner (if not myself) has been notified of the permit application.



## Need help with the Application?

General information about the planning process is available at [planning.vic.gov.au](http://planning.vic.gov.au)

Contact Council's planning department to discuss the specific requirements for this application and obtain a planning permit checklist. Insufficient or unclear information may delay your application.

Has there been a pre-application meeting with a council planning officer?

No  Yes



If 'Yes', with whom?: Mr James McInnes  
James (Hepburn Town Planner)

Date: August 2020

day / month / year

## Checklist

Have you:

<input checked="" type="checkbox"/>	Filled in the form completely?	
<input type="checkbox"/>	Paid or included the application fee?	 Most applications require a fee to be paid. Contact Council to determine the appropriate fee.
	Provided all necessary supporting information and documents?	
<input checked="" type="checkbox"/>	A full, current copy of title information for each individual parcel of land forming the subject site.	
<input checked="" type="checkbox"/>	A plan of existing conditions.	
<input checked="" type="checkbox"/>	Plans showing the layout and details of the proposal.	
<input checked="" type="checkbox"/>	Any information required by the planning scheme, requested by council or outlined in a council planning permit checklist.	
<input type="checkbox"/>	If required, a description of the likely effect of the proposal (for example, traffic, noise, environmental impacts).	
<input checked="" type="checkbox"/>	Completed the relevant council planning permit checklist?	
<input checked="" type="checkbox"/>	Signed the declaration above?	

## Lodgement

Lodge the completed and signed form, the fee and all documents with:

Planning Department  
Hepburn Shire Council  
PO Box 21  
Daylesford VIC 3460

Customer Service Centre  
Cnr Duke & Albert Streets  
Daylesford VIC 3460

**Contact information:**

Phone: (03) 5348 1577

Email: [shire@hepburn.vic.gov.au](mailto:shire@hepburn.vic.gov.au)

Deliver application in person, by post or by electronic lodgement.

### Privacy Statement

Your application and the personal information on this form is collected by council for the purposes of the planning process as set out in the Planning and Environment Act 1987 (PE Act). If you do not provide your name and address, council will not be able to consider your application. Your application will be available at the council office for any person to inspect and copies may be made available on request to any person for the relevant period set out in the PE Act.

You must not submit any personal information or copyright material of third parties without their informed consent. By submitting the material, you agree that the use of the material as detailed above does not breach any third party's right to privacy and copyright. You can request access to your personal information by contacting Councils Governance Department.

## Town Planning Report:

This report justifies the use and development of land for accommodation and a function centre with a waiver of on-site parking for the land known as 9 Albert Street, Trentham.

**LUKAMRKONJIC**  
TOWN PLANNING SERVICES

0439 593 231  
lukatownplanning@gmail.com

**SUBJECT LAND:**

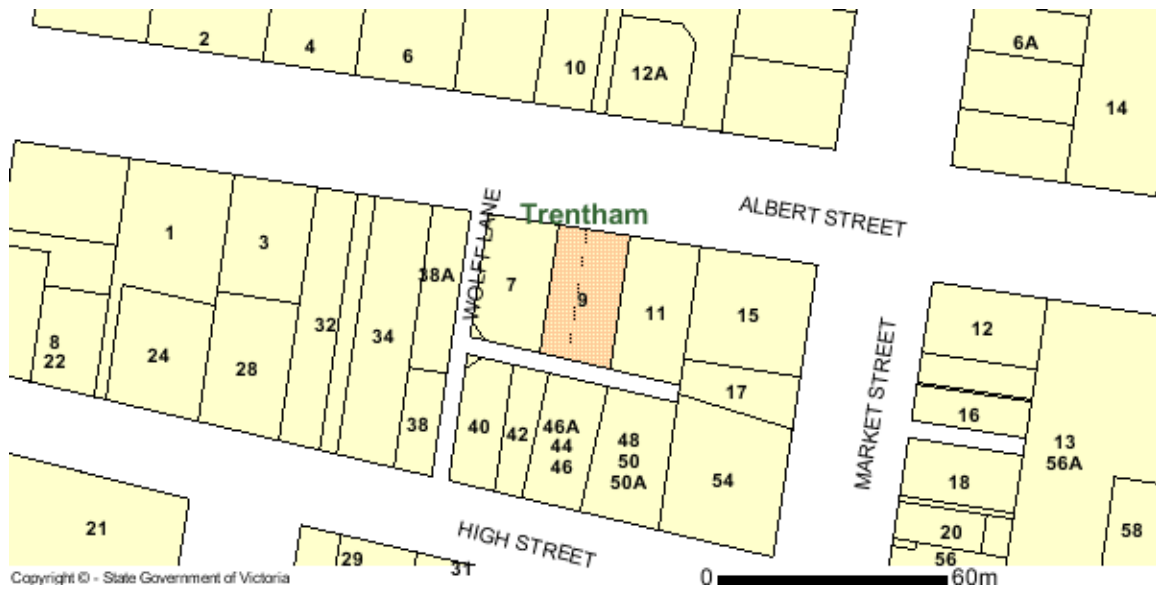
The land that is the subject of this application is known as 9 Albert Street, Trentham. The land currently accommodates a weatherboard dwelling and associated outbuildings.

There are no significant trees within the boundaries of the subject land.

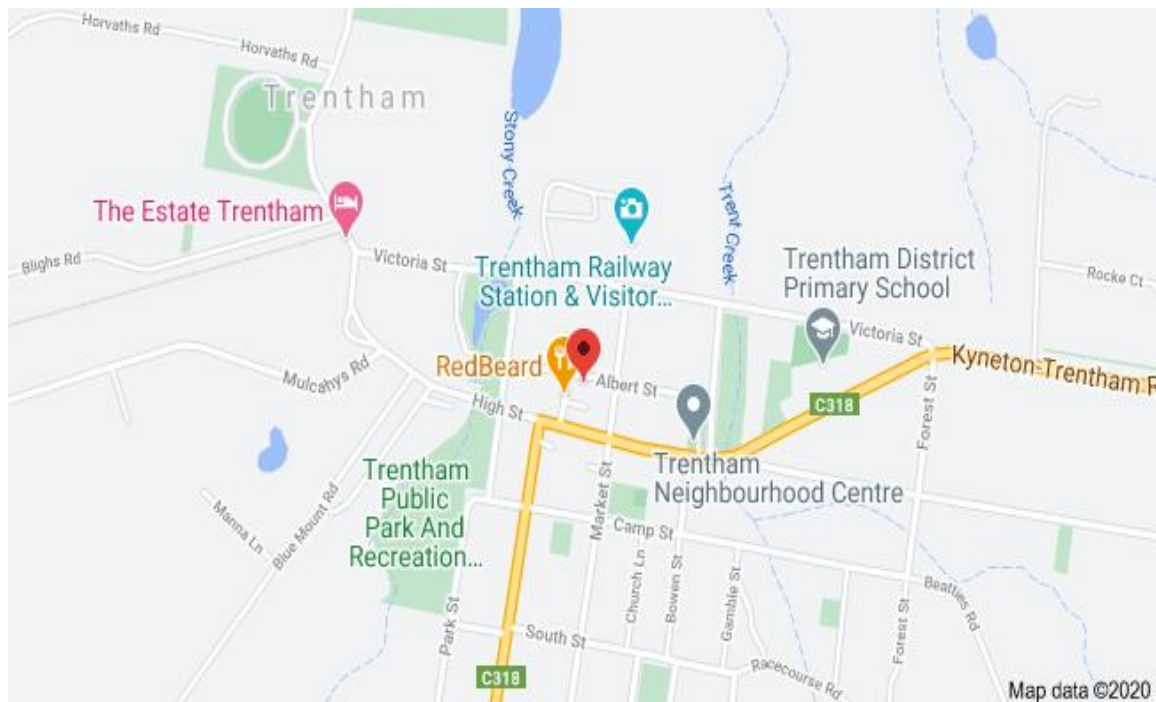


The subject land is a slightly irregular shaped parcel of land that has a frontage width of 18.59 metres and an overall area of approximately 643 square metres.

The subject land is a mid-block that has two street frontages. The principal street frontage is orientated toward Albert Street. The subject site has a rear abuttal to Wolf Lane.



High Street and Market Street are the two streets that accommodate the main Trentham shopping precinct. The subject land is located in close proximity to both High Street and Market Street.



**PROPOSAL:**

The proposal for the subject land at 9 Albert Street, Trentham is as follows:

- Demolish all existing buildings (dwelling and outbuildings) and to remove all existing vegetation from the subject land.
- The construction of a permanent two storey building at the site frontage to be used for the purpose of short stay accommodation.
- The erection of four movable 'domes' with private outdoor areas to be used for the purpose of short stay accommodation.
- The construction of a permanent function room to be used for a variety of purposes that includes a toilet, a covered front porch and an outdoor area.

The short stay accommodation will be managed by an off-site manager and would be offered for rent for time periods that would be within the range of one day to one month. This applies to the proposed permanent two storey building at the site frontage and the four domes.

There is no intention to accommodate permanent residents within the subject site.

The two storey building at the site frontage includes three bedrooms, a living area, meals area, a kitchen, bathroom facilities and laundry facilities. Outdoor open space is limited to a front verandah as well as narrow rear and side service areas.

The four domes are akin to luxury tents made of robust materials. The domes include a bed, bathroom and cooking facilities. Each dome will have their own decked private outdoor area. The four domes as well as their associated decked outdoor area and fencing are of a non-permanent/relocatable nature.

The proposed function room is a permanent building which will be available to guests and other members of the wider community for a variety of purposes.

The functions could include small celebrations, business conferences, a meeting room, a class room, a display centre, an event information centre, an occasional office, etc.

This particular proposal does not include on-site car parking. Being within Trentham's main activity centre, there are ample public car parking opportunities on the street.



**ZONE & OVERLAYS:**

The subject site is within the Commercial 1 Zone - Schedule 1.

The subject site is also affected by two planning scheme overlays, being the:

1. Environmental Significance Overlay – Schedule 1.
2. Heritage Overlay – Schedule HO352.

**COMMERCIAL 1 ZONE (C1Z)**

The subject site is within the Commercial 1 Zone (C1Z) pursuant to Clause 34.01 of the Hepburn Planning Scheme.

Having regard to the Schedule to Clause 34.01 there are no local variations in the C1Z relating to this proposal.

The proposed use of land for the purpose of 'accommodation' is a Section 2 (permit required) use of land as the frontage at ground level of the proposed accommodation use exceeds 2.0 metres.

The use of land for the purpose of a function room, is also a Section 2 use, being included within the broader land use term of a 'place of assembly.'

An assessment against Clause 34.01-2 regarding the use of land, is required.

It is submitted that the proposal will not conflict with Clause 34.01-2 relating to both of the proposed uses intended for the subject land.

- As there will be no vehicles entering or exiting the subject site as part of the proposed uses. Therefore, the amenity of the neighbourhood will not detrimentally affect the amenity of the neighbourhood.
- The proposed uses are to be conducted within well-designed buildings. Therefore, the amenity of the neighbourhood will not be detrimentally affected by the appearance of any building, works or material.
- The accommodation uses (the four domes and the front building), will not adversely affect the area by emissions of noise, artificial lights, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. As both the accommodation and place of assembly

land uses are both Section 2 uses, permit conditions can be imposed to ensure that the amenity of the neighbourhood is not detrimentally affected.

The proposed use of land will not conflict with the Clause 34.01-8 decision guidelines as the proposed uses of land:

- Will not effect existing uses within land that is zoned for commercial purposes.
- The land in question does not have known drainage issues. The proposal is unlikely to cause drainage issues, maintaining the natural topography of the land.
- The land is appropriately serviced.
- The proposal will not adversely effect traffic to be generated on roads. The intensity of this particular use (within a commercial centre, where there is no short supply of public parking) is reasonable for this particular site.
- The proposal will not conflict with any aspect of the Municipal Planning Strategy and the Planning Policy Framework.
- The subject site has direct interfaces (both sides and to the rear), is also within the Commercial 1 Zone, as is the subject site. Therefore, the proposed use of land will not adversely affect the adjoining Commercial 1 Zone.

A planning permit for the proposed buildings and works is required pursuant to Clause 34.01-4.

The buildings and works that are proposed will not adversely affect the movement of pedestrians, cyclists and vehicles.

There is no on-site car parking. As a result, the provision of no on-site car parking will not adversely affect the character of the area.

The proposed buildings are well-designed. Therefore, the streetscape character will be improved by this particular proposal.

There are no areas for storage of rubbish and recycling that would be visible from the public realm.

The proposal will not be used for any private or long-term use. The nature of tenure is very short-term. Therefore, the responsibility for the maintenance of buildings, landscaping and paved areas will be via a common arrangement.

As adjacent land is within a Commercial 1 Zone (and not in General Residential Zone, Neighbourhood Residential Zone, Residential Zone or Township Zone).

Therefore, there is no consideration of overlooking and overshadowing from the proposed buildings and works.

The land that is directly opposite the subject site (northern side of Albert Street) is within a Township Zone. However, due to the distance of the subject site (being on the southern side of Albert Street), as well as the orientation of the land, this ensures that overlooking and overshadowing will not be an issue.

The proposed buildings will be appropriately serviced.

The buildings have been designed to achieve appropriate solar access.

### **ENVIRONMENTAL SIGNIFICANCE OVERLAY (ESO1):**

A planning permit is required for the proposed buildings and works pursuant to Clause 42.01-2.

A permit is required to construct a building or to carry out works as well as removal of vegetation.

Clause 42.01-3 outlines a table of exemptions. The proposal being sought as part of this application is not considered exempt.

The applicable Schedule to this Overlay being **Schedule 1** relating to proclaimed catchment protection.

The proposal will accord with the part 2.0 environmental objectives to be achieved.

The proposal accords with the general application requirements included within Schedule 1.

If required by the responsible authority, a geotechnical report will be prepared by a suitably qualified person to satisfy any concerns relating to ESO1.

**HERITAGE OVERLAY (HO352):**

A planning permit is required for the proposed buildings and works being sought under this application pursuant to Clause 43.01-1 of the Hepburn Planning Scheme.

The subject land is located within the *Trentham Township Heritage Area* precinct as defined by Schedule HO352.

The existing dwelling currently accommodated on the subject land is not a contributory dwelling, enabling demolition of all existing buildings on the subject land as the demolition will not adversely affect the significance of the heritage place.

The proposed buildings and works being sought as part of this application will not conflict with the relevant decision guidelines pursuant to Clause 43.01-8.

- The proposal will not conflict with any relevant aspect of the Municipal Planning Strategy and the Planning Policy Framework.
- The subject site is located within the Trentham Town Centre and the site is included within the Commercial 1 Zone. This particular proposal achieves an appropriate balance of a well-designed commercial building that acknowledges the heritage significance of this particular heritage place.
- The proposal will not adversely affect the natural or cultural significance of the place. The proposed two-storey building at the site frontage is intended to be predominantly clad in natural timber and includes pitched roofs (skillion and gabled forms). The function room at the western side is proposed to be clad in brick and has a gabled roof. These two buildings include cladding materials and roof forms that are compatible within this heritage place.
- The careful placement of the afore-mentioned buildings will effectively conceal the four modern-looking 'domes' from the public realm, reflecting an appropriate design response.
- The front building includes a front deck with a zero front setback, being highly appropriate within a Commercial 1 Zone. The dwelling component is appropriately set back and includes substantial sections of glazing at the front, ground level façade. This again, reflects an appropriate design response for a site within the Commercial 1 Zone, reflecting an appropriate active street frontage.

- The proposal will not conflict with any applicable statement of significance heritage study and any applicable conservation policy.
- The proposed location, bulk, form or appearance of the proposed building will not adversely affect the significance of the heritage place. The proposed buildings largely reflect a single-level built form, with a first floor component of the front building being limited to a single habitable rooms and a bathroom.
- The low-scale built form being proposed, which includes pitched roof forms will be in keeping with the character and appearance of adjacent buildings and the heritage place.
- As previously stated, the proposal needs to be considered in the context that it is within a commercial zone. The design has been sensitively designed, ensuring that the proposed development will not adversely affect the significance, character or appearance of the heritage place.

### **PLANNING POLICY FRAMEWORK**

The proposed buildings and works being sought under this application accords with **Clause 11** of the Hepburn Planning Scheme relating to settlement. The proposal will contribute positively to the economic viability of the main Trentham activity centre.

The proposed accommodation and function centre being proposed will complement existing land uses, including those that attract tourists to this area.

The proposal also reflects a high standard of urban design and amenity to this particular activity centre. It is submitted that the proposal would set an appropriate standard for others to follow within this activity centre that includes a number of nearby sites within the Commercial 1 Zone that are vacant or have redevelopment opportunity.

Having specific regard to **Clause 11.03-1S** relating to activity centres, one of the statements encourages continued growth and diversification of activity centres. The proposed accommodation use and the function centre reflect uses that will support local economies and business synergies. The proposed accommodation is necessary if the local food and drink premises wants to attract out of town tourism.

The proposed development accords with **Clause 15** relating to built environment and heritage. This particular proposal is justified on the basis that the proposal does reflect the following, desired objective:

*“Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.”*

The proposal will not conflict with **Clause 15.03-1S** relating to heritage conservation, as the existing buildings on the subject land do not contribute to the importance of the heritage place.

### **LOCAL PLANNING POLICY FRAMEWORK**

The proposal accords with **Clause 21.02** relating to key influences. Having regard to economic development (21.07) states that:

*“Tourism is a significant economic contributor to the local economy but requires development standards and guidelines. Day-trippers and overnight visitors need to be targeted by the tourism market.”*

Based on the above, it is submitted that the proposed use of land will reflect an important asset for the economic viability for Trentham.

The proposal accords with **Clause 21.09** relating to environment and heritage, by ensuring that the proposed redevelopment of land will be in sympathy with the heritage character of Trentham. The proposed external materials as well as the roof forms of the two permanent buildings, reflects the design detailing that is in keeping with the townscape character of the Trentham town centre.

The prevalent single storey scale height is in keeping with the low-scale building height of the town centre. The first floor component is limited to a single bedroom and bathroom, ensuring that the proposal does not have an overwhelming impact onto the surrounding area.

The proposed use of natural timber, stone and brick of the permanent buildings that are highly visible from the public realm. These reflect materials that are evident within this town centre. It is these buildings that have been appropriately positioned on the subject site, which largely conceals the ‘uncharacteristic’ four domes from direct view from the public realm of the street frontage.

**CLAUSE 52.06 – CAR PARKING**

A permit is required pursuant to Clause 52.06-3 of the Hepburn Planning Scheme for a waiver of car parking.

The car parking waiver is justified pursuant to Clause 52.06-6 of the Hepburn Planning Scheme based on the following:

- The subject land is located on the outer edge of the main commercial precinct of Hepburn. There are ample on-site car parking opportunities within Albert Street.
- The subject land reflects a site that is intended to accommodate short-term visitors and not permanent residents, eliminating the necessity to accommodate permanent on-site car parking.
- The surrounding area is not identified as being one where car parking is in short supply.
- The Council has not prepared a parking precinct plan for this area.
- The area being serviced by public transport.
- The function room is small (limited to 51.5 square metres), which is designed to accommodate small functions that would not generate significant car parking demand.
- The site is conveniently located, whereby it is easy for pedestrians and cyclists to access this site. On-site bicycle parking is provided.
- Most existing businesses within this activity centre do not provide exclusive on-site car parking for its customers on their own site. The provision of large 'hard stand' on-site car parking areas within sites is uncharacteristic of the heritage character of this area. Therefore, a complete waiver of on-site car parking will result in a positive urban design outcome.

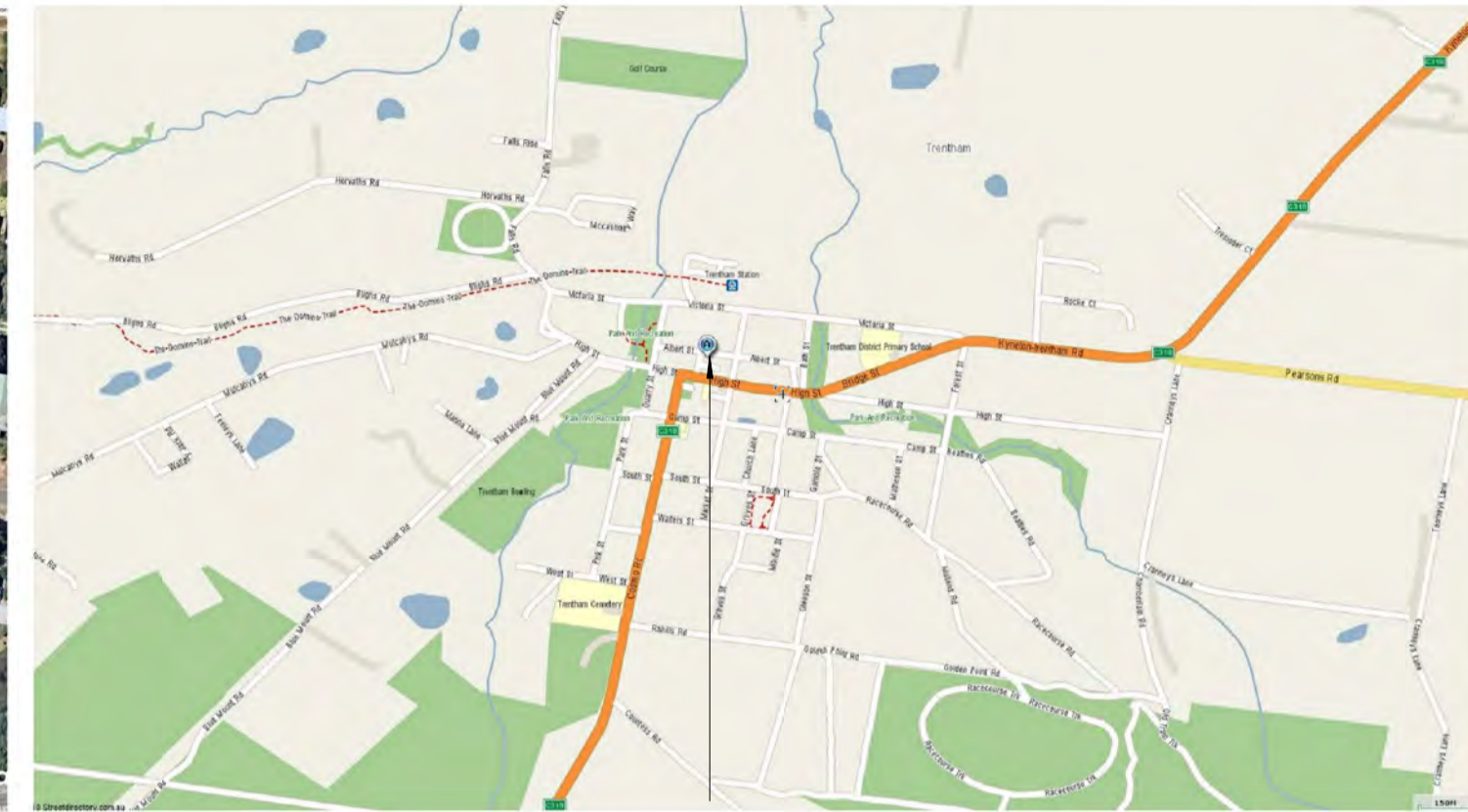
=

ADDRESS 9 ALBERT STREET TRENTHAM  
PROPOSED PROPOSED ACCOMMODATION  
OWNER G & M THOMAS

TP 01 SITE ANALYSIS/SITE CONTEXT/DESIGN RESPONSE  
TP 02 PROPOSED GROUND FLOOR PLAN  
TP 03 PROPOSED FIRST FLOOR PLAN  
TP 04 ELEVATIONS  
TP 05 SHADOW DIAGRAM

ADDITIONAL DOCUMENTATION

COPY OF TITLE  
RESCODE REPORT  
LEVELS AND FEATURES SURVEY +  
RE-ESTABLISHMENT SURVEY



Legend table with various symbols and colors corresponding to site plan elements like roads, boundaries, and vegetation.



SITE CONTEXT  
SCALE 1:500

DESIGN RESPONSE  
SCALE 1:500



EDGE-DCI PTY LTD  
2/12 SLATER PARADE  
KEILOR EAST VIC 3003  
PH: 0422 425 288  
EMAIL: info@edge-dci.com  
WEB: www.edge-dci.com

NOTE: ALL DIMENSIONS MUST BE VERIFIED ON SITE PRIOR TO COMMENCEMENT OF WORK OR ESTABLISHMENT OF ANY SHOP DRAWINGS. FIGURED DIMENSIONS MUST TAKE PRECEDENCE OVER SCALED DIMENSIONS.  
NOTE: THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH ALL SPECIFICATIONS, SCHEDULES, ALL OTHER CONSULTANTS DOCUMENTATION, TOWN PLANNING ENDORSED PLANS AND PLANNING PERMIT.

NOTE: THESE DRAWINGS REMAIN THE PROPERTY OF EDGE-DCI PTY LTD AND ARE ONLY TO BE USED FOR ITS COMMISSIONED PURPOSE. NO PART OF THIS DOCUMENT MAY BE REPRODUCED, MODIFIED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE EXPLICIT WRITTEN AUTHORITY OF EDGE-DCI PTY LTD. UNAUTHORISED USE OF THIS DOCUMENT IN ANY FORM IS PROHIBITED.

Table with columns: REV., AMENDMENT DESCRIPTION, DATE

Table with columns: PROJECT, DRAWING ISSUE, ADDRESS, CLIENT, PROPOSED ACCOMMODATION, TOWN PLANNING, 9 ALBERT STREET TRENTHAM, G & M THOMAS, DATE, DRAWN, PROJECT NO., TO SCALE AT A1

SITE ANALYSIS/SITE CONTEXT/DESIGN RESPONSE

TP 01





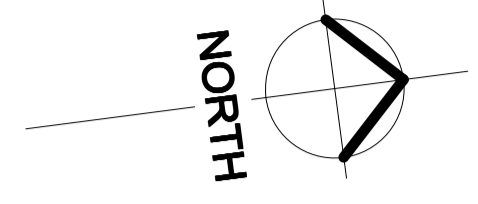
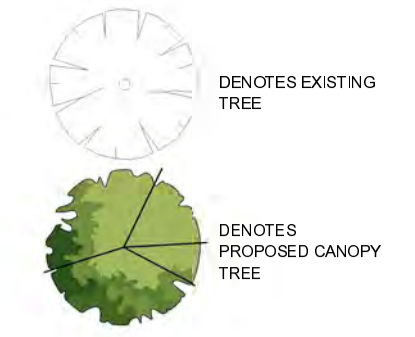
**NOTE:**  
INTERNAL FENCES TO COMPLY WITH CLAUSE 55.04-7  
STANDARD B23-INTERNAL OVERLOOKING

SITE AREAS		
SITE AREA	643.00m <sup>2</sup>	
BUILDING AREA	206.10m <sup>2</sup>	
COVERAGES	32.95%	
PERMEABILITY	67.96%	

DWELLING 1 AREA		
GROUND FLOOR	89.3 m <sup>2</sup>	9.6
VERANDAH	14.2 m <sup>2</sup>	4.4
FUNCTION ROOM	51.5 m <sup>2</sup>	5.5
Grand total	155.0 m <sup>2</sup>	19.5

DWELLING 1 SITE AREA



**NO. 40 HIGH STREET**  
SINGLE STOREY  
WEATHERBOARD/  
CORRUGATED IRON  
BUILDING

**NO. 42 HIGH STREET**  
SINGLE STOREY  
WEATHERBOARD  
BUILDING

**NO. 7 ALBERT STREET**  
VACANT

**NO. 8 ALBERT STREET**  
.643m<sup>2</sup>

**TBM**  
SPIKE IN BRCK DRAIN  
RL. 693.63m

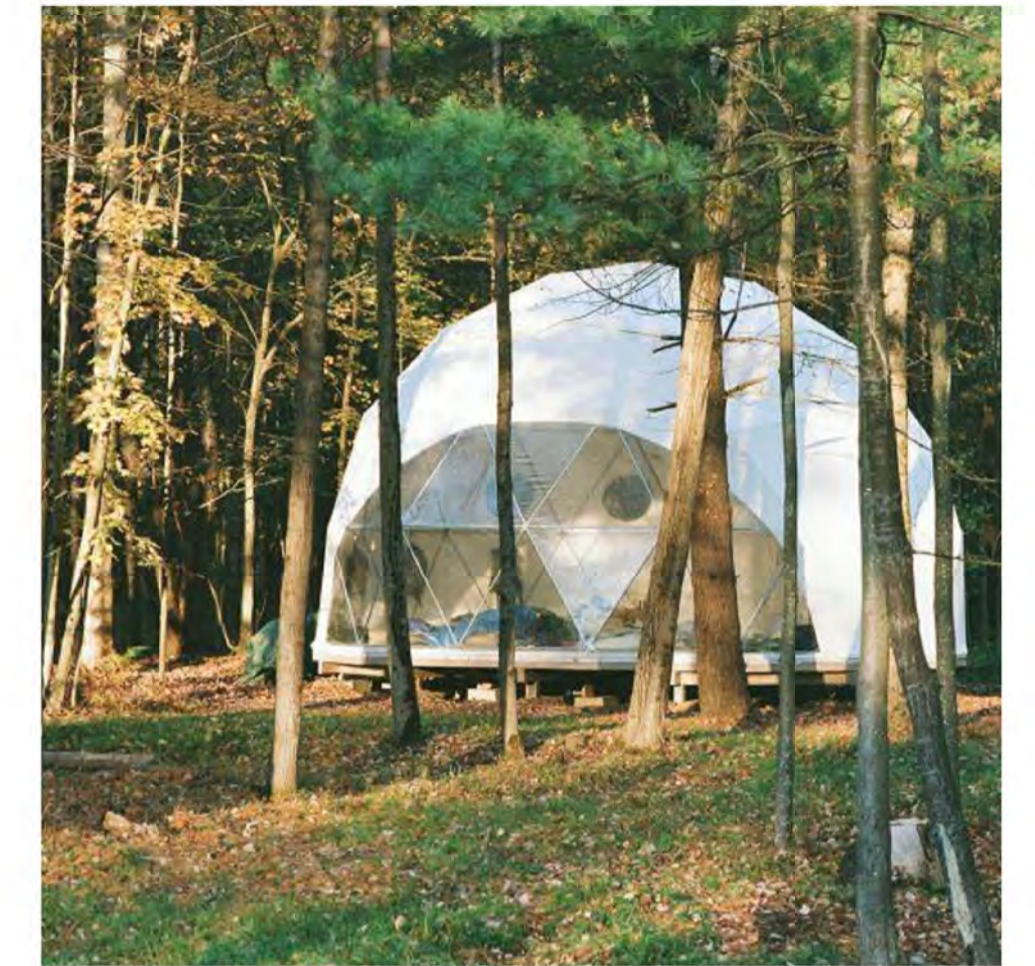
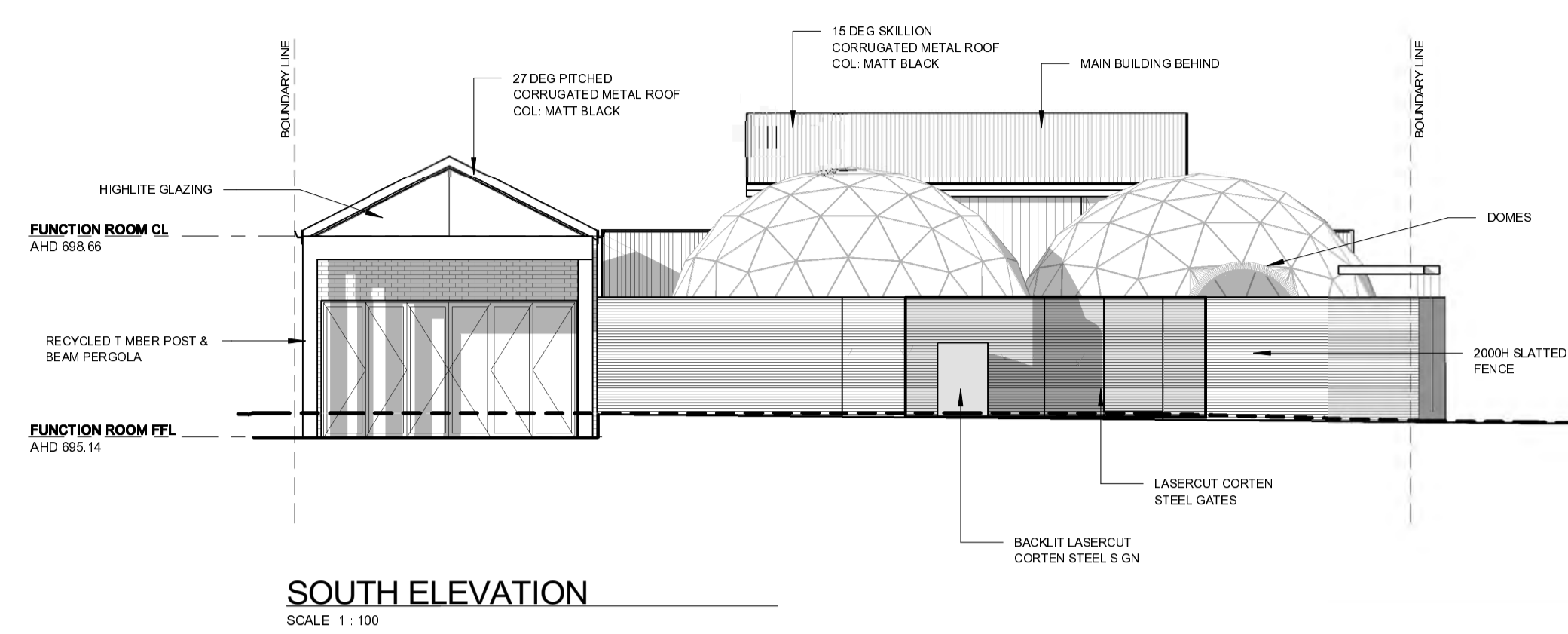
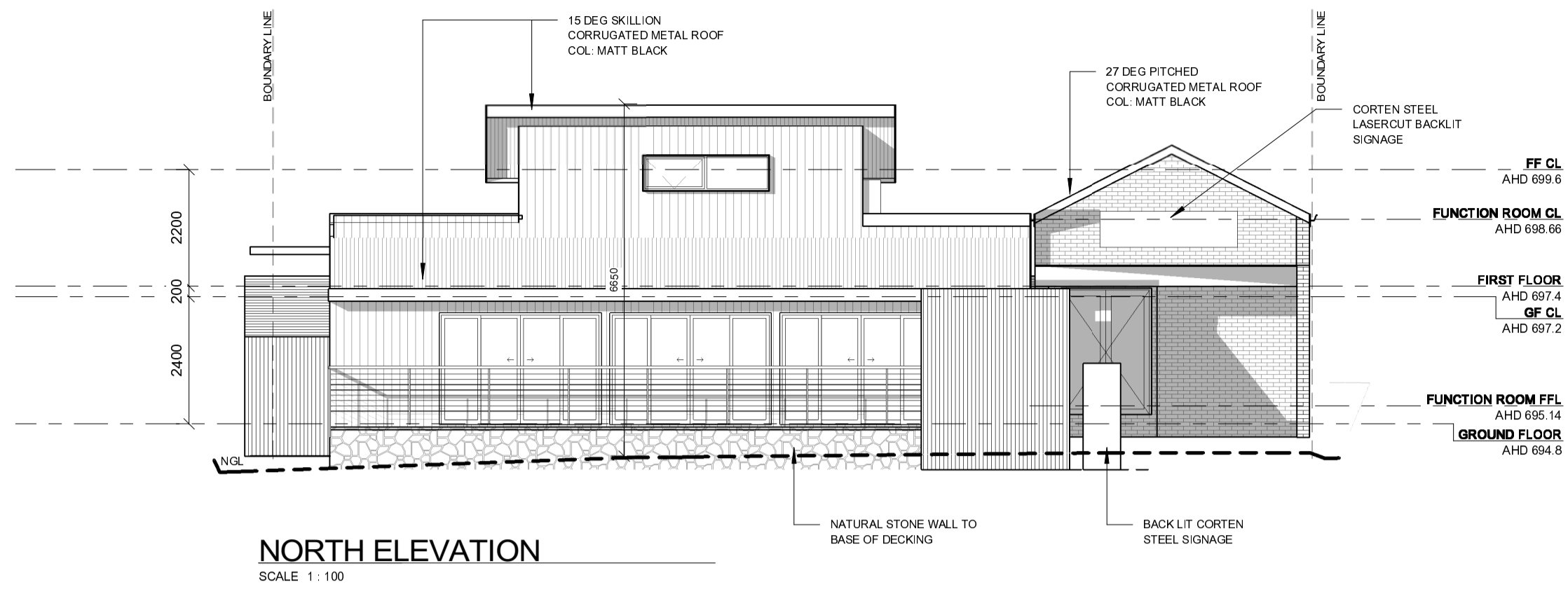
**ALBERT STREET**

**NO. 11 ALBERT STREET**  
SINGLE STOREY  
WEATHERBOARD DWELLING

REV.	AMENDMENT DESCRIPTION	DATE

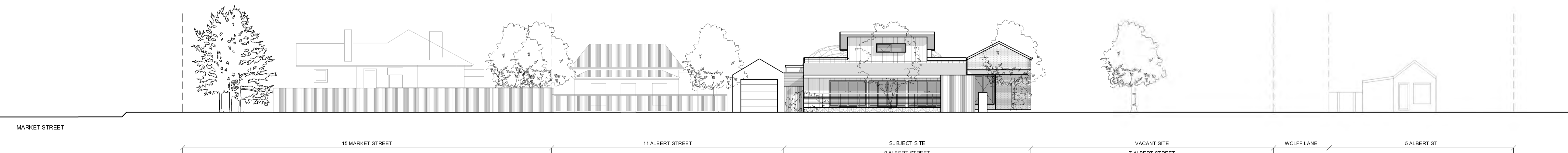
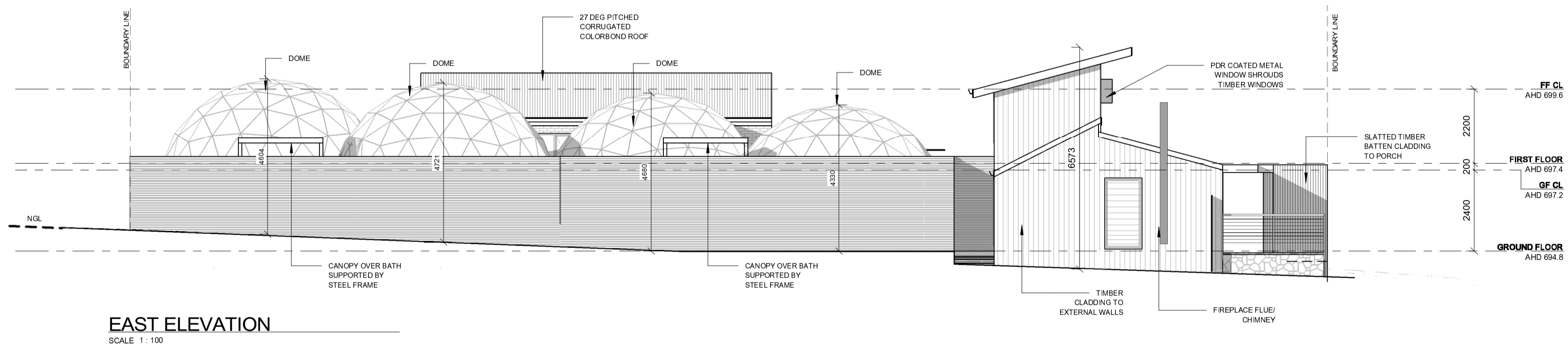
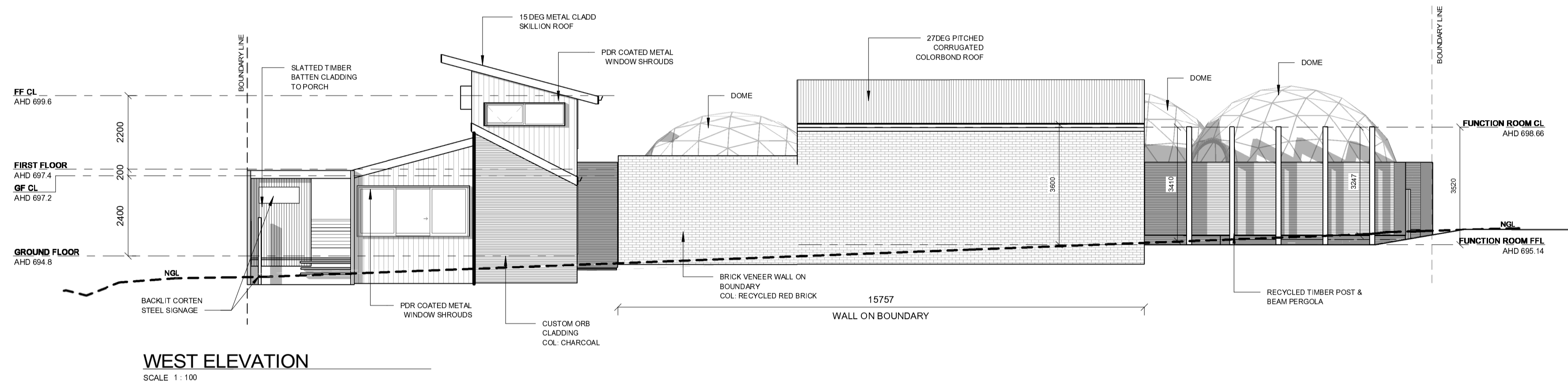
PROJECT	PROPOSED ACCOMMODATION	DATE	09.10.2020
DRAWING ISSUE	TOWN PLANNING	DRAWN	MVC
ADDRESS	9 ALBERT STREET TRENTHAM	PROJECT NO.	1007
CLIENT	G & M THOMAS	TO SCALE AT	A1



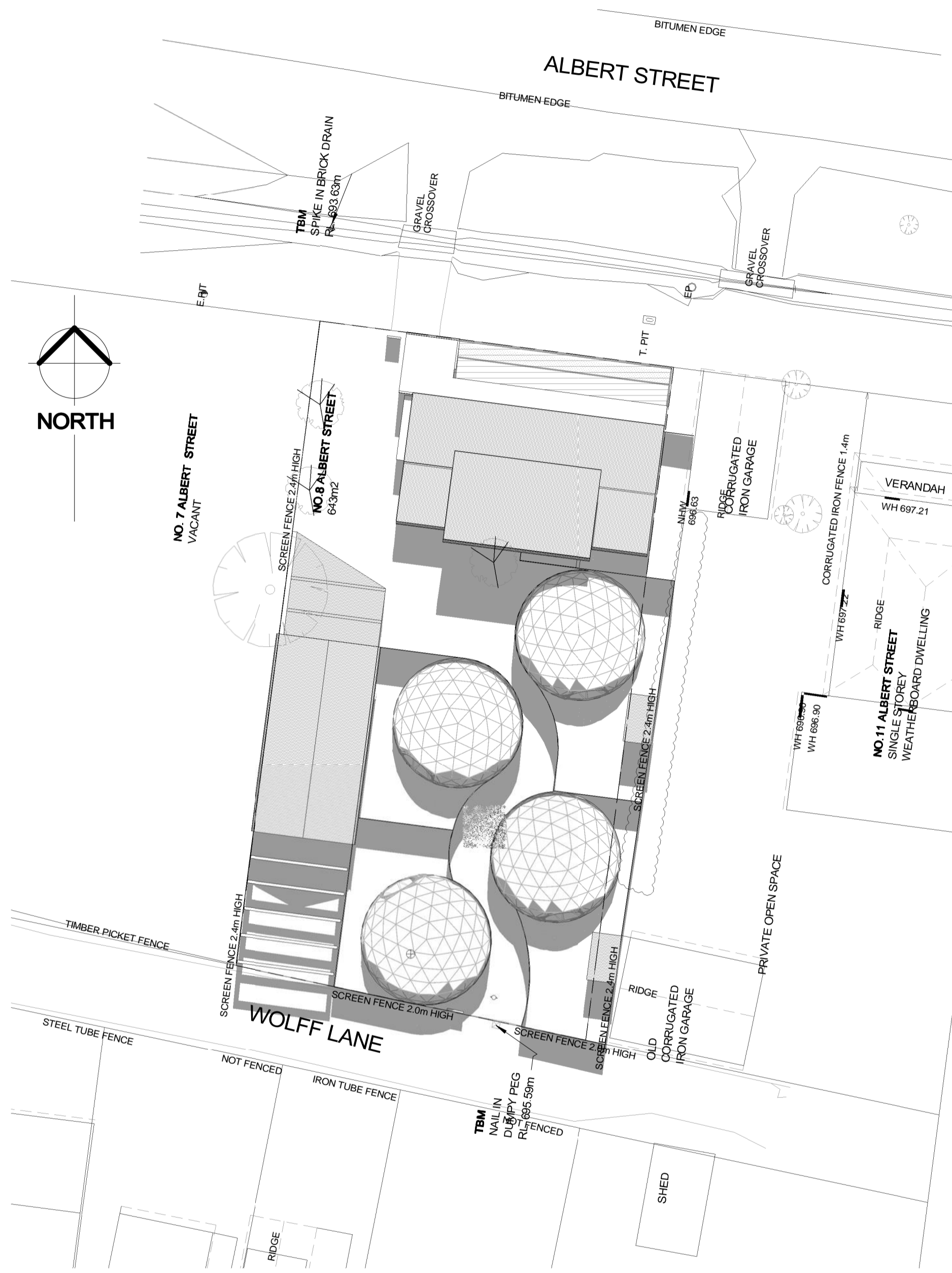


**MATERIALS AND FINISHES SCHEDULE**

- EXTERNAL CLADDING**  
BLACK BUTT SHIP-LAP VERTICAL TIMBER CLADDING - COL. NATURAL CLEAR OIL FINISH  
COLORBOND CUSTOM ORB CLADDING COL. CHARCOAL  
SLATTED TIMBER BATTEN CLADDING - NATURAL OILED FINISH  
NATURAL STONE WALLING TO VERANDA DECK BASE
- WINDOWS AND DOORS**  
EXISTING WINDOWS - TIMBER TO BE REFINISHED IN A CLEAR OIL FINISH  
NEW ALUMINUM FRAMED WINDOWS & GLAZED DOORS & WINDOW SHROUDS COL. BLACK
- BALUSTRADE**  
METAL FRAME & HANDRAIL
- ROOFING**  
CORRUGATED COLORBOND ROOF, GUTTERS & DOWNPIPES COL. BLACK
- FUNCTION ROOM**  
RECYCLED BRICK COL. RED
- PERGOLA**  
RECYCLED TIMBER POSTS & BEAMS COL. NATURAL OILED FINISH
- DECKING**  
BLACK BUTT DECKING - CLEAR OIL FINISH
- PATHS**  
CRUSHED COMPACTED QUARTZ & RECYCLED RAILWAY SLEEPERS
- FENCES & GATES & BACKLIT SIGNS**  
LASER CUT CORTEN STEEL PANELS
- DOMES:**  
COL. LAKE GREY



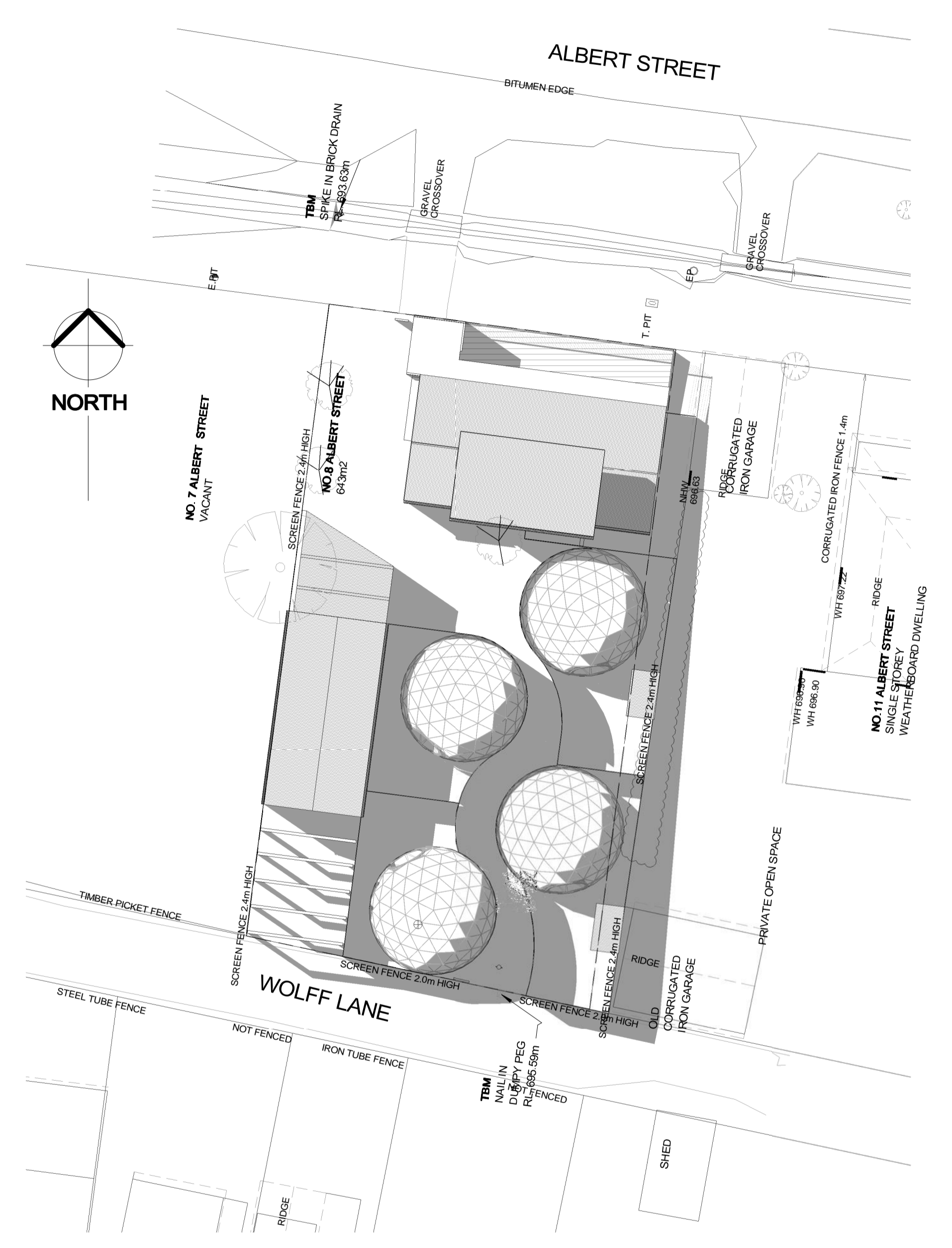
**STREETSCAPE ELEVATION**  
SCALE 1:200



SHADOW PLAN 22 SEP 9AM  
SCALE 1 : 200



SHADOW PLAN 22 SEP 12PM  
SCALE 1 : 200



SHADOW PLAN 22 SEP 3PM  
SCALE 1 : 200

**GENERAL NOTES:**

- Levels are based on A.H.D vide TRENTHAM PM 41 with registered RL.695.603m.
- Contour interval is 0.25m.
- Assume that all windows shown are for habitable rooms. A site visit to determine the exact status of each room should be carried out before proceeding.
- Feature and levels shown on this plan are intended to aid in general design works only. Any critical dimensions required should be requested independently of this plan. Prior to any demolition, excavation or construction on this site the relevant Authorities should be contacted to ascertain detailed locations of all existing services and the possible locations of future services.
- Please refer to title re-establishment plan 2020-0661E, prepared in conjunction with this survey for fencing differences.

**-Legend-**

	Tree
	Fence
	Gate
	Top of Bank
	Brick Drainage Channel
	Window
	Window Head
	Door Sill
	Chimney Height
	Water Meter
	Telstra Pit
	Electricity Pit
	Electricity Pole
	Sewer Unclassified
	Dumpy Peg
	Spike
	Picture Point

MGA 94, ZONE 55




**Smith Land Surveyors Pty Ltd**  
 Office - 142a Fyans Street, South Geelong, Vic, 3220  
 P (03) 5222 1234 F (03) 5223 3141  
 E survey@smithls.com.au  
 W www.smithlandsurveyors.com.au  
 ABN 72 142 046 964

**WARNING:**

Please refer to Certificate of Title for any easements or encumbrances.

Before proceeding with any design, construction or use of the land adjoining neighbours must be consulted to resolve any differences between fencing and the title position shown on this plan.

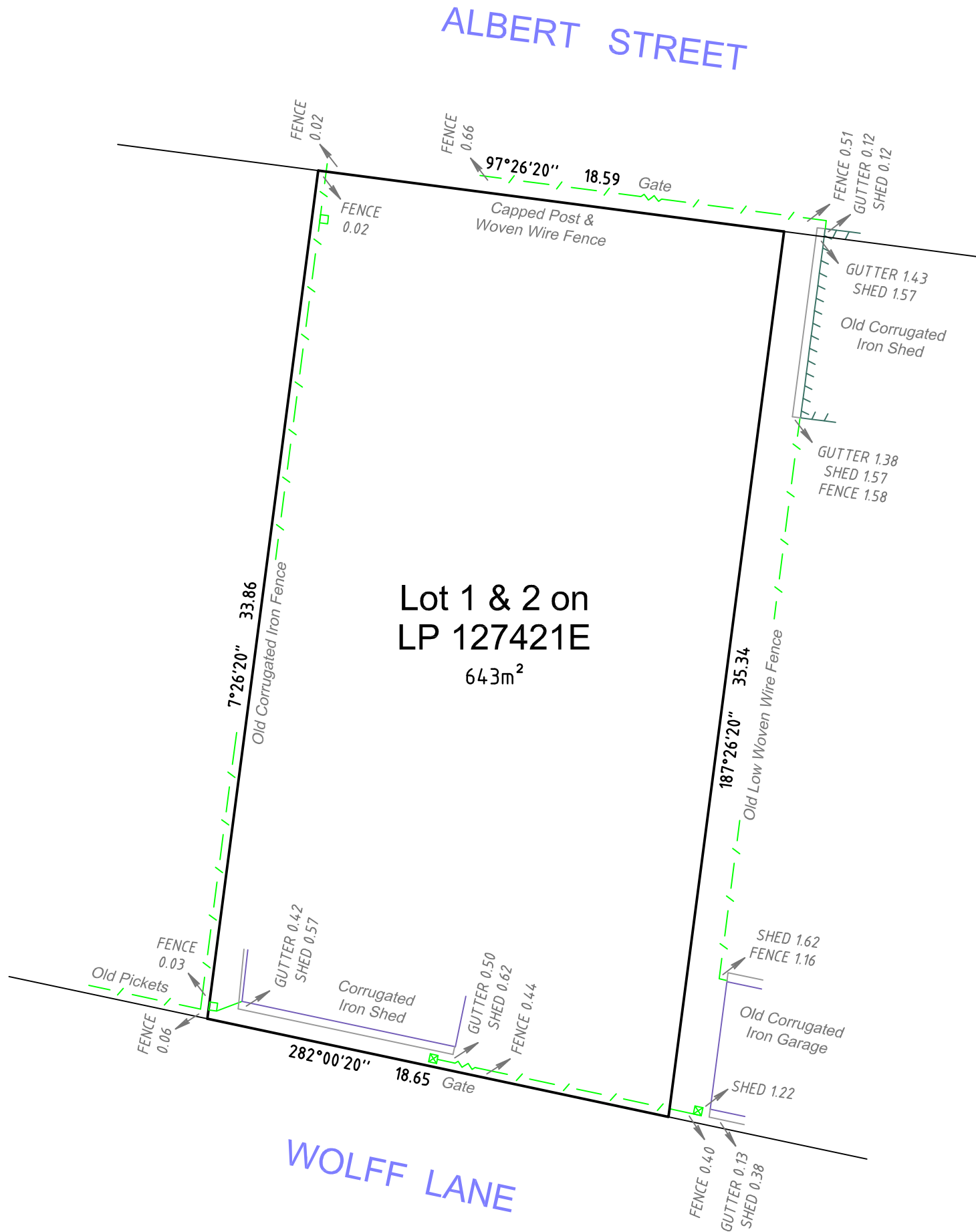
The title boundaries shown beyond the subject land have been imported from the Digital Cadastral Map Base (DCMB) and are approximate only.

**EXISTING CONDITIONS SURVEY**  
 9 ALBERT STREET  
 TRENTHAM

GM PROJECT MANAGEMENT

SCALE: 1:150	SURVEY DATE: 20/07/20	
DATE: 27/07/20	DATUM: A.H.D	SHEET: 1 OF 1
DRAFTED: C.G	JOB: 2020-0661EC	ORIGINAL SHEET
SURVEYOR: C.M	VERSION: 01	A1
THIS ELECTRONIC DRAWING IS PRODUCED BY, AND REMAINS THE PROPERTY OF SMITHLAND SURVEYORS PTY. LTD. IT MAY NOT BE REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION.		

MGA 94 ZONE 55



Please refer to Certificate of Title for any easements or encumbrances.

- Where occupation including fences and buildings around the perimeter of a property encroach onto the subject site, the land beyond the occupation may not be recoverable as rights of possession may have passed to adjoining owners. Full title dimensions should not be assumed for design purposes / re-fencing until these issues have been resolved with adjoining land owners.
- Where occupation including fences and buildings around the perimeter of a property encroach onto the neighbouring site, the land beyond the title may not be utilized until a formal application with Land Registry is approved. Until this time you must limit any future building works to the current title position

The position of fencing and other occupation in relation to the title boundaries has been exaggerated for the purposes of clarity, and only applies at the natural surface level on the date of the survey and does not show any encroachments that may exist below the natural surface. If no offsets are shown, the fencing is in the correct position.

These notes are an integral part of this plan.

IMPORTANT NOTE

REFERENCES

Please refer to existing conditions plan 2020-0661EC.DWG prepared in conjunction with this survey for planning purposes.

CERTIFICATE BY LICENSED SURVEYOR

I, Glenn Graham Smith of Smith Land Surveyors Pty. Ltd. 142a Fyans Street, South Geelong 3220, certify that this plan has been prepared from a survey made under my direction and supervision in accordance with the **Surveying Act 2004** and completed on 20/07/2020, that this plan is accurate and correctly represents the adopted boundaries and that the survey accuracy accords with that required by regulation 7(1) of the Surveying (Cadastral Surveys) Regulations 2015.

Date: 27/07/2020

Licensed Surveyor,  
Surveying Act 2004.



**Smith Land Surveyors Pty Ltd**  
Office - 142a Fyans Street, South Geelong, Vic, 3220  
P (03) 5222 1234 F (03) 5223 3141  
E survey@smithls.com.au  
W www.smithlandsurveyors.com.au  
ABN 72 142 046 964

**RE-ESTABLISHMENT SURVEY**  
9 ALBERT STREET  
TREENTHAM

CLIENT: GM PROJECT MANAGEMENT

SCALE: 1:200

DATE: 27/07/20

DRAFTED: C.G

SURVEYOR: C.M

SURVEY DATE: 20/07/20

DATUM: N/A

JOB: 2020-0661RE

VERSION: 01

SHEET: 1 OF 1

ORIGINAL SHEET

A3

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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

VOLUME 07703 FOLIO 134

Security no : 124086228355F  
Produced 26/10/2020 09:52 AM

**LAND DESCRIPTION**

Lots 1 and 2 on Title Plan 127421E.  
PARENT TITLE Volume 05981 Folio 022  
Created by instrument 2457822 13/12/1951

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
G & M THOMAS PTY LTD of OFFICE 1 LEVEL 1 424 BOURKE ROAD CAMBERWELL VIC 3124  
AT642459E 28/09/2020

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP127421E FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NUMBER		STATUS	DATE
AT630185J (E)	CONV PCT & NOM ECT TO LC	Completed	23/09/2020
AT642459E (E)	TRANSFER	Registered	28/09/2020

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 21310P TOORAK LAW PTY LTD  
Effective from 28/09/2020

DOCUMENT END

The document following this cover sheet is an imaged document supplied by LANDATA®, Victorian Land Registry Services.

Document Type	<b>Plan</b>
Document Identification	<b>TP127421E</b>
Number of Pages (excluding this cover sheet)	<b>1</b>
Document Assembled	<b>26/10/2020 09:59</b>

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The document is invalid if this cover sheet is removed or altered.



TITLE PLAN		EDITION 1	ATTACHMENT 10.1.2 TP 12742E
------------	--	-----------	--------------------------------

**Location of Land**

Parish: TRENTHAM  
 Township: TRENTHAM  
 Section: 2  
 Crown Allotment: 5(PT), 6(PT)  
 Crown Portion:

Last Plan Reference:  
 Derived From: VOL 7703 FOL 134  
 Depth Limitation: NIL

Notations

ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN

Description of Land / Easement Information

*All that piece of Land, delineated and coloured red on the map in the margin being part of Crown Allotments Five and Six Section-- Two Town and Parish of Trentham County of Dalhousie - Together with a right of carriage way over the roads coloured brown on the said map - - - - -*

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 31/08/1999  
 VERIFIED: DB

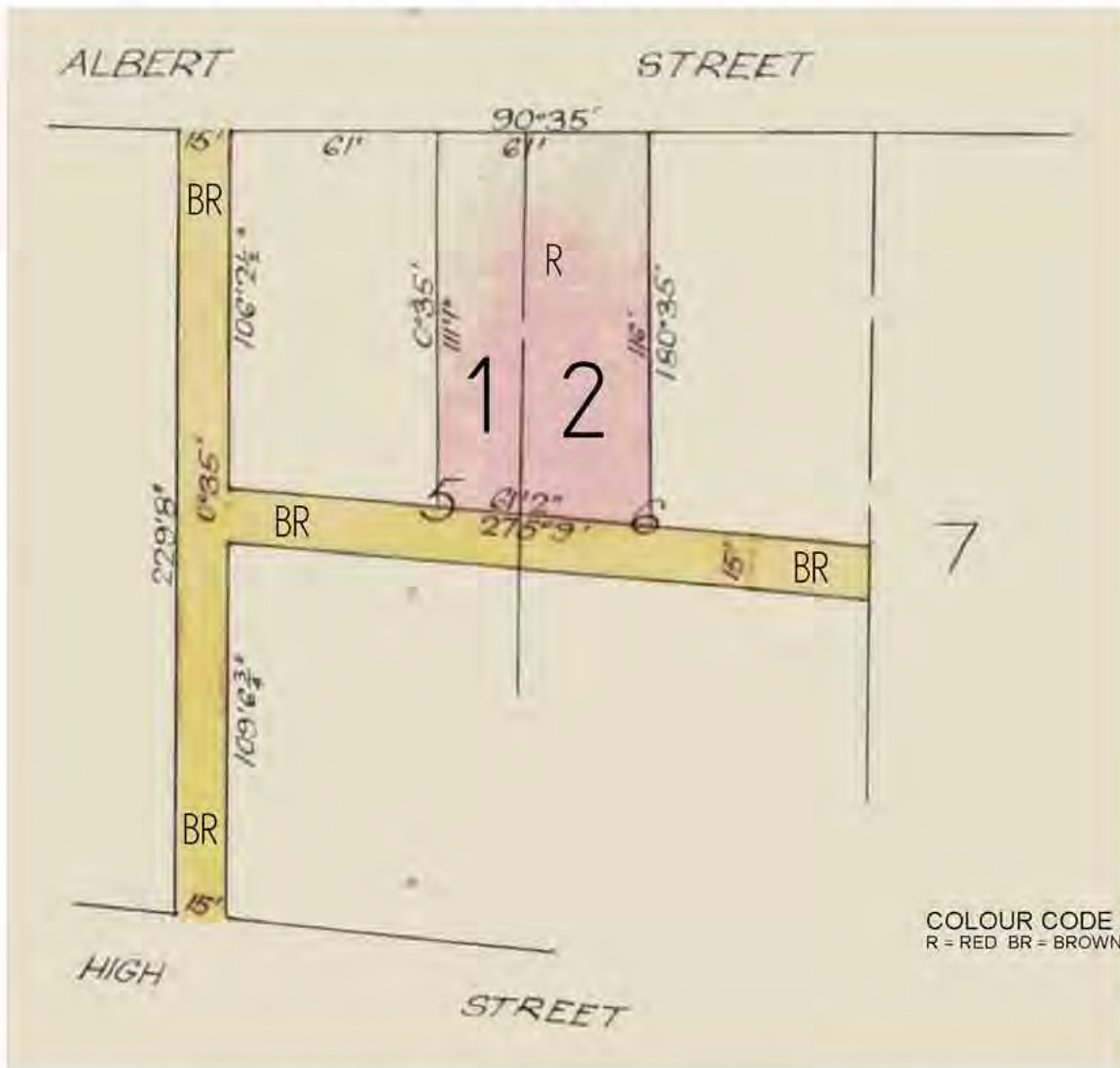


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = CA 5 (PT)
PARCEL 2 = CA 6 (PT)



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Produced 26/10/2020 09:59:17 AM

Status Registered Dealing Number AT642459E  
Date and Time Lodged 28/09/2020 02:17:23 PM

Lodger Details

Lodger Code 21310P  
Name TOORAK LAW PTY LTD  
Address  
Lodger Box  
Phone  
Email  
Reference

TRANSFER

Jurisdiction VICTORIA

Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Land Title Reference

7703/134

Transferor(s)

Given Name(s) DENISE EVELYN  
Family Name BRUTON

Given Name(s) PETER BERNARD  
Family Name BRUTON

Estate and/or Interest being transferred

Fee Simple

Consideration

\$AUD 585000.00

Transferee(s)

Tenancy (inc. share) Sole Proprietor  
Name G & M THOMAS PTY LTD  
ACN 127361657  
Address  
Floor Type LEVEL



---

**Electronic Instrument Statement**

Floor Number 1  
Unit Type OFFICE  
Unit Number 1  
Street Number 424  
Street Name BOURKE  
Street Type ROAD  
Locality CAMBERWELL  
State VIC  
Postcode 3124

---

**Duty Transaction ID**

4916243

---

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

---

**Execution**

1. The Certifier has taken reasonable steps to verify the identity of the transferor or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of PETER BERNARD BRUTON  
of DENISE EVELYN BRUTON  
Signer Name PENELOPE SUSAN TURNER  
Signer ARMSTRONG COLLINS & DELACY  
Organisation  
Signer Role AUSTRALIAN LEGAL PRACTITIONER  
Execution Date 28 SEPTEMBER 2020

---

**Execution**

1. The Certifier has taken reasonable steps to verify the identity of the transferee or his, her or its administrator or attorney.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of G & M THOMAS PTY LTD  
Signer Name DEAN KALIMNIOU  
Signer Organisation TOORAK LAW PTY LTD  
Signer Role AUSTRALIAN LEGAL PRACTITIONER  
Execution Date 28 SEPTEMBER 2020

---

**File Notes:**

NIL

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This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.

Statement End.



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**Electronic Instrument Statement**

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Produced: 26/10/2020 09:59:17 AM

Dealing Number: AT630185J

Status: Completed

Date and Time Lodged: 23/09/2020 03:08:42 PM

Responsible Subscriber: ARMSTRONG COLLINS & DELACY

Customer Code: 20427W

Reference:

APPLICATION TO CONVERT AND NOMINATE PAPER CERTIFICATE OF TITLE TO AN ELECTRONIC INSTRUMENT

The Subscriber authorises the conversion of the following paper Certificate(s) of Title to electronic Certificate(s) of Title and their nomination to the instruments contained in the Lodgement Case shown below:

Certificate(s) of Title:

Volume 7703 Folio 134

Lodgement Case ID: 205166539

Following the registration of the instruments in the Lodgement Case, do not return the eCT Control to the nominating Subscriber

Subscriber's Certification:

1. The Certifier has:

(a) retrieved; and

(b) either securely destroyed or made invalid

the (duplicate) certificate(s) of title for the folio(s) of the Register listed in this Registry Instrument or Document.

Signed by:

Penelope Susan Turner

(for ARMSTRONG COLLINS & DELACY)

Customer Code: 20427W

Dated: 23 September 2020

---

File Notes:

NIL

---

This is a representation of the digitally signed Electronic Instrument or Document certified by Land Use Victoria.



---

**Electronic Instrument Statement**

Statement End.

## **11 QUALITY COMMUNITY INFRASTRUCTURE**

### **11.1 ADOPTION OF POLICY 15 (C) - ASSET MANAGEMENT POLICY DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Manager Operations, I Tristan May have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Policy 15 (C) - Asset Management Policy [**11.1.1** - 7 pages]

#### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider the adoption of the draft Asset Management Policy.

Council is responsible for the management of about \$300M of physical infrastructure assets that support the delivery of services to the community.

The Asset Management Policy is a high-level document within Council's Asset Management Framework, outlining the organisation's approach to achieving comprehensive, accountable and transparent management practices.

A review of Council's existing Asset Management Policy has been undertaken and an updated document is now presented to Councillors for adoption.

#### **OFFICER'S RECOMMENDATION**

*That Council adopts the Asset Management Policy.*

#### **MOTION**

*That Council adopts the Asset Management Policy.*

**Moved:** Cr Brian Hood

**Seconded:** Cr Tim Drylie

**Carried**

#### **BACKGROUND**

Council is responsible for the management of almost \$300M of physical infrastructure including roads, bridges, paths, drainage, buildings and open space assets, that support the delivery of services to the local community.

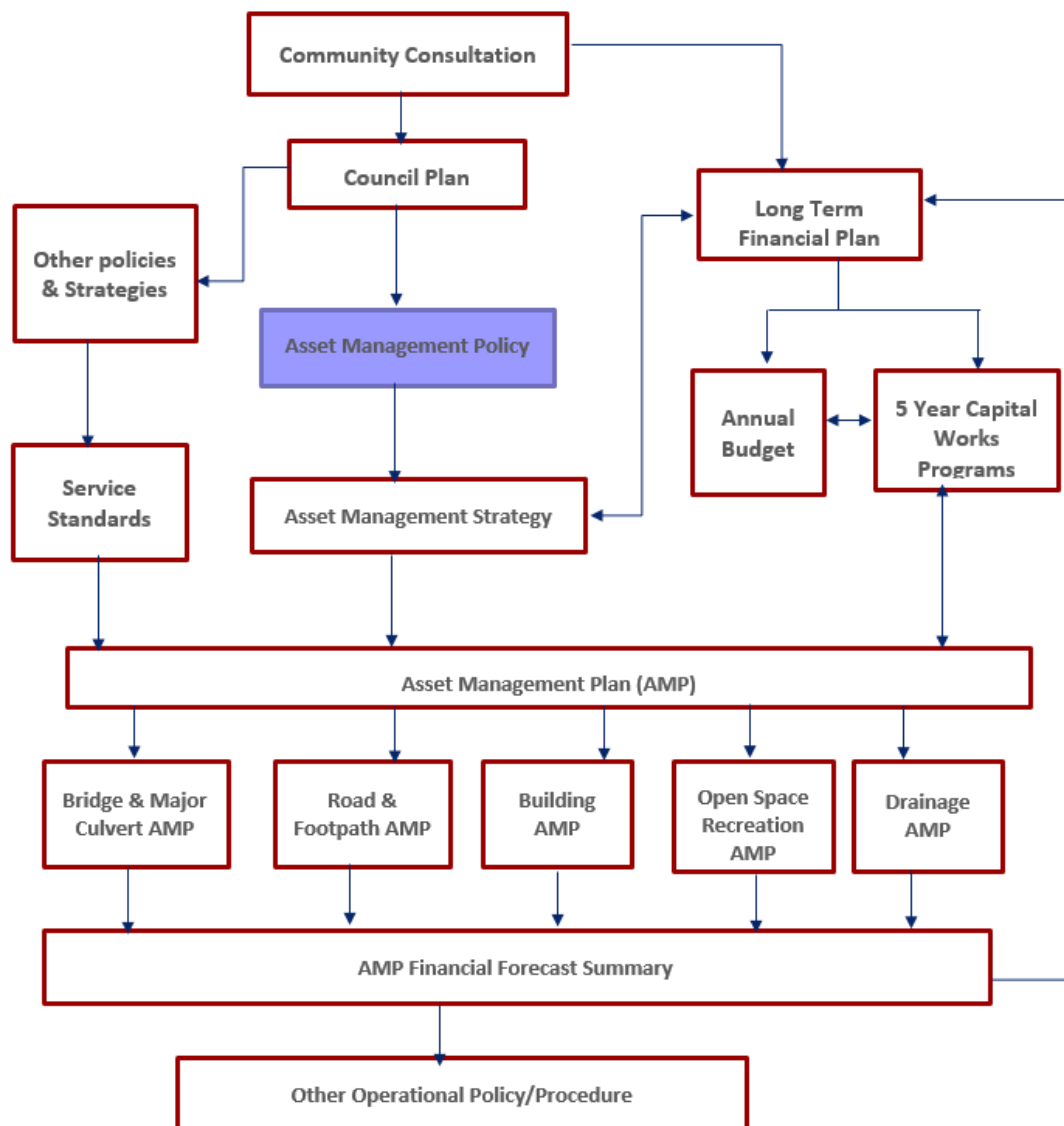
As custodian of these assets, Council's role is to ensure that they are effectively managed, to ensure they are fit for purpose and continue to meet the needs and expectations of the community whilst achieving best value and sustainable outcomes.

## KEY ISSUES

Asset management is a core service and is at the centre of Council's financial and strategic decision making. The *Local Government Act 2020* requires that Councils have adequate control over their assets and mandates the development and adoption of a ten-year Asset Plan to guide management of Council assets throughout the asset lifecycle (acquisition, maintenance, renewal, upgrade/expansion, decommissioning and disposal).

Together with the Asset Management Strategy and individual Asset Plans, the Asset Management Policy provides the framework for comprehensive, accountable and transparent asset management practices. This also ensures that the importance of appropriate asset management is clearly recognised by Council and the community.

The framework is outlined in the diagram below.



The policy is a high-level document within the framework which sets out the organisation's approach to asset management including the principles that will be

followed. A review of the existing policy has been undertaken by key internal staff, including benchmarking against current practice as well as other Council's strategic documentation.

Only minor updates from the previous version are proposed in order to streamline the document and more clearly articulate the roles and responsibilities with respect to asset management.

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

Quality Community Infrastructure

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **FINANCIAL IMPLICATIONS**

The way in which Council manages its assets has a long-term effect on Council's financial sustainability. Responsible annual investment on asset maintenance and timely renewal of assets is managed through the annual budget process.

## **RISK IMPLICATIONS**

There are no risk implications associated with this report.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report.



▶ **Asset Management Policy**

Policy Number:	15 (C)
Name of Policy:	<b>Asset Management Policy</b>
Date of Next Review:	April 2026
Date of Approval:	
Responsible Officer:	Asset Management Specialist
Reviewed by:	Coordinator Engineering
Approved by:	Council
Related Documents:	<ul style="list-style-type: none"> <li>• Hepburn Shire Council Plan</li> <li>• Asset Management Strategy</li> <li>• Asset Management Plans</li> <li>• Community Consultation Framework Policy</li> <li>• Long Term Financial Plan</li> <li>• Risk Management Policy</li> <li>• Fixed Asset Policy &amp; Procedures</li> <li>• Road Management Plan</li> <li>• International Infrastructure Management Manual (IIMM)</li> </ul>

### **Best Value Principles**

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

## ▶ Asset Management Policy

### 1. Purpose

The purpose of this policy is to set guidelines for implementing consistent Asset Management processes throughout the Hepburn Shire Council and to provide a fit for purpose asset portfolio that supports the provision of best-value services at the optimized whole of life cycle cost while meeting the present and future service needs of the community.

### 2. Scope

The policy applies to all infrastructure assets which are owned, controlled, and/or managed by the Council to deliver the necessary service to the community. Council's Asset Management Framework shows linkages between this policy and various plans and documents as represented in Appendix A. Where a plan or document does not currently exist, it shall be developed to comply with this policy.

### 3. Definitions

**Asset:** A physical item which has value and economic life of greater than 12 months with the purpose of delivering a service to the community.

**Asset Management:** The systematic and coordinated activities, processes and practices, the combination of management, financial, economic and engineering applied to physical assets with the objective of providing the required level of service in the most cost-effective life-cycle management of assets.

**Lifecycle Asset Management:** The cycle of activities that an asset goes through while it retains an identity from planning and design to construction and maintenance, to decommissioning or disposal.

**Level of Service:** The defined needs or benefits or quality for a service or activity against which service performance may be measured. Service levels usually relate to quality, quantity, reliability, responsiveness, environmental acceptability, cost and availability.

**Whole of Life Cycle Cost:** The total cost of an asset throughout its life including planning, design, construction, acquisition, operation, maintenance, renewal/replacement and disposal costs.

**Core Expenditure:** The expenditure which is considered as non-discretionary based on asset management principles.

**Capital Expenditure – Renewal/Replacement:** The expenditure for replacing an existing asset with the same or technologically modern equivalent asset which

## ▶ Asset Management Policy

restores service level to its original standard. This may reduce future operating and maintenance expenditure and will restore its condition to new. It is a core expenditure.

**Capital Expenditure – Expansion:** The expenditure that extends the capacity of an existing asset to provide benefits, at the same standard as is currently enjoyed by existing beneficiaries, to a new group of users. It is a discretionary expenditure, which increases future operating and maintenance costs because it increases the organisation's asset base but may be associated with additional revenue from the new user group.

**Capital Expenditure – New:** The expenditure that creates a new asset providing new service that did not exist beforehand. It is a discretionary expenditure.

**Capital Expenditure – Upgrade:** The expenditure, which replaces a previously existing asset with enhanced capability or function, where an option existed for replacement without the enhanced capability or functionality. Upgrade expenditure is discretionary and often does not result in additional revenue unless direct user charges apply. In most instances, it will increase operating and maintenance expenditure in the future because of the increase in the organisation's asset base.

**Maintenance Expenditure:** The recurrent expenditure required regularly or periodically as part of anticipated scheduled work required to ensure that the asset achieves its useful life and provides the required level of service. This keeps the asset in its original condition and slows down its deterioration. It is a core expenditure.

**Operating Expenditure:** The recurrent expenditure which is continuously required to provide a service typically power, fuel, staff, etc but excludes maintenance expenditure. It is a core expenditure.

**Asset Renewal Funding Ratio:** Is the comparison of the renewal and or replacement expenditure with depreciation for a defined reporting period i.e.  $\text{Renewal/Replacement Expenditure} \div \text{depreciation} \times 100$ . Both the figures must be derived from the same valuation methodology i.e. either Brownfield or Greenfield valuation methodology.

## 4. Policy Background

Asset management practices impact directly on the core business of the organisation and appropriate asset management is required to achieve our

## ▶ Asset Management Policy

strategic service delivery objectives. Sound Asset Management practices enable sustainable service delivery by integrating customer values, priorities and an informed understanding of the trade-offs between risks, costs and service performance.

### 5. Policy detail

Council is committed to the sustainability of the organisation and the services it provides to the community by:

- Applying the stewardship responsibilities placed on Council to the lifecycle management of community infrastructure assets that support services which are appropriate, accessible, responsive and sustainable.
- Implementing and improving the procedures, systems, information and technologies that support the management of its infrastructure assets.
- Developing an Asset Management Strategy which details how this Asset Management Policy is to be implemented.
- Developing and implementing Asset Management Plan for major Asset class's by undertaking life-cycle asset management inclusive of planning, design, construction, acquisition, operation, maintenance, renewal and disposal of assets.
- Prioritising sufficient funds for the core expenditures i.e. operating, maintenance and renewal/replacement of existing assets in preference to the discretionary expenditures i.e. new, upgrade and expansion.
- Carrying out regular condition & defects inspection of each asset class to use as a part of the asset management process and ensure agreed service levels are maintained and to identify asset renewal priorities.
- Preparing and implementing Asset Renewal programs for each asset class supported by Asset Management Plans.
- Prioritise asset renewal and replacement based on the current condition assessment of assets, defined intervention levels and agreed on criteria.
- Monitoring and reporting its asset renewal/replacement performance by Asset Renewal Funding Ratio.
- Providing asset management and related financial training and professional development programs for staff involved in asset management to facilitate and implement asset management culture and ownership across the whole of Council.

## 6. Roles and Responsibilities

Asset management is a corporate responsibility and an essential part of doing business for the whole of Council.

### Councillors:

- To act as stewards of the infrastructure assets for current and future communities.
- To adopt the Asset Management Policy.
- To allocate appropriate resources for asset management activities through the Annual Budget and Long-Term Financial Plan.

### Chief Executive Officer and Executive Team:

- To Provide professional advice to enable Council to make informed strategic asset management decisions.
- To provide leadership and support in the implementation of an asset management culture across the Council and with the community.
- To adopt the Asset Management Strategy.
- To endorse new and revised asset management plans and monitor outcomes.
- To ensure the community needs and the outcomes of service reviews are incorporated into the asset management plans.
- To allocate resources and training to support asset management normally.

### Engineering/Asset Management Team:

- To responsible for coordinating the asset management function.
- To review and implement the Asset Management Policy and Strategy.
- To develop and to regularly update asset management plans for the major asset groups.
- To continually seek innovative ways to meet service needs.
- To ensure compliance with legislative and statutory obligations.
- To develop and implement procedures that ensures that a single asset database is maintained and updated.
- To review the Asset Information Management System (AIMS) to ensure it meets the needs of the organization.

## 7. Further Information

## ▶ Asset Management Policy

Any enquiries about this Asset Management Policy should be directed through Customer Service to Council's Engineering Departments.

### **8. Implementation**

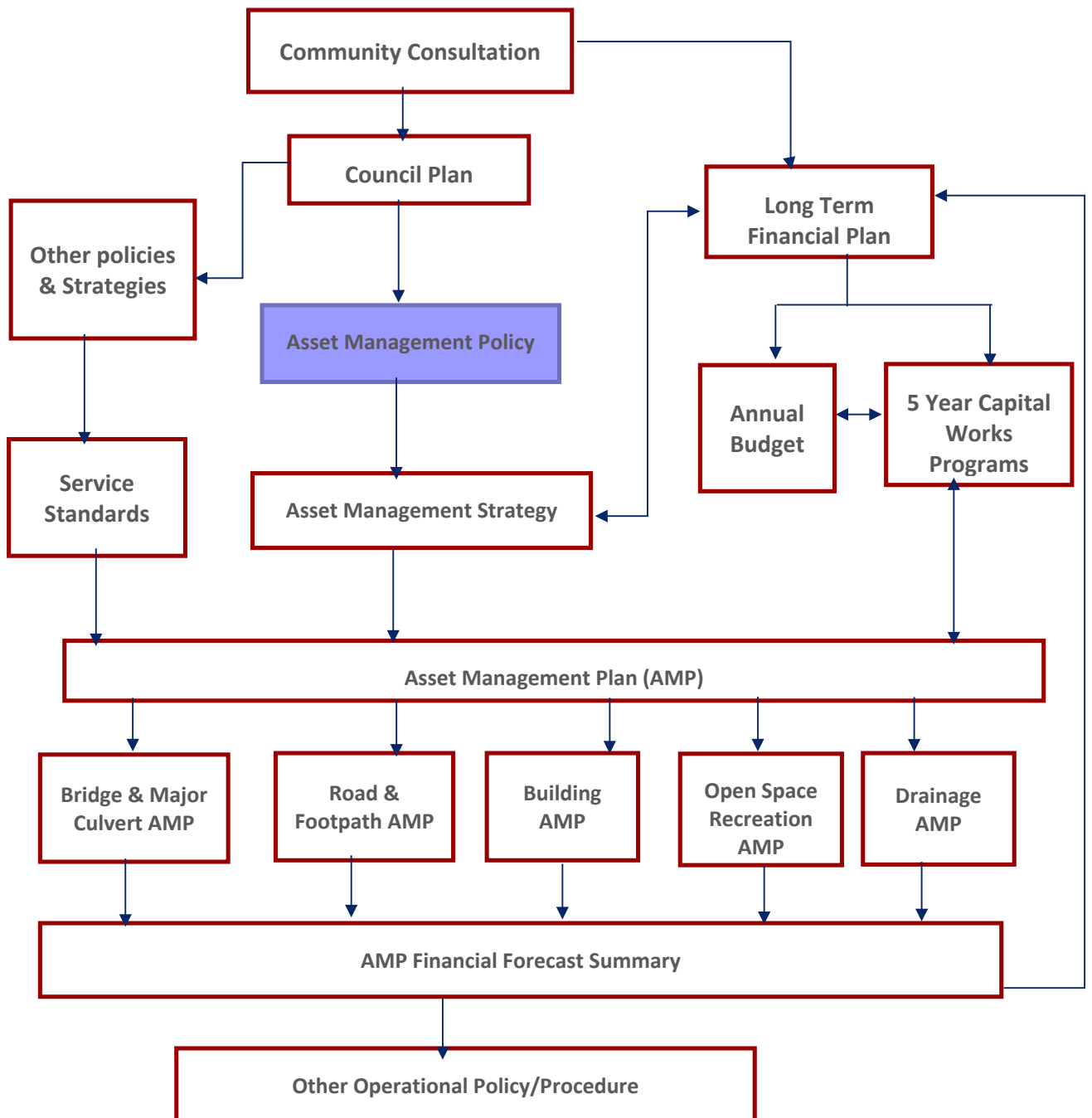
The responsibility and implementation of this Policy sits with the Manager Operations.

### **9. Review**

This policy will be reviewed on a 5-year cycle.

▶ Asset Management Policy

**Appendix A– Asset Management Framework**



*Note: Vehicle, Plant and miscellaneous Equipment will be managed and treated separately and is not included in this Asset management framework.*

## **11.2 ADOPTION OF POLICY 86 (C) - ROAD UPGRADE POLICY DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Manager Operations, I Tristan May have no interests to disclose in this report.*

### **ATTACHMENTS**

1. Policy 86 (C) - Road Upgrade Policy [**11.2.1** - 8 pages]

### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider the Draft Road Upgrade Policy and provide residents and Council a framework for assessing and prioritising road upgrade requests.

The most common, non-maintenance infrastructure requests the operations department receive is for local roads to be upgraded.

The Road Upgrade Policy will provide a transparent methodology for assessing and prioritising request based on 4 key principles:

- Transport Benefit
- Safety Criteria
- Community Benefit
- Financial Benefits

The timeframes within the policy will align with the annual budgets process to enable appropriate fiscal discussions.

### **OFFICER'S RECOMMENDATION**

*That Council adopts the Road Upgrade Policy to support the evaluation of future road upgrade priorities.*

### **MOTION**

*That Council adopts the Road Upgrade Policy to support the evaluation of future road upgrade priorities.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Tim Drylie

**Carried**

### **BACKGROUND**

Council does not necessarily have enough financial resources or receive enough external grants to meet the community expectations for upgrading roads asset and



continuing to manage the assets at the upgrade condition. The sealing of unsealed roads is one of the most common capital works requests received from the community.

This Road Upgrade Policy provides a means of prioritising road upgrade projects across the road network for consideration in Council's future Capital Works Program (CWP) to address strategic transport needs.

Council has never had a formal policy to assess such requests against.

### **KEY ISSUES**

Council Officers and Councillors are often approached by ratepayers enquiring about how they can have their road upgraded, in most cases, meaning sealing of unsealed roads. Council has never had a policy on the issue and have assessed each request individually based on merit and Council has funded some road upgrade in previous years infrastructure programs.

The purpose of this policy is to establish guidelines for a transparent approach to road assets upgrades which are owned, controlled, and/or managed by the Council to deliver the necessary service to the community by: -

- detailing various evaluation criteria to assess the viability of road upgrades request & providing clear and consistent advice to the community.
- providing a robust and impartial appraisal and priority-based system for capital investment in road upgrade projects.
- ensuring Council Officers have sufficient resources and information available to progress proposals and subsequently implement works.
- Allocating capital in a sustainable manner.

### **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

Quality Community Infrastructure

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

The Road Upgrade Policy is an operational policy which will provide residents and Council a framework on assessing potential road upgrade Projects.

### **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

### **SUSTAINABILITY IMPLICATIONS**

The sustainability implications of road upgrade have not been assessed.

### **FINANCIAL IMPLICATIONS**

It is anticipated that the highest prioritised candidates for upgrade will be considered during future Council budget development processes.

### **RISK IMPLICATIONS**

There are no risk implications associated with this report.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report however post adoption, this will be communicated through various channels.

▶ Road Upgrade Policy

Policy Number:	86 (C)
Name of Policy:	<b>Road Upgrade Policy</b>
Date of Next Review:	April 2026
Date of Approval:	
Responsible Officer:	Asset Management Specialist
Reviewed by:	Coordinator Engineering
Approved by:	Council
Related Documents:	<ul style="list-style-type: none"> <li>• Hepburn Shire Council Plan</li> <li>• Asset Management Policy</li> <li>• Road Management Plan</li> <li>• Road Asset Management Plans</li> <li>• Long Term Financial Plan</li> <li>• Risk Management Policy</li> </ul>

### Best Value Principles

Hepburn Shire Council has the responsibility to provide its ratepayers with the best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment, and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be a periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting the best value principles in their normal day to day actions to ensure services are recognized by the community as delivering the best value.

## 1. Introduction

Hepburn Shire Council maintains a significant road network including approximately 612 km Sealed Road, 844 km Unsealed Road and 82 km Kerb & Channel as on 30<sup>th</sup> June 2020. Council acknowledges that it does not necessarily have enough financial resources or receive enough external grants to meet the community expectations in upgrading roads asset. Sealing of unsealed road is one of the most common capital works requests received from the community. This Road Upgrade Policy provides a means of prioritising road upgrade projects across the road network for inclusion in the Council's Capital Works Program (CWP) to address strategic transport needs.

## 2. Purpose

The purpose of this policy is to set guidelines for a transparent approach to road assets upgrades which are owned, controlled, and/or managed by the Council to deliver the necessary service to the community by: -

- detailing various evaluation criteria to assess the viability of road upgrades request & providing clear and consistent advice to the community.
- providing a robust and impartial appraisal and priority-based system for capital investment in road upgrade projects.
- ensuring Council Officers have sufficient resources and information available to progress proposals and subsequently implement works.
- Allocating capital in a sustainable manner.

It should be noted that sometimes roads are upgraded and/or sealed as a consequence of other works, such as drainage changes or road safety projects. These works are excluded from this policy as the evaluation is based on separate criteria and considerations.

## 3. Scope

This Policy will apply to future upgrade of a road listed on Council's Public Road Register which is owned, controlled, and/or managed by the Council:

- Non-maintained roads (unsealed): Roads that are not maintained by the Council. They receive no routine grading, drainage maintenance or tree trimming works.
- Maintained tracks (unsealed): Formed-only access ways that receive a low degree of maintenance by Council.
- Unsealed roads: Council roads that are typically gravel surface and may have a formal pavement structure with associated drainage infrastructure.
- Sealed roads: Sealed roads maintained by Council with an existing pavement structure with associated drainage infrastructure.

## ▶ Road Upgrade Policy

However, Council investment for the upgrade of roads will be predominantly focused on the upgrading of unsealed roads to sealed roads on a prioritised basis that is determined in the prior financial year and subject to budget allocation.

### 4. Road Prioritisation and Assessment Process

Requests to Council or a need for Council to provide capital funding towards a proposed project may originate from:

- Requests from Councillors, Council Officers, community-based groups, or residents.
- External partnership proposals.
- Actions within a Council approved Plan, Strategy or Program.
- Asset Management Plan requirements or emergency works.
- Grant or funding opportunities.

To ensure a proposal's inclusion in the next year's capital works program, road upgrade requests should be submitted no later than December each year. Council will assess and rank the applications from January to February each year concerning upgrade cost and available funding.

As identified above, these requests can have initial investigations carried out by the Council's Engineering/Asset Management Team.

### 5. Key Information in the Road Prioritisation Matrix (RPM)

Completing the RPM involves undertaking an assessment based on a range of benefit evaluation criteria for each segment of the road. To do this the benefit of upgrading a road segment is evaluated against four key benefit criteria. Requests scoring the highest score will get priority. These are:

- Transport
- Safety
- Community
- Financial

#### 5.1 Transport Benefit

Each road section is assessed to determine the level of transport benefit to the community. Table 1 summarises the various evaluation criteria and potential scores based on the assessment of each road segment.

**Table 1 – Transport Evaluation Criteria**

Transport Benefits Evaluation Criteria		Score	Description
<b>Connectivity</b>	Is the road a through road?	5	Yes, it is a Through Road and principal route.

► Road Upgrade Policy

		2	Yes, but no a primary route.
		0	No, it is not Through Road.
<b>Hierarchy</b>	What is the road hierarchy based on Public Road Register Guidelines?	5	Link
		4	Collector
		3	Local Access
		2	Maintained Track
		1	Not Maintained
<b>Transport Task</b>	What economic drivers about the segment of the road?	5	Primary Producer > =6
		3	Primary Producer < =5, but greater than 0
		2	Tourism/manufacturing/construction/other
		1	No registered businesses
<b>Primary Function</b>	What strategic function does the road provide?	5	Regional Strategic Route
		3	Local Strategic Route
		2	Transport Route/Bus Route
		1	Property Access
<b>Bus Route</b>	Is the road a designated bus route as per PTV or a school bus route?	5	PTV Bus Route
		4	School Bus Route
		0	Not a Nominated Bus Route
<b>Traffic Volumes</b>	What is the 5 or 7-day average traffic volume? (Whichever is highest.) Note 1	5	Greater than 501 vehicles per day
		4	Between 251 - 500 vehicles per day
		3	Between 151 – 250 vehicles per day
		2	Between 76 - 150 vehicles per day
		1	Between 26 - 75
		0	Less than 25 vehicles per day
<b>Commercial Vehicle Volumes</b>	What is the overall usage of commercial/heavy vehicles on this road segment? Note 1 (Conversion from % to No.)	5	Greater than 40% or over 50 truck movements per day
		4	Between 30 -40% or up to 50 truck movements per day
		3	Between 21 -30% or up to 35 truck movements per day

▶ Road Upgrade Policy

		2	Between 11 - 20% or up to 20 truck movements per day
		1	Between 6 -10 % or up to 12 truck movements per day
		0	Less than 5% or 6 truck vehicle movements per day

Note 1: Where detailed traffic volume breakdowns are not available or out-of-date, volumes will be interpreted from available data in nearby segments or estimated based on IDM guidelines.

Note 2: AUSTRROADS Class 3 and above vehicle classification.

## 5.2 Safety Criteria

The second group of criteria for use in the prioritization of road segments relates to road safety. Table 2 summarises the various evaluation criteria and potential score based on the assessment of each road segment.

**Table 2 – Road Safety Evaluation Criteria**

Road Safety Benefits Evaluation Criteria			Score	Description
<b>Reported Crash History</b>	<b>Crash</b>	Has there been any reported crashes? Note 3 Note 4	5	Fatality
			3	Serious Injury
			2	Other injuries
			1	None
<b>Road Safety and alignment (Horizontal and Vertical)</b>	<b>and</b>	What is the overall horizontal and vertical road alignment and what impact is this having on road safety? Note 5	5	Overall Poor Alignment
			3	Isolated sections with poor alignment
			0	Generally good alignment
<b>Road Width</b>		What is the current width of the trafficable road width?	5	Less than equal to 5 meters
			3	Isolated sections with width below 5m
			1	Greater than 5 meters

Note 3: Based on 5 year Western Region Road Crash Data

Note 4: Where an area or intersection meets the criteria for the Federal Blackspot program, Council make elect to seek external funding through that grant program before consideration of a 'stand-alone' upgrade

Note 5: Consideration of roadside hazards (such as trees) will not be taken into account as, in general, sealing of a road increases average speeds and has a negative effect on hazard proximity

► Road Upgrade Policy

### 5.3 Community Benefits

The third group of evaluation criteria relates to the level of community benefit. Table 3 summarises the various criteria and potential score based on the assessment of each road segment.

**Table 3 – Community Benefit Criteria**

Community Benefits Evaluation Criteria		Score	Description
<b>Requests received</b>	Requests from abutting residents	3	Yes, request received.
		0	No requests
<b>No of Dwellings</b>	No of occupied dwellings located on the abutting road section	5	Greater than 10
		2	5 or more
		0	Less than 5
<b>Likely Impact from new developments</b>	What level of impact is possible from external future development? <small>Note 6</small>	5	Significant development impact
		2	Possible minor development
		0	No further development impacts
<b>Amenity Impacts</b>	What impacts can be expected by abutting properties	5	Subject to substantial dust/ road and property water runoff impacting structures/dwelling
		0	No impact to amenity for abutting properties
<b>Environmental Impacts to Designated water way</b>	What are the environmental impacts that currently exist?	5	Significant environment impact/proximity to a designated waterway
		0	No environmental impacts
<b>Road Condition Assessment</b>	What is the current pavement condition rating of the section of the road (1 to 10)?	5	Equal or Greater than 8
		2	In between 5 to 7
		0	Equal or Less than 4

Note 6: In general, large developments are required to pay for road upgrades. Officers will determine the likelihood of future development meeting that threshold.



## ▶ Road Upgrade Policy

### 5.4 Financial Benefits

The final category of benefits to be assessed for each road segment. Table 4 summarises the various financial benefit evaluation criteria and potential scores.

**Table 4 – Financial Benefits**

Financial Benefits Evaluation Criteria		Score	Description
<b>Cost of Upgrade works</b>	What is the estimated costs of any proposed upgrade works?	5	Costs are less than \$50,000
		3	Costs between \$50,000 and \$200,000
		1	Greater than \$200,000
<b>The gap to Seal Ratio</b>	What is the ratio of the unsealed road section relative to the entire road length?	5	Less than 10% unsealed
		4	Between 11% and 25% unsealed
		3	Between 26% and 50% unsealed
		2	Between 51 and 75% unsealed
		1	Greater than 75% unsealed
<b>Potential external Funding Opportunities</b>	Likelihood of external grants/income?	5	High confidence in Wholly funded through DCP/external funding
		3	High confidence in partial funding through DCP/external funding
		0	Fully funded by Council
<b>Ongoing maintenance Liability</b>	What level of maintenance is required due to existing conditions?  Note 7	10	High ongoing maintenance costs due to current conditions
		5	Medium Maintenance liability due to current conditions
		0	Low maintenance liability due to current conditions

Note 7: Inputs including, historic maintenance and capital costs, longitudinal grades, drainage issues.

### 6. Approved Upgrades

Council officers will use the prioritisation and ranking when considering the nomination of projects within Council's proposed future Capital Works budget.

### 7. Further Information

Any enquiries about this Road Upgrade Policy should be directed through Customer Service to Council's Engineering Departments.

## **8. Implementation**

The responsibility and implementation of this Policy sits with the Manager Operation.

## **9. Review**

This policy will be reviewed on a 5-year cycle.

### **11.3 ROAD MANAGEMENT PLAN REVIEW DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Manager Operations, I Tristan May have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Draft Road Management Plan [11.3.1 - 23 pages]

#### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to endorse the Draft Road Management Plan (Version 6) 2021 and resolve to advertise the document for public submissions in accordance with the Road Management Act 2004.

This report provides an overview of the review and proposed changes to Council's current Road Management Plan (2017-2021) and seeks Councillor's approval to proceed with public exhibition of the Road Management Plan 2021-2025.

#### **OFFICER'S RECOMMENDATION**

*That Council:*

- 1. In accordance with the provisions of the Road Management (General) Regulations 2005, authorises the Interim Chief Executive Officer to give public notice that the draft Road Management Plan 2021-2025 has been prepared and is available for public inspection;*
- 2. Resolves to allow a 28-day public exhibition period for submissions on the plan to be made by members of the public; and*
- 3. Requests that a further report be presented to Council at the conclusion of the public exhibition period, considering all submissions received as part of formally adopting the Road Management Plan.*

#### **MOTION**

*That Council:*

- 1. In accordance with the provisions of the Road Management (General) Regulations 2005, authorises the Interim Chief Executive Officer to give public*

*notice that the draft Road Management Plan 2021-2025 has been prepared and is available for public inspection;*

*2. Resolves to allow a 28-day public exhibition period for submissions on the plan to be made by members of the public; and*

*3. Requests that a further report be presented to Council at the conclusion of the public exhibition period, considering all submissions received as part of formally adopting the Road Management Plan.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Brian Hood

**Carried**

## **BACKGROUND**

The Victorian Road Management Act came into effect in July 2004. The purpose of the Road Management Act 2004 is to:

- Set out the powers, duties and functions of road authorities in relation to the inspection, maintenance and repair of roads;
- Establish the legal framework for the management of roads and define the rights, powers and duties of road authorities and other persons or bodies (such as utilities) which install, maintain or operate infrastructure on roads or carry out such works on roads; and
- Enable authorities to develop and publish management plans incorporating the performance of their duties in relation to the inspection, maintenance and repair of roads, having regard to the type of road, the resources available to the authority and its budgetary and policy priorities.

The legislation establishes a statutory framework for road asset management including:

- enabling road authorities to develop road management plans;
- setting policies and priorities and the use of available resources; and
- clarifying the basis of civil liability for road management, having regard to authorities' individual asset management plans.

Council is required to review its Road Management Plan every 4 years and the review must be finalised by 30 June following a general Council election.

## **KEY ISSUES**

The Road Management Plan sets out the level of service for road users. The current Road Management Plan is set to expire on 30 June 2021. Adoption of a new plan is required to ensure that Council fulfills its obligations under the Road Management Act 2004.

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

Quality Community Infrastructure

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **FINANCIAL IMPLICATIONS**

The level of service outlined in the draft Road Management Plan is related to the current Council resources. Changes to the draft levels of service affect the required resources to maintain the infrastructure to the adopted level of service.

## **RISK IMPLICATIONS**

Where Council fails to meet its obligations under the Road Management Plan, under certain circumstances, it can be held liable for damage or injury.

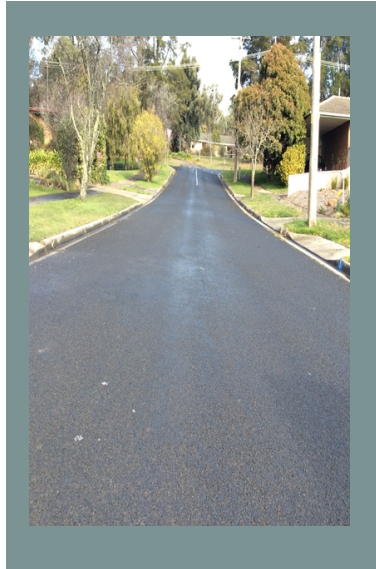
## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The draft Road Management Plan will be advertised and open for a 28-day period to receive submissions from the public. These submissions will be considered before Council adoption of the final Road Management Plan.

# Hepburn

SHIRE COUNCIL

## ROAD MANAGEMENT PLAN



**JUNE 2021 V6**

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## 1. INTRODUCTION

### PURPOSE

Hepburn Shire Council is the coordinating road authority for all shire roads within the shire boundary and has a responsibility under the Road Management Act 2004 to inspect, maintain and repair the roads specified in Council's Register of Public Road. Council is committed to provide a safe and efficient road network to the public and other road users.

This Road Management Plan (RMP) outlines how Council manages its road network and provides a means for scheduling proactive inspections and prioritisation of maintenance of the road infrastructure to ensure that it is kept in the safest condition practicable within budgetary constraints.

The RMP has been developed, along with periodic reviews in accordance with the Road Management Act 2004.

### ROAD NETWORK OVERVIEW AND FUNDING SUPPORT

Council maintains a significant road network including approximately 612km of sealed roads, 844km of unsealed roads, 45km of footpaths, 82km of kerb and channelling, 165bridges and 34km of drains.

This RMP is supported by the Budget set each year by Council. Funds are provided for both operating and capital components and budget levels are determined after consideration of various inputs including:

- Levels of Service;
- Condition reports;
- Cost benefit analysis;
- Council's Strategic Plans.

Current levels of funding for road maintenance and road improvements have been built using past expenditure results and asset condition needs.

Council's annual budget for maintenance of the road network and other critical assets including footpaths, bridges and drainage assets for the safety and convenience of our community is in the order of \$2.9 million per annum.

Continued monitoring and review of asset condition and customer requests will form the basis of future budget requirements as part of Council's asset and resource planning.



## 2. KEY STAKEHOLDERS

Those who use the road network and/or are affected by this RMP include:

- Residents and businesses residing and located within the municipality;
- Tourists and visitors to the municipality;
- Users of all types of vehicles from large trucks to cyclists and mobility scooters;
- All pedestrians;
- Emergency authorities;
- Utility agencies;
- Other Road Authorities
- Government Agencies that provide funding for management of the network;
- Council as the responsible road authority.

### 3. RESPONSIBILITY OF ROAD USERS

All road users have a duty of care under Section 106 of the Road Management Act 2004, with particular obligations prescribed in Section 17A of the Road Safety Act 1986 that requires the following:

A person who drives a motor vehicle on a highway must drive in a safe manner having regard to all the relevant factors, including (without limiting the generality) the:

- Physical characteristics of the road;
- Prevailing weather conditions;
- Level of visibility;
- Condition of the motor vehicle;
- Prevailing traffic conditions;
- Relevant road laws and advisory signs;
- Physical and mental condition of the driver.

A road user other than a person driving a motor vehicle must use a highway in a safe manner having regard to all the relevant factors.

A road user must:

- Have regard to the rights of other road users and take reasonable care to avoid any conduct that may endanger the safety or welfare of other road users;
- Have regard to the rights of the community and infrastructure managers in relation to road infrastructure and non-road infrastructure <sup>(1)</sup> on the road reserve and take reasonable care to avoid any conduct that may damage road infrastructure and non-road infrastructure on the road reserve;
- Have regard to the rights of the community in relation to the road reserve and take reasonable care to avoid conduct that may harm the environment of the road reserve.

*(1) "infrastructure manager", "non-road infrastructure", "road infrastructure" and "road reserve" have the same meanings as in section 3(1) of the Road Management Act 2004'.*

## 4. ROAD INFRASTRUCTURE

### 4.1 INFRASTRUCTURE COVERED BY THIS ROAD MANAGEMENT PLAN

Council is responsible for the following road related infrastructure:

- The constructed road including Formation, Pavement and Surface open to and intended for use by the public.
- On Street Car Parks, where they are formalised
- Surface drainage such as kerbs, channels, pits, swales and table drain within the Inner Urban precincts.
- Footpaths and Trails
- Bridges & Major Culverts which incorporate road or footpath/trails crossings.
- Roadside infrastructure such as safety barriers, pedestrian fencing and some bus shelters.

### 4.2 INFRASTRUCTURE NOT INCLUDED IN THIS ROAD MANAGEMENT PLAN

This Road Management Plan is not applicable for following infrastructure:

- Any road, driveway or pedestrian footpath on private property and/or providing access from private property to a public road;
- Roads or tracks, whether the road or track is located within a road reserve or not that are not listed in Council's Road Register and/or are not constructed to Council's minimum standard;
- National Highway/Freeway;
- Arterial Roads. The Code of Practice for Operational Responsibility of roads defines the demarcation of responsibility for arterial road reserves.
- Roads or tracks maintained by the Department of Environment, Land, Water and Planning or Parks Victoria or by any other authority
- Railway structures and associated assets set out in a Road/Rail Safety Interface Agreement as being the responsibility of others.
- Off road car parks
- Various utilities asset in the road reserves
- Street Lights
- Council owned street furniture

## 5. REGISTER OF PUBLIC ROADS

Hepburn Shire Council has a 'Register of Public Roads' that records the roads for which Council is the responsible road authority. This register also identifies the functional road hierarchy category for each road, which forms the basis for all operations and maintenance management activities.

The Register includes:

- The name of each public road;
- The Locality;
- The Hierarchy

This register is updated regularly and can be inspected at Council's Administration Centre or can be downloaded from Council's website.

### FOOTPATH REGISTER

A Footpath register is maintained by Council to define the footpath and trails for which Council is responsible and identifies the functional pathway hierarchy for each section of pathway.

### ROAD HIERARCHY

All Council maintained roads have been classified into groups to determine the frequency of inspection and the priority of maintenance given to a particular road.

*The classification of the road is determined by:*

- Number of vehicles using the road;
- Strategic value of the road;
- The type of traffic using the road.

### CLASSIFICATIONS

The classifications descriptions are:

#### ARTERIAL

Roads on the register classified as arterial are Department of Transport (Regional Roads Victorian) classified arterial roads and as such the maintenance and management of the roads is the responsibility of the state authority nominated under the Act.

#### LINK ROADS

Link roads provide a strategic link between identifiable points of interest, may carry a large volume of vehicles, have a high percentage of heavy vehicles and a high percentage of the vehicles will be travelling the entire length of the road. It primarily provides a linkage between significant residential, industrial or commercial nodes and/or the arterial road network.

#### COLLECTOR ROADS

The collector roads provide a means of transporting traffic from the local access roads and connecting them to the main transport infrastructure. The traffic volumes are typically medium to low. It **collects traffic from Local roads and connects to another Collector, Link or Arterial Road and services local area.**

### LOCAL ACCESS ROADS

Local access roads provide the predominant road classification hierarchy throughout the municipality and typically provide access to the properties along the length of the road with little or no through traffic. The traffic volumes on these roads are therefore typically low. Local access road is further classified into two categories:

**Local Access Road Level 1 (LA 1):** These roads are Medium to low traffic volume road that provide access to residents and property. Annual average daily traffic (AADT) of these roads is usually greater than 200 or urban road.

**Local Access Road Level 2 (LA 2):** These roads are low traffic volume road that provide access to residents and property. Annual average daily traffic (AADT) of these roads is usually less than 200.

### MAINTAINED TRACKS

Maintained Tracks are formed-only access ways for which Council has accepted responsibility. These roads are generally not built to any recognised standard. They receive no routine grading, drainage or tree trimming works. There is no programmed inspection and reactive inspections are considered only to ensure access is maintained. Maintenance interventions are usually the minimum required to ensure access. **These are non-standard unsealed roads generally only servicing a limited number of properties.**

### NON-MAINTAINED ROADS

Non-maintained roads are Council roads that are not maintained by Council. They receive no routine grading, drainage or tree trimming works. There is no programmed inspection and reactive inspections are considered on a case-by-case basis. **These are non-standard unsealed roads generally only servicing a limited number of properties. Unless another Road Authority or user is recorded as the maintainer, these roads are generally treated in the same way as private driveways and are the responsibility of the user(s) to maintain.**

### FOREST ROADS

Forest roads are declared roads that are not maintained or managed by Council. They are generally managed by DELWP or other land managers.

### RESERVE ROADS

Reserve roads are roads wholly contained within Council managed parks and reserves. They mostly connect carparks or points of interest. In general, they are not built to any standard. They receive maintenance and inspections as laid out in each reserve management plan, which is mostly limited to major events or in order to remove hazards.

### FOOTPATHS

Footpath maintenance standards are determined by their location and pedestrian usage.

Unlike with the road hierarchy, the pathway hierarchy will be separated into three categories.

They are:

- Inner urban precincts;
- Urban precincts.
- Trails

**Inner Urban precincts** comprise paths located within the following urban areas and along the roads listed below:

Inner Urban Area	Street Name	From	To
Clunes	Fraser Street	Service Street	Templeton Street
	Service Street	Bailey Street	Fraser Street
Creswick	Albert Street	Hall Street	Victoria Street
Daylesford	Vincent Street	Stanbridge Street	Albert Street
	Albert Street	Vincent Street	Bridport Street
	Howe Street	Vincent Street	Camp Street
Trentham	High Street	Cosmo Road	Market Street

**Urban precincts** are all other areas within the township areas outside the inner urban precincts comprising the townships of Clunes, Creswick, Daylesford, Glenlyon, Hepburn, Hepburn Springs, Newlyn, Smeaton and Trentham.

**Trails** are other longer path segments, generally built on outer urban fringes and beyond. They are mostly unsealed and built to a lower standard than other footpaths.

## 6. DEMARCATION AND TRANSFER OF RESPONSIBILITY

### ARTERIAL ROADS

Department of Transport is the responsible road authority for all declared arterial roads within the municipality. These include highways, main roads and tourist roads.

Demarcation of maintenance responsibilities for arterial roads is as specified in the Ministerial Code of Practice *Operational Responsibility for Public Roads* – May 2017.

A separate maintenance agreement may be entered into where areas of significance are located outside of Council's zone of responsibility, as an example Council accepts care and maintenance of street trees for an avenue of honour where it is situated outside of the zone of Council responsibility.

A list of Arterial roads is included in Council's Road Register, but the full declaration is found on VicRoad's website (<https://www.vicroads.vic.gov.au/traffic-and-road-use/road-network-and-performance/maps-of-declared-roads>)

### BOUNDARY ROADS

Where a road falls on a boundary between two Shires a memorandum of understanding has been agreed upon to allocate a single Responsible Road Authority for the inspection and maintenance of the road. Capital expenses for these roads are shared equally by the adjoining shires.

Council has agreements with neighbouring Local Government Authorities which are listed below:

- City of Ballarat;
- Moorabool Shire Council;
- Macedon Ranges Shire Council;
- Mt Alexander Shire Council;
- Central Goldfields Shire Council;
- Pyrenees Shire Council.

A complete list of boundary roads and the designated Responsible Road Authority for each of the roads is detailed in the Road Register.

### RAIL INFRASTRUCTURE

At any road / rail interface the responsibility for care and maintenance shall be in accordance with the Rail Safety Interface Agreements between the rail operators and Council. Rail Safety Interface Agreements shall be entered in accordance with the requirements of the Rail Safety (Local Operations) Act 2006.

### NON-ROAD RELATED ASSETS THAT ARE THE RESPONSIBILITY OF OTHERS

The responsibility for the care and maintenance of non-road-related infrastructure located within the road reserve is as follows:

Items	Responsible Authority
Electricity poles, cables, streetlights and service pits	Powercor or designated authority
Communications poles, service pits and cables	Telstra, NBN Co or designated service provider
Reticulated water pipes, valves and inspection points	Water Authority
Sewer service pits, pump stations and pipes	Water Authority
Gas service points and pipes	Gas Authority
Advertising	Property owner
Veranda/Balcony	Property owner

The provision and maintenance of these assets is to conform to the Ministerial Code of Practice *Management of Infrastructure in Road Reserves* – April 2016.



## 7. LEVELS OF SERVICE

The levels of service identify the following activities:

- Inspection of Assets
- Intervention Standards
- Management Controls and Response Times

Service levels are based on:

- Community feedback and expectations via:
  - State Government's Community Satisfaction Survey results;
  - Council's Customer Request System;
  - Elected Council representatives;
- Budget constraints;
- Level of risk;
- Legislative requirements that impact on the way assets are managed;
- Benchmarking against similar councils
- Design standards and Codes of Practice.

### INSPECTION STANDARDS

The following table describes the types of inspections that are carried out on road related infrastructure:

Sn	Inspection Type	Description	Frequency
1	Programmed inspections	Programmed inspection of an asset using documented tools, techniques and procedures to identify defects beyond intervention parameters.	Routine as determined by the asset hierarchy. See Appendix 1 –Programmed Inspection Frequencies
2	Reactive Inspections	An inspection to investigate a reported defect.	Initial Inspection times no more than 10 working days.
3	Condition Surveys	Programmed inspection surveys of the whole of asset using documented tools, techniques and procedures to establish the overall condition rating of an asset.	Once every four to five years.

## PROGRAMMED INSPECTION SCHEDULE

A schedule of programmed inspections on the road infrastructure is used to identify defects, and document hazards that may have arisen since the last inspection. The frequency of the programmed inspections varies depending on classification of the road and usage, community expectations, potential risk and available resources.

Programmed inspections are of the utmost importance as they are used to ensure a prioritised and timely intervention in removing hazards as part of Council's maintenance regime.

The work flow process for programmed inspections is shown in Figure 1 while the schedule of inspections is contained in Appendix 1.

## REACTIVE INSPECTIONS

Reactive inspections are conducted as a result of customer requests and/or notifications attaining to a hazard/defect identified in the RMP. The reactive inspections will be undertaken in accordance with the level of risk.

When concerns are raised as part of programmed or reactive inspections in relation to night time intervention levels, night time inspections will be carried out on an as-needed basis.

The work flow process for reactive inspections is shown in Figure 2.

## MAINTENANCE AND INTERVENTION WORKS

Council carries out routine maintenance and intervention works on its road network. These works are programmed after the input of data on road condition issues is received via:

- Programmed inspections;
- Reactive inspections (community and other requests for road repairs).

Intervention levels have been defined for various classes of road defect. Appendix 2 lists the defect class, intervention levels and response times for the intervention to occur.

The intervention levels contained in Appendix 2 are an upper limit whereby intervention will occur to rectify the defect. Depending on Council resources and other operational factors, Council may choose in some instances or over some timeframes to apply to more stringent intervention levels than those listed in Appendix 2.

## TEMPORARY MEASURES

When intervention works are identified that need to be carried out and it is not practical or feasible to undertake the works within the required timeframes, it may be necessary for temporary measures to be undertaken to reduce the risk to road users. Such temporary works are considered an intervention and can be used until permanent intervention works occur as part of routine or other maintenance of the road network.

These temporary measures may take the form of:

- Minor physical works to temporarily make the site safe; and/or
- Highlighting the defect/hazard through the use of appropriate signage or visually distinctive pavement markings and regular inspection of the site.

## RESPONSE TIMES

Response times have been determined for a range of defects. They are based on the classification of the road and its usage, community expectations, potential risk, available resources and the specific nature of the hazard. Appendix 2 contains the list of response times.

## PROGRAMMED MAINTENANCE

Each year budget allocations are dedicated to programmed preventative maintenance on the road infrastructure. Programmed preventative maintenance is essential to reduce the amount of reactive maintenance on the road network. This type of work may include:

- Reseals;
- Edge sealing or edge break repairs;
- Shoulder grading;
- Regulation;
- Minor pavement stabilisation;
- Footpaths works;
- Drainage works.

The roads are ranked according to their hierarchy and their current condition and the works allocated according to a cost benefit analysis to ensure that the funds are used in a location where the greatest benefit will be derived from the works.

## VEGETATION

Considering available resources and other priorities, Council has set an interim target to manage vegetation within the road reserve that is deemed to be a road safety issue. Management of this vegetation has been determined based on its location, judged level of risk and available resources. Council aims to undertake responsible lopping of vegetation as follows:

Area	Vegetation Target
Rural Road	<ul style="list-style-type: none"> <li>• 4.5m high clear zone to the back of the roadside drainage</li> <li>• 2021 to 2026 focus on key areas of bus routes</li> <li>• 2 m from edge of pavements</li> </ul>
Urban	<ul style="list-style-type: none"> <li>• Roadway: 4.5m high clear zone to the back of the roadside drainage while aiming to maintaining a 40% to 60% shade canopy</li> <li>• Footpath: 2.4m high clear zone while maintaining a 40% to 60% shade canopy</li> </ul>
Significant trees and other Special Circumstances	<ul style="list-style-type: none"> <li>• Management in consultation with Parks and Open Space or consulting arborist</li> </ul>

FIGURE 1 PROGRAMMED INSPECTIONS FLOW CHART

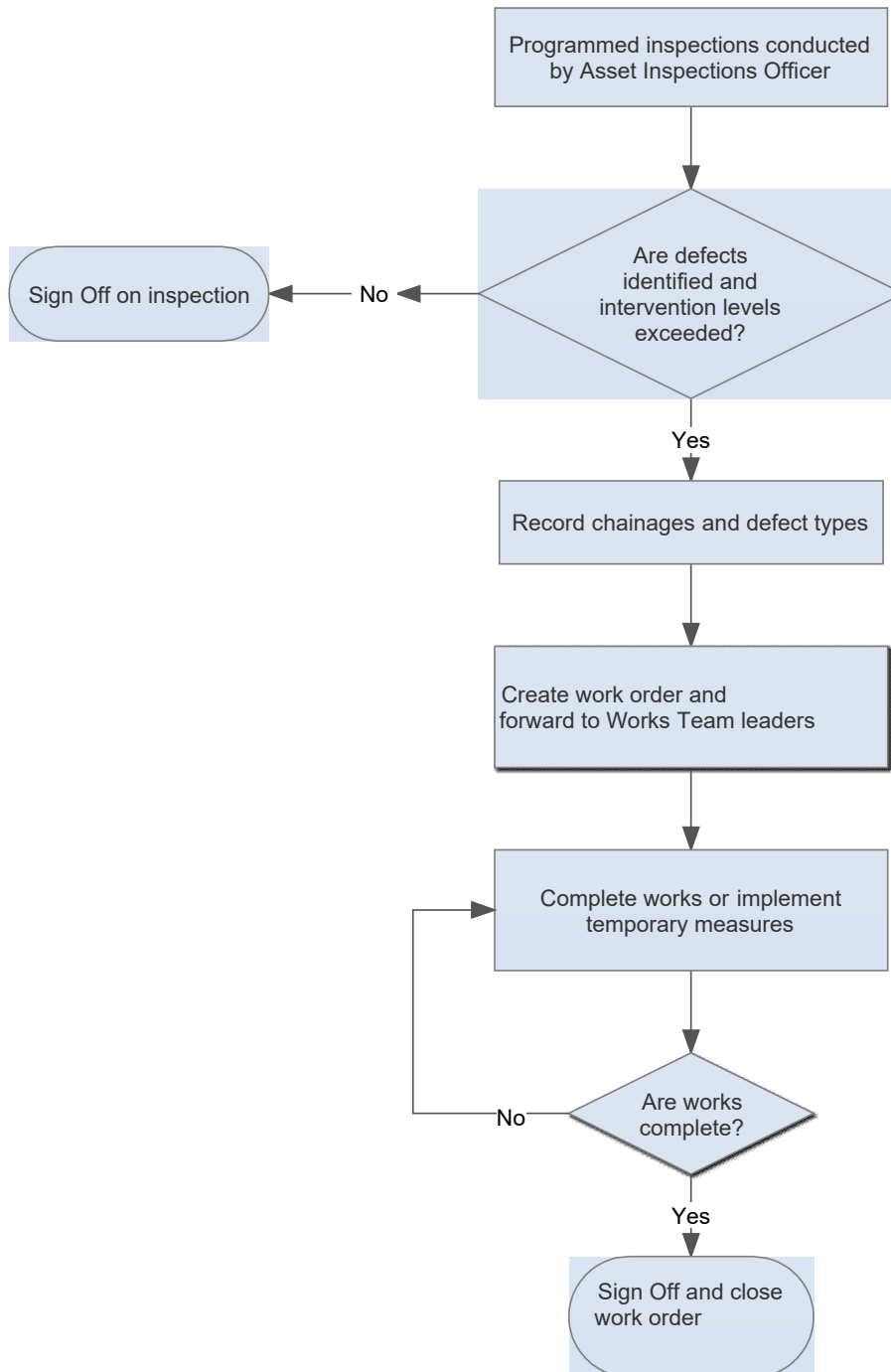
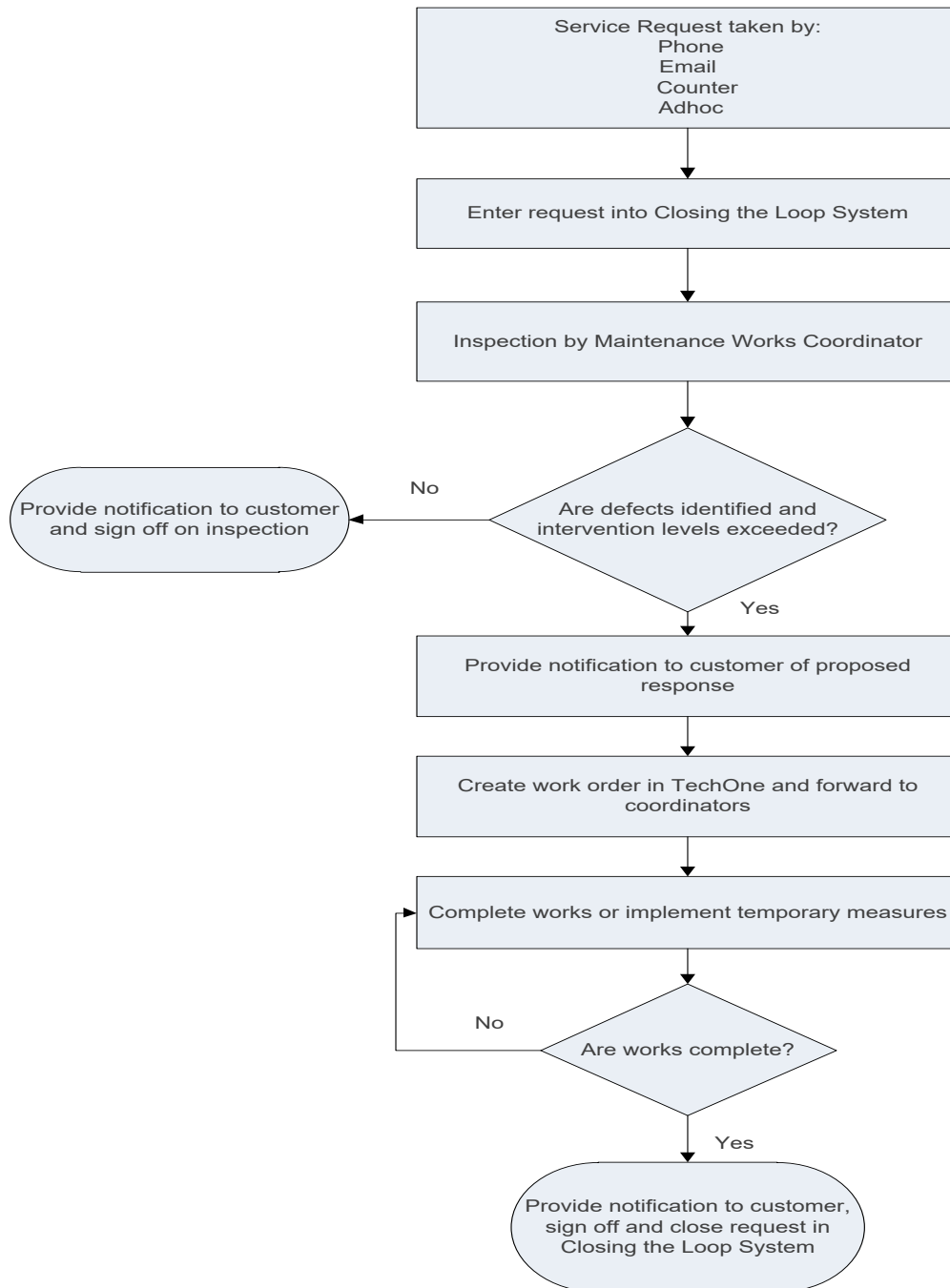


FIGURE 2 REACTIVE INSPECTIONS FLOW CHART



## 8. EXCEPTIONAL CIRCUMSTANCES (FORCE MAJEURE)

Council will make every effort to meet its commitments under this RMP. However, there may be situations or circumstances that affect Council's business activities to the extent that it cannot deliver on the service levels of the RMP. These include but are not limited to: natural disasters, such as fires, floods or storms, or a prolonged labour or resource shortage, due to a need to commit or redeploy Council staff and/or equipment elsewhere.

In the event that the Chief Executive Officer (CEO) has considered the impact of such an event on the limited financial resources of Council and its other priorities and determined that the RMP cannot reasonably be met, then pursuant to Section 83 of the Wrongs Act, the CEO may write to the Director of Infrastructure and Development Services, being the Council officer in charge of this RMP, and determine that some, or all of the timeframes and responses in Council's RMP are to be suspended or reduced for a period not exceeding three months.

Once the scope of the event/s have been determined, and the resources committed to the event response have been identified, then there will be ongoing consultation between the CEO and the Director of Infrastructure and Development Services, to determine which parts of the RMP are to be reactivated and when.

After further consideration, the CEO may extend the original determination for a further period of three months.

Council statements to residents about the suspension or reduction of the services under the RMP will include reference to how the work that will be done will be prioritised, and the period for which it is likely to be affected.

## 9. PLAN REVIEW

This Road Management Plan will be reviewed in accordance with Regulation 8 of the Road Management (general) Regulations 2016 and will be conducted every four years in line with Local Government election cycles

If at any time, there are significant changes made to the RMP the amended RMP is required to go through a formal approval and consultation process in accordance with the Road Management Act 2004.

## 10. REFERENCES

- Road Management Act 2004
- Road Management Act Regulations
- Ministerial Codes of Practice as gazetted under the Road Management Act

### Hepburn Shire Council Documents

- Asset Management Policy
- Council Plan
- Council Budget
- Council Strategic Resource Plan
- Risk Management Policy
- Public Road Register



## 11. APPENDICES

### APPENDIX 1 –PROGRAMMED INSPECTION SCHEDULE

#### Roads

Road Classification	Frequency
Link	3 months
Collector	6 months
Local access (LA1 and LA 2)	Sealed - 12 months Unsealed - 6 months
Maintained Track	As required
Non-maintained	No programmed inspections

Note: On street Carpark and Kerb and Channel will be treated as per road Hierarchy and inspected at the same time as the adjacent road segments.

#### Footpaths

Location	Frequency
Inner urban areas	6 months
Urban areas	24 months
Trails	24 months

#### Bridge & Major Culvert

Asset	Frequency
Bridge & Major Culvert	Level 1 – 24 months Level 2 & 3 – As required

## APPENDIX 2 – SERVICE STANDARDS

Infrastructure	Defects	Intervention Levels	Response Times
Sealed Roads	Potholes	>300mm diameter or >= 75mm depth	Link – within 2 weeks Collector – within 3 weeks Local access – LA 1- within 4 weeks LA 2- within 6 Weeks Maintained track – NA Non-maintained road – NA
	Edge Repair (Break)	Reduction in original sealed width >250mm over 20m length or 300mm in isolation	Link – within 4 weeks Collector - within 5 weeks Local access – LA1-within 8 weeks LA 2-Within 10 weeks Maintained track – NA Non-maintained road – NA
	Shoulder Defects	Potholes > 100mm in depth and > 450mm in width  Drop off from the edge of seal > 75mm over 20m or > 100mm over 5m	Link – within 4 weeks Collector – within 8 weeks Local access – LA1 and LA 2-as resources permit Maintained track – NA Non-maintained road – NA
Unsealed Roads	Potholes/Corrugations	Potholes > 100mm in depth and > 500mm in width over 25% of the road length Corrugations > 40 mm in depth for a length > 250m of road length	Link -NA Collector - NA Local access – LA1- within 8 weeks LA2-within 12 weeks Maintained track - as resources permit Non-maintained road – NA
Non-Maintained Roads	Emergency work (eg trees down or water over road)	Confined to maintaining safe access to residences	Low priority in line with available resources
On street Carpark	will be treated similar to the adjacent road		

General	Signs	Missing or damaged regulatory or warning sign or reflectivity reduced by > 50%	Link - within 6 weeks Collector – within 8 weeks Local access – LA 1-within 10 weeks LA 2-within 12 Weeks Maintained Track- as resources permits Non-maintained road – NA
	Obstructions/hazards	Obstruction or hazard which has detrimental impact on road safety.	All – make safe as soon as reasonably possible generally within 24 hrs.
Footpaths/Shared Path/Trail	Lip / Trip Hazard	Sealed surface vertical displacement between two adjacent surfaces >20mm in inner urban areas, >30mm in urban areas and >50mm in trails	Inner urban – within 20 working days Urban – within 30 working days Trail – within 90 days
	Potholes	Gravel surface potholes >300mm diameter and lip depth same as above.	Inner urban – within 20 working days Urban – within 30 working days Trail – within 90 days
Bridges and Major Culverts	Bridges and Major Culverts Hazard	Component damage or deterioration is presenting a hazard to road or path users	Link – within 2 weeks Collector – within 3 weeks Local access – LA 1- within 4 weeks LA 2- within 6 Weeks Maintained track – 6 weeks Non-maintained road – NA
Kerbs & channels/ Table Drains	Table Drains hazards	Where water is encroaching road at a depth > 50mm and >1m wide over 5m distance.	Link – within 2 weeks Collector – 4 weeks Local access LA1 & LA2 – 12 weeks Maintained Track-NA Non-maintained road – NA
	Kerbs & channels Edge failures	Edge failures >100mm deep at the interface of the constructed path and Kerb & Channel	Link – within 2 weeks Collector – 1 month Local access LA1 & LA2– 3 Month Maintained Track-NA Non-maintained road – NA

*Note: response time start from date of defect inspection.*

#### **11.4 HEPBURN HUB AT THE REX - APRIL UPDATE DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Project Manager – Hepburn Hub, I Bruce MacIsaac have no interests to disclose in this report.*

#### **ATTACHMENTS**

- Nil

#### **EXECUTIVE SUMMARY**

The purpose of this report is:

- To provide an appropriate level of information to allow Council to properly monitor the progress of the project against the Project Plan endorsed on the 18 February 2020 and as amended on 15 September 2020.
- To acquit Council’s resolution that management provide periodic reporting to Council on the progress of the Hepburn Hub at the Rex.

#### **OFFICER’S RECOMMENDATION**

*That Council:*

- *receives and notes the April 2021 project update report regarding the Hepburn Hub at the Rex Project;*
- *Notes the decision by the builder not to commence works on site;*
- *Notes the Date for Practical Completion is likely to be delayed a minimum of three (3) months;*
- *Notes some additional costs are likely to be associated with the delays, further investigations to respond to the builder’s queries and additional works to the existing building fabric not included in the original scope. This shall be balanced to the extent possible against further value management savings; and*
- *Notes that monthly reporting to Council and the Community will continue.*

#### **MOTION**

*That Council:*

- *receives and notes the April 2021 project update report regarding the Hepburn Hub at the Rex Project;*
- *Notes the decision by the builder not to commence works on site;*
- *Notes the Date for Practical Completion is likely to be delayed a minimum of three (3) months;*
- *Notes some additional costs are likely to be associated with the delays, further investigations to respond to the builder’s queries and additional works to the existing building fabric not included in the original scope. This shall be*

*balanced to the extent possible against further value management savings;  
and*

- *Notes that monthly reporting to Council and the Community will continue.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Brian Hood

**Carried**

## **BACKGROUND**

On the 18 February 2020 Council endorsed the Project Plan for the Hepburn Hub at the Rex setting out the governance for the project. This Plan was revised on the 15 September 2020 and outlines the project scope, budget, funding and delivery program.

In summary, the Project Scope includes a library, community auditorium, coworking space, customer service and council offices. The Project Budget is \$7.130M and the building works were scheduled for completion on the 14 June 2020.

Further, in terms of management and reporting, on the 18 February 2020 Council resolved the following:

*“Endorses the Project Control Group (PCG) to administer the project in accordance with the project plan. The PCG be chaired by the Chief Executive Officer and progress reports be provided to Council at each quarterly meeting of Council.”*

This report represents the acquittal of this resolution of Council.

## **KEY ISSUES**

As at the end of March the Project Control Group advises that: the project scope remains 2,052 Sqm of enclosed space and the expenditure budget is \$7.130M. The builder has not yet commenced works on site which represents a material risk that the Date for Practical Completion will not be achieved. The forecast date for completion of the works is currently the 13 September 2021, three months beyond the baseline. This is mostly due to the contractor not commencing works on site. (Refer **Table 1** below).

**Table 1 Project Plan Summary**

<b>Project Metric</b>	<b>Current Endorsed Metric</b>	<b>Current Forecast Outcome</b>	<b>Current Forecast Variance</b>
Project Scope (Enclosed Area)	2,052Sqm	2,052Sqm	NIL Sqm
Project Budget (Estimate Cost)	\$7.130M	\$7.130M	\$NIL

Project Program (Date for PC)	14/06/21	13/09/21	13 weeks
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### Project Scope

The current forecast functional areas endorsed by Council are outlined in the table below. (Refer **Table 2** below). These remain unchanged. The risks associated with the Project Scope are outlined below the table.

**Table 2 Project Scope Summary**

Scope Element	Endorsed Area 15/09/20 Sqm	Current Forecast Area Sqm	Current Forecast Variance Sqm
Council Offices	944	944	NIL
Customer Services	122	122	NIL
Library	348	348	NIL
Community Auditorium	106	106	NIL
Tenancies 1, 2 & 3	111	111	NIL
Tenancies 4	136	136	NIL
Entry & Amenities	285	285	NIL
<b>Enclosed Area</b>	<b>2,052</b>	<b>2,052</b>	<b>NIL</b>
Carpark	1,298	1,298	NIL
Open Space	120	120	NIL
<b>External Space</b>	<b>1,418</b>	<b>1,418</b>	<b>NIL</b>
<b>Total</b>	<b>3,470</b>	<b>3,470</b>	<b>NIL</b>

### Scope Risks

The scope was confirmed in September 2020 and remains substantially the same as that endorsed by Council in February 2020 in terms of the overall areas of each

activity. The scope has been endorsed by the various stakeholders and no further changes are proposed.

On the 9 February 2021 the builder raised a number of queries regarding the existing building conditions. Although they do not vary significantly from those they inspected during the tender period they are being investigated to confirm if further works are required to the existing building itself.

Value management is continuing with the builder and the consultant team to see if further savings can be realised and added to the contingency with a view to resolving any variations to the works prior to the commencement on site.

These risks and any forecast variations to the scope associated with them shall be monitored by the Project Control Group and reported to Council once any changes in the scope and any savings have been identified and valued properly.

### **Project Budget**

The endorsed Project Budget is \$7.130M (refer **Table 3** below). The risks associated with the Project Budget are outlined below.



Table 3 Project Budget Summary

<b>Budget Element</b>	<b>Endorsed Budget 15/09/20 \$M</b>	<b>Current Forecast Cost \$M</b>	<b>Current Forecast Variance \$M</b>
<b>Total Stage 1</b>	<b>\$2.022</b>	<b>\$2.022</b>	<b>\$NIL</b>
Construction Stage 2	\$4.658	\$4.449	\$0.209
Consultants Stage 2	\$0.450	\$0.450	\$NIL
FFE/ICT (included in construction)	\$NIL	\$NIL	\$NIL
Contingency	\$NIL	\$0.209	(\$0.209)
<b>Total Stage 2</b>	<b>\$5.108</b>	<b>\$5.108</b>	<b>\$NIL</b>
<b>Total Project Budget</b>	<b>\$7.130</b>	<b>\$7.130</b>	<b>\$NIL</b>

### **Budget Risks**

A construction contract has been entered into for a fixed price of \$4,449,084 (ex GST) which provides certainty in relation to the great majority of the remaining budget to be spent.

This price allows for several provisional sums for items that were not fully specified at tender.

Further it allows for tender options associated with the re-tanking and resurfacing of the carpark and the replacement of the metal roof above the co-working space along the frontage to Vincent Street. These have been taken up and the builder has requested these be documented and resolved prior to the commencement of construction.

The fixed price does not allow for any variations identified during the construction period which are associated with:

- Latent (hidden) conditions

- Documentation omissions
- Principal generated changes
- Prolongation of the program

These variations are usually funded from an allowance in the budget known as a contingency. At the September Council meeting it was resolved to remove the allowance for a contingency from the project budget previously approved in February.

This decision was made on the basis that funds for a contingency would be created through a value management process undertaken with the builder. This has been partially completed with the identification of \$209,000 of savings with the possibility of further savings.

Against this, additional costs may be allocated including the cost delays and further investigations as well as some additional works to the existing building that were not included in the original project scope. This includes:

- replacement of a small 1929 “lean to” roof of to the rear of the Main Hall
- provision of a spoon drain to the east wall of the 2006 structure
- rectification of the part of the fire proofing associated with water ingress
- replacement of the mastic seal between the concrete panels to the parapet

In line with the endorsed governance structure, these variations and any offsetting value management savings shall be confirmed by the Project Control Group and reported to Council for consideration.

### **Project Program**

A twelve working day time extension for bona fide delays have been granted in accordance with the contract. This extends the formal Date for Practical Completion from 6 July 2021 to the 22 July 2021.

However, the builder has not actually commenced works on site and has not advised when they intend to do so. At this stage the commencement date has been delayed 3 months. This has been reflected in the forecast date for the facility’s occupation.

The builder was provided with a Notice to Proceed in early January but is effectively claiming that the condition of the site is materially different to one inspected by them during the tender period due to incomplete and defective base building conditions.

The program summary, is outlined in the table below which sets out the period for construction followed by the decanting period for the staff and equipment associated with the library and various offices to be relocated into the facility. (Refer **Table 4** below). Tasks that have been completed are highlighted.

Risks to the program are noted below the table.

**Table 4 Project Program Summary**

Project Stage	W	Endorsed Program Start Date	Endorsed Program 15/09/20 End Date	Current Program Forecast End Date	Current Program Variance Weeks
Endorsement			18/02/20	18/02/20	NIL
Documentation	13	19/02/20	03/05/20	03/05/20	NIL
Tender	16	04/05/20	15/09/20	15/09/20	NIL
Planning Amend.	13	16/09/20	15/12/20	22/12/20	1 Week
Mobilisation	3	16/12/20	11/01/21	18/01/21	1 Week
Construction*	22	13/01/20	06/07/21	22/07/21	2 Weeks
Occupation*	1	06/07/21	13/07/21	13/09/21	13 Weeks
	68				

\*Amended to reflect approved 107 working days noted in the building contract in accordance with Council resolution 15 September 2020.

### Program Risk

Any forecast variations to the endorsed program shall be monitored by the Project Control Group and reported to Council monthly.

The risks with the project program are now mostly associated with the construction of the works and governed by the building contract entered into by Council with the contractor. The risks associated with the contract include the following:

- Delays encountered on site associated with variations or other valid extensions of time
- Delays associated with the implementation of more stringent COVID-19 controls during construction
- Delays agreed to by Council for convenience by negotiation.

Specifically, delays may be associated with changes or events outside of the control of the contractor such as:

- Directions to complete variations to the documented works
- Inclement weather

- Industry wide industrial issues
- State government required COVID-19 restrictions

The builder may issue a Notice of Delay followed by a claim for a variation in time known as an Extension of Time (EOT) claim. We have received 3 EOT claims and granted an extension of 12 working days.

The decision by the builder not to actually commence works on site now represents a material risk that the date for practical completion cannot be achieved.

### **Recent Activities**

Recent activities over the past period include:

- Investigation and response to Requests for Information and other contract administration activities such as responding to Requests for Information from the builder
- Review of additional value management items
- Review of provisional sums
- Review of tender options

### **NEXT STEPS**

Foreshadowed activities over the next period include:

- Continuation of contract administration activities
- Negotiation if required to resolve issues raised by the builder
- Completion of builder's mobilisation
- Commencement on site of construction of the proposed Stage 2 works

### **POLICY AND STATUTORY IMPLICATIONS**

#### **Council Plan 2017:2021:**

#### **Strategic Objective – Quality Community Infrastructure**

Key Strategic Activity:

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

#### **Strategic Objective – Active & Engaged Communities**

Key Strategic Activity:

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues

impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

### **Strategic Objective – Vibrant Economy**

Key Strategic Activity:

10. Contribute to the strength of the economy through the ongoing development of key regional attractions and events that enable marketing of our region, attraction of visitors, business opportunities and underpin a strong community.

### **Strategic Objective – High Performing Organisation**

Key Strategic Activity:

12. Enhance our processes and systems to deliver excellent customer service. To achieve this, we will focus on internal collaboration and new ways of working, combined with a continued focus on effective and timely communications, engagement and consultation. We will focus on achieving higher customer satisfaction through making it easier to work with Council and by closing the loop on requests received from our community and other customers.
14. Develop our staff to enhance their work experience and enable them to deliver great outcomes to our community. Through a focus on their careers and developing new skills, we will build a positive culture and develop new leaders of the future.
15. Make Occupational, Health, Safety and Wellbeing an embedded part of our culture and the number one focus every day. We will continuously improve our systems and actions to make sure people go home safe and well every day.

### **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

### **SUSTAINABILITY IMPLICATIONS**

The proposed facility will comply with contemporary standards of environmental design and improve the sustainability of Council operations.

### **FINANCIAL IMPLICATIONS**

The contract will be funded from the approved Council Budget.

### **RISK IMPLICATIONS**

Due to the value of the contract, and in accordance with Council's Procurement Policy, the preferred tenderer was subject to an independent financial check. On behalf of Hepburn Shire Council, Equifax Australasia Credit Ratings Pty Limited was engaged to provide a Financial Viability Assessment on the recommended tenderer

in relation to the Hepburn Hub at the Rex Stage 2 Works. This assessment is based on the most recent audited financial statements and more recent management accounting reports. The report indicated that the builder achieved a score indicating a *Strong Financial* capacity to undertake the contract in question.

Construction related risks shall be addressed in the builder's Construction Management Plan and pre-commencement site meetings. The builder will be required to confirm that the risks have been addressed and responded to appropriately. This will include managing the work site safely and providing Traffic Management Plan in accordance with AS 1742.3.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Stakeholders have been consulted during the design process with updates provided to the community. Council's decision has been communicated in a media release and regular updates on progress shall be made during the works. Directly affected property owners and adjacent businesses will be informed prior to construction commencing.

## **11.5 MINUTES OF COMMUNITY ASSET COMMITTEES ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Governance Specialist, I Rebecca Smith have no interests to disclose in this report.*

### **ATTACHMENTS**

1. CONFIDENTIAL - Minutes - Lee Medlyn Home of Bottles Community Asset Committee - 18 February 2021 [**11.5.1** - 6 pages]
2. CONFIDENTIAL - Minutes - Drummond Hall Community Asset Committee - 25 February 2021 [**11.5.2** - 2 pages]
3. CONFIDENTIAL - Minutes - Lee Medlyn Home of Bottles Community Asset Committee - 15 March 2021 [**11.5.3** - 4 pages]
4. CONFIDENTIAL - Minutes - Lyonville Hall Community Asset Committee - 24 March 2021 [**11.5.4** - 3 pages]

### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to note the minutes from Council's Community Asset Committees.

### **OFFICER'S RECOMMENDATION**

*That Council receives and notes the minutes of the Community Asset Committees which have been distributed to Councillors:*

- *Lee Medlyn Home of Bottles Community Asset Committee – 18 February 2021*
- *Drummond Hall Community Asset Committee – 25 February 2021*
- *Lee Medlyn Home of Bottles Community Asset Committee – 15 March 2021*
- *Lyonville Hall Community Asset Committee – 24 March 2021*

### **MOTION**

*That Council receives and notes the minutes of the Community Asset Committees which have been distributed to Councillors:*

- *Lee Medlyn Home of Bottles Community Asset Committee – 18 February 2021*
- *Drummond Hall Community Asset Committee – 25 February 2021*
- *Lee Medlyn Home of Bottles Community Asset Committee – 15 March 2021*
- *Lyonville Hall Community Asset Committee – 24 March 2021*

**Moved:** Cr Tessa Halliday

**Seconded:** Cr Jen Bray

**Carried**

## **BACKGROUND**

Community Asset Committees are established by Council under section 65 of the *Local Government Act 2020* and their function and responsibilities outlined in an Instrument of Delegation. Under the Instruments of Delegation, committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council.

Council has the following Community Asset Committees:

- Dean Recreation Reserve and Tennis Courts Community Asset Committee
- Drummond Hall Community Asset Committee
- Creswick Museum Community Asset Committee
- Glenlyon Recreation Reserve Community Asset Committee
- Lee Medlyn Home of Bottles Community Asset Committee
- Lyonville Hall Community Asset Committee

## **KEY ISSUES**

Listed below are the minutes Community Asset Committees for information:

- Glenlyon Recreation Reserve Community Asset Committee - 25 November 2020
- Creswick Museum Community Asset Committee – 3 February 2021
- Lee Medlyn Home of Bottles Community Asset Committee – 15 March 2021
- Lyonville Hall Community Asset Committee – 24 March 2021

These minutes have been provided confidentially to Council.

## **POLICY AND STATUTORY IMPLICATIONS**

Community Asset Committees are established by Council under section 65 of the *Local Government Act 2020* and operate in line with their issued instrument of delegation as executed by the Chief Executive Officer.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **RISK IMPLICATIONS**

There are no risk implications associated with this report. The governance requirement under each instrument of delegation is for the community asset



committees to submit to the Manager Governance and Risk a copy of the minutes of all meetings. Providing these to Council formally is a good governance process.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Members of the community are represented on these committees and should be reflective of community aspirations, needs and diversity in the management and oversight of the respective asset.

Cr. Tim Drylie left the meeting at 7.12pm due to a conflict of interest.

## **12 ACTIVE AND ENGAGED COMMUNITIES**

### **12.1 ADOPTION OF POLICY 85 (C) - AFFORDABLE HOUSING POLICY ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Manager Community Care, I Fran Fogarty have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Policy 85 (C) - Affordable Housing Policy [12.1.1 - 4 pages]

#### **EXECUTIVE SUMMARY**

At the December 2020 Ordinary Meeting of Council, Council adopted the following resolution:

*“Approved for Council to expedite the development of a “high level” affordable housing policy, to be brought to Council in April 2021 and engage with the community to consider how affordable housing best fits with the Council Plan and 2021/2022 Budget.”*

The adoption of this policy is a first step to enable a broader range of work that will be required over a 2-to-3-year period including undertaking additional research on housing affordability (from a social policy and land use planning perspective) - this research should build on pre-existing knowledge and seek to inform policy, community awareness and the real-life implications of housing affordability.

The development of an integrated affordable housing strategy and developing and supporting an advocacy and partnership strategy to achieve outcomes such as engagement, support and activation of community partners as well as using regional structures and inter-government relations to raise awareness of the issue will be critical to success.

As part of the strategy development, it will be necessary to undertake an assessment of state and local government land which might be used to support the delivery of affordable housing outcomes and develop a tactical plan for positioning Hepburn Shire to take advantage of the Victorian Government Big Build program.

Incorporating the challenge of housing affordability into Councils program of deliberative engagement, and Council Plan will likely also be required.

#### **OFFICER’S RECOMMENDATION**

*That Council:*

1. *Adopts the Affordable Housing Policy;*
2. *Refers additional scope of works as a consideration as part of Council’s Strategic Planning Program 2021/2022; and*
3. *Considers the commitment and inclusion of resources to develop a comprehensive and integrated Affordable Housing Policy and Strategy as part of the development of the Council Plan 2021-2025.*

#### **MOTION**

*That Council:*

- 1. Adopts the Affordable Housing Policy;*
- 2. Refers additional scope of works as a consideration as part of Council's Strategic Planning Program 2021/2022; and*
- 3. Considers the commitment and inclusion of resources to develop a comprehensive and integrated Affordable Housing Policy and Strategy as part of the development of the Council Plan 2021-2025.*

**Moved:** Cr Brian Hood

**Seconded:** Cr Jen Bray

**Carried**

## **BACKGROUND**

Affordable housing is a significant issue State wide, and Hepburn Shire is experiencing affordable housing shortages in purchase and rental stock.

There has been significant community and media interest highlighting the lack of affordable housing in Hepburn Shire.

Safe Place Inc are a community group who are committed to improving the availability of affordable housing in Hepburn Shire. This group has had several meetings with Council officers and presented at a Council briefing to highlight the need for affordable housing in Hepburn Shire.

Safe Place have independently commissioned a housing analysis report- Hepburn Shire Social and Affordable Housing Needs Report (September 2020) and have also worked with Haven Housing Inc a social housing provider to conduct a feasibility study into a piece of Council owned land.

Council officers convened a workshop to engage community and other stakeholders on 10 February 2021 and engaged Mr Craig Kenny of Mach 2 Consulting to facilitate the workshop.

The workshop provided an opportunity to gain a better understanding of the national and state policy context, requirements of the *Local Government Act 2020*, the breadth of potential Council roles and responsibilities in relation to housing affordability and decision and resourcing pathways.

Two small group discussion sessions were held during the workshop:

- The first focused on the policy and strategy outcomes that Council might seek to pursue and analysis of strengths, weaknesses, opportunities, and threats
- The second examined the issues that will need to be managed, possible roles for Council and outline objectives and strategies.

## **KEY ISSUES**

Affordable housing is a complex issue for Local Government.

The lack of social housing in Hepburn Shire now runs parallel with a lack of affordable housing in the Shire.

According to 2015 data from DHHS LGA Profile one in six households experience mortgage stress (15.3% ranked 2<sup>nd</sup> in State) and one in three experience rental stress (33% ranked 8th in State)

The lack of affordable housing is having a significant impact on recruiting staff for key industries and businesses in the Shire, with some businesses having to reduce their operating times and services offered.

Issues identified include, but are not limited to:

- Key workers – it appears to be increasingly difficult for keyworkers (hospitality, health, service etc) to gain access to sustainable and affordable housing
- Disability or pension – any person on a statutory income will likely find it impossible to find affordable rental housing and in general purchasing a home is out of reach
- One-bedroom stock – it was identified that supply of one-bedroom housing is extremely low and land-use planning and concerns about neighbourhood character mitigates against increased density of development
- Vulnerable groups – discussion at the workshop identified that single persons, women over 55, people with a disability, and low-income families were particularly affected by housing affordability
- The Safe Place Homes Inc. report Hepburn Shire Social and Affordable Housing Needs Report (September 2020) identified that the 2016 unmet actual affordable housing need was 277 dwellings and the projected need in 2036 will be 344 dwellings. Based on a per dwelling unit cost of between \$200,000 and \$500,000 this equates to a required investment of \$69m to \$170m.

Council is not immune to this issue and is experiencing significant staffing shortages in the Aged and Disability service with a key factor being a lack of accommodation options.

Input has been received from Council's Strategic Planning team and it will be imperative to continue working collaboratively with the Strategic Planning team and the established external relationships achieved in the development of this policy.

We acknowledge there is much work to be undertaken in the Strategic Planning area and some discussion with team about prioritisation of this and other strategic planning works will be required.

The adoption of this policy is a first step to enable a broader range of work that will be required over a 2-to-3-year period including undertaking additional research on housing affordability (from a social policy and land use planning perspective)-this

research should build on pre-existing knowledge and seek to inform policy, community awareness and the real-life implications of housing affordability.

The development of an integrated affordable housing strategy and developing and supporting an advocacy and partnership strategy to achieve outcomes such as engagement, support and activation of community partners as well as using regional structures and inter-government relations to raise awareness of the issue will be critical to success.

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

Vibrant Economy

11. Implementing progressive planning scheme updates and strategic land use changes to support the economy, address social issues as availability of housing and appropriate land zoning for development.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

The lack of affordable and social housing in Hepburn Shire is having some impact on the economic and social sustainability of the Shire.

Sectors of the business community are experiencing staff shortages and difficulty with recruitment due to there not being affordable housing in the Shire.

It has also been reported that local families have been forced to leave the Shire due to the lack of affordable housing.

## **FINANCIAL IMPLICATIONS**

The Report by Mr Kenny provides costing estimates of between \$70,000-\$130,000 to implement the required package of works required.

This does not include the resource of a Council Officer to lead this work.

Currently there is no budget allocation for work to be undertaken and this would need to be considered by Council in 2021/2022 budget planning cycle.

The following provides a summary of actions that could be undertaken and estimated range of costs. After Council provides direction to officers each project element will need to have a proper scope developed that outlines requirements and deliverables which would be market tested to understand the final cost.

1. Advocacy and partnership strategy
  - a. Estimated range of costs: \$10,000 to \$15,000 for development of strategy and resources for implementation.

2. Integrated research on housing affordability and accessibility (land use and social policy)
  - a. Estimated range of costs: \$20,000 to \$30,000 – intent would be to build on pre-existing research and explore options and capabilities for Council to inform the development of an Integrated Housing Policy that would provide the platform for an effective strategy to be developed.
3. Integrated Housing Strategy
  - a. Development of an Integrated Housing Strategy to pursue Council policy objectives. Estimated range of costs: \$15,000 (high level) to \$45,000 (more comprehensive). Implementation of the strategy will have additional resourcing implications.
4. Assessment of Council and State-owned land
  - a. Identification and initial due diligence on government owned land that might be used for affordable housing projects. This phase of work will look at high-level criteria around suitability, availability, and risk assessment (contamination, public sentiment, costs etc) of sites for further consideration. Estimated range of costs: \$15,000 to \$25,000
5. Tactical plan for positioning Hepburn Shire for the Victorian Government Big Build program.
  - a. Estimated range of costs: \$10,000 to \$15,000

### **RISK IMPLICATIONS**

There has been significant community and media interest in the issue of affordable housing across the Shire and there is community expectation that Council will take leadership on this issue.

Council will need to determine the level of resource investment required and determine the priority for this project in comparison to other identified projects and the timeline for doing so.

It is important to also note that there may be a need for additional resources to progress future works and that the use of existing resource will impact other strategic planning works identified.

Strategic planning works such as the Settlement strategy and other panel recommendations etc will have reduced resource allocations.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council has collaborated with key stakeholders including Safe Place Inc, Homes Victoria (Victoria Big Build) VicPol, Department Health and Human Services - Public Housing Division and Haven Housing.

In the further suite of work that is required there will be further community engagement at a medium level required.

Definition of Medium Level:

This level of engagement is usually indicated where options and alternatives have been unearthed and engagement focuses on refinement and prioritisation. However, it is broad enough to extend to more in-depth engagement process where early rounds of engagement are used to unearth options and solutions, with following rounds refining options and preferences.

This level of engagement aligns with the *consult* and *involve* levels might include surveys, workshop, pop-ups, listening posts, information sessions and focus groups.

Cr. Tim Drylie returned to the meeting at 7.26pm.

Revision: <Insert date adopted  
by Council>

ATTACHMENT 12.1.1

*Hepburn*  
SHIRE COUNCIL

▶ AFFORDABLE HOUSING POLICY

POLICY NUMBER: 85 (C)

NAME OF POLICY: AFFORDABLE HOUSING POLICY

DATE OF NEXT REVIEW: April 2025

DATE APPROVED:

RESPONSIBLE OFFICER: MANAGER COMMUNITY CARE

DRAFT



## ▶ AFFORDABLE HOUSING POLICY

### **INTRODUCTION**

Council is aware that rising costs of purchase of housing over the past decade has made access to safe and secure housing as well as mortgage and rental stress a critical issue for the community. There are many people (including middle income residents and others from vulnerable groups) who aspire to live in Hepburn Shire who are not able to access appropriate and affordable housing to support work and other connections.

Research conducted by Council and community partners has identified the following issues that need to be further researched to enable Council's potential role to be clarified, these include:

- Mortgage and rental stress – one in six (15.3% – ranked 2<sup>nd</sup> highest in Victoria) households in Hepburn Shire experience mortgage stress and one in three (33% – 8<sup>th</sup> in Victoria) experience rental stress (2015 data from DHHS LGA Profile).
- Key workers – there is evidence that suggests it is increasingly difficult for keyworkers (hospitality, health, service etc) to gain access to long-term, sustainable and affordable housing
- Disability or pension – people on a statutory income will potentially find it impossible to access affordable rental housing and in general purchasing a home is out of reach
- One-bedroom stock – it was identified that supply of one-bedroom housing is extremely low and land-use planning and concerns regarding neighbourhood character mitigates against increased density of development
- Vulnerable groups – single persons, women over 55, people with a disability, victims of domestic violence, and low-income families were particularly affected by housing affordability

Council is also aware that broader community engagement on the issue of housing access and affordability will need to be undertaken to ensure that the community is brought along in its research, policy, and decision processes.

### **SCOPE**

This initial policy statement is designed to communicate that Council recognises that access to safe and affordable housing is an emerging and critical issue for its community.

It is Council's strategic intent to invest in research to better understand the extent of the problem, develop a comprehensive policy and strategy and identify where it can make a difference through advocacy, partnerships, land-use planning mechanisms and potentially direct investment.

## ▶ AFFORDABLE HOUSING POLICY

This Policy will also be used to approach and seek funding and cooperation from other levels of government.

### **POLICY**

Hepburn Shire Council recognises that access to secure, appropriate, and affordable housing is an important foundation to ensuring diversity and contributing to the social and economic success of its community.

Hepburn Shire Council is committed to an inclusive and diverse community and will support improved community access to safe and affordable housing through:

- (a) Advocacy to other levels of government and working in partnership with the community
- (b) Conduct of research to inform policy and strategy development and advocacy
- (c) Development and implementation of an affordable housing policy and strategy that identifies opportunities in land-use planning and social policy domains, and
- (d) Ensuring its affordable housing policy commitment is tested through community engagement and appropriately resourced to ensure effective implementation.

### **DEFINITIONS**

Whilst there is no universal definition of *affordable housing*, the term generally refers to housing available to lower income households which is affordable relative to their incomes. Housing provided by the 'open market' can constitute affordable housing, but Council is aware that due to rising housing costs the share of 'market affordable' housing is declining.

A more specific definition of affordable housing in common use in Victoria is:

*Housing that is available to very low and low-income households to rent or own for less than 30% of the household's income. Very low and low-income households are the lowest 40% of households based on income.*

The *Planning and Environment Act 1987* introduced a definition of affordable housing in June 2018:

*Affordable housing is defined as housing (including social housing) that is appropriate to the housing needs of very low, low, and moderate-income households. Income ranges for the three income 'quintiles' are provided for three different household types: single adults, couples without dependents and families with dependents. These are updated periodically, and the current ranges are shown in the table below.*

## ▶ AFFORDABLE HOUSING POLICY

	VERY LOW	LOW	MODERATE
Single	Up to \$19,020	\$19,021 to \$30,430	\$30,431 to \$45,640
Couple (no dependant)	Up to \$28,520	\$28,521 to \$45,640	\$45,641 to \$68,460
Family (Single / Couple with dependant children)	Up to \$39,930	\$39,931 to \$63,900	\$63,901 to \$95,840

There is no general definition of *safe housing*, but this concept generally refers to the right of people (often women, families, and children) to have access to safe, secure, and affordable housing options.

### **FURTHER INFORMATION**

Enquiries regarding this policy and further research should be directed to Manager Community Care

### **IMPLEMENTATION**

Council will include access to affordable and safe housing as a priority in its Council Plan 2021-2024.

During the 2021/2022 financial year Council will commit resources to develop a comprehensive and integrated Affordable Housing Policy & Strategy that will define its desired policy outcomes and strategic objectives.

Options for implementation arising from the Policy & Strategy will be referred to Council's 2022/2023 strategic planning and budget process for appropriate resourcing in the context of all demands.

### **REVIEW**

The Affordable Housing Policy will be reviewed every four years or sooner if required by legislation or organisational changes.

The officer responsible for the review of this policy is the Manager Community Care.

## 12.2 COMMUNITY GRANTS PROGRAM 2020/2021 - ROUND 3 ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES

*In providing this advice to Council as the Community Development Officer, I Inga Hamilton have no interests to disclose in this report.*

### ATTACHMENTS

- Nil

### EXECUTIVE SUMMARY

The Community Grants Program 2020/2021 aligns with the Council Plan to support the strength and resilience of the community. Eligible community groups can access funds in four rounds annually across five categories that support a range of community needs.

Eleven applications were received for Round 3 – 2020/2021. Six applications are recommended for full funding, one is recommended for partial funding, four applications were assessed as ineligible/unsuccessful.

Officers recommend that Council award Round 3 funding totalling \$13,269 as outlined in the Officer's Recommendation below.

Total funds remaining for Round 4 in all categories should be made available for all successful applications in any category. This would bring the total amount available to \$8,629.05 for all categories.

### OFFICER'S RECOMMENDATION

*That Council:*

- 1. Awards Round Three Community Grant Program funding totalling \$10,769 supporting community projects worth \$72,221.62 to applicants in the following categories:*

#### 'Category A' Grants

Project Name	Organisation	Amount
<b>Zelman Orchestra Concert</b>	U3A Hepburn Shire Inc	\$1,000
<b>Daylesford Debutante Ball 2021</b>	Daylesford Debutante Ball 2021 & Daylesford Neighbourhood Centre	\$2,500
<b>Resourcing the Creswick Family History Group</b>	Creswick Family History Group & Creswick Railway Workshop	\$2,424

<b>Community Display Screen/Sport Scoreboard</b>	Creswick Football Netball Club	\$2,500
<b>Creswick New Residents Session</b>	Creswick railway Workshop	\$1,400
<b>New Residents Welcome</b>	Trentham Neighbourhood Centre	\$945

2. *Awards Round Three Community Grant Program funding \$2,500 supporting community projects worth in total \$3,101.62 to applicants in the following categories:*

**'Category B' Grants**

<b>Project Name</b>	<b>Organisation</b>	<b>Amount</b>
<b>Kindergarten Room Equipment Refresh</b>	Daylesford Community Childcare Centre	\$2,500

3. *Funds remaining totalling \$8,629.05 be combined and made available for all successful Round 4 applications in any category.*

Cr. Don Henderson left the meeting at 7.28pm

**MOTION**

*That Council:*

1. *Awards Round Three Community Grant Program funding totalling \$10,769 supporting community projects worth \$72,221.62 to applicants in the following categories:*

**'Category A' Grants**

<b>Project Name</b>	<b>Organisation</b>	<b>Amount</b>
<b>Zelman Orchestra Concert</b>	U3A Hepburn Shire Inc	\$1,000
<b>Daylesford Debutante Ball 2021</b>	Daylesford Debutante Ball 2021 & Daylesford Neighbourhood Centre	\$2,500
<b>Community Display Screen/Sport Scoreboard</b>	Creswick Football Netball Club	\$2,500

**Moved:** Cr Jen Bray  
**Seconded:** Cr Tessa Halliday  
**Carried**

## MOTION

*That Council:*

- 2. Awards Round Three Community Grant Program funding totalling \$10,769 supporting community projects worth \$72,221.62 to applicants in the following categories:*

### 'Category A' Grants

Project Name	Organisation	Amount
<b>Creswick New Residents Session</b>	Creswick railway Workshop	\$1,400
<b>Resourcing the Creswick Family History Group</b>	Creswick Family History Group & Creswick Railway Workshop	\$2,424

**Moved:** Cr Brian Hood  
**Seconded:** Cr Tim Drylie  
**Carried**

Cr. Don Henderson returned to the meeting at 7.31pm.  
Cr. Brian Hood left the meeting at 7.31pm due to a conflict of interest.

## MOTION

*That Council:*

- 3. Awards Round Three Community Grant Program funding totalling \$10,769 supporting community projects worth \$72,221.62 to applicants in the following categories:*

### 'Category A' Grants

Project Name	Organisation	Amount
<b>New Residents Welcome</b>	Trentham Neighbourhood Centre	\$945

**Moved:** Cr Tessa Halliday

**Seconded:** Cr Tim Drylie  
**Carried**

Cr. Brian Hood returned to the meeting at 7.32pm

## MOTION

*That Council:*

- Awards Round Three Community Grant Program funding \$2,500 supporting community projects worth in total \$3,101.62 to applicants in the following categories:*

### 'Category B' Grants

Project Name	Organisation	Amount
<b>Kindergarten Room Equipment Refresh</b>	Daylesford Community Childcare Centre	\$2,500

- Funds remaining totalling \$8,629.05 be combined and made available for all successful Round 4 applications in any category.*

**Moved:** Cr Don Henderson  
**Seconded:** Cr Tessa Halliday  
**Carried**

## BACKGROUND

The Hepburn Shire Council Community Grants Program 2020/2021 receives applications and awards funding on a quarterly basis. Key Program dates are as follows:

Round 1	
Round Opens:	19 June 2020
Community Grants Webinar:	7 July 2020
Round Closes:	13 July 2020
Council Meeting:	18 August 2020
Round 2	
Round Opens:	24 October 2020
Community Grants Webinar:	29 October 2020

Round Closes:	10 November 2020
Council Meeting:	15 December 2020
<b>Round 3</b>	
Round Opens:	1 February 2021
Community Grants Webinar:	10 February 2021
Round Closes:	1 March 2021
Council Meeting:	April 2021
<b>Round 4</b>	
Round Opens:	1 April 2021
Community Grants Webinar:	12 April 2021
Round Closes:	3 May 2021
Council Meeting:	June 2021

Within this program, there are five Categories that support a range of community needs. These include:

- A. Active and Engaged Communities (up to \$2,500)
- B. Quality Community Infrastructure (up to \$2,500)
- C. Sustainable Environments (up to \$2,500)
- D. Children's Program (up to \$2,500)
- E. Charitable Purposes (up to \$2,000)

The overall Program budget is \$65,000. Categories A-C are funded through the Community Grants Program Fund of \$45,000, including \$3,000 for New Resident Sessions. Category D is funded through the Childrens Program Fund of \$10,000. Category E is funded through the Charitable Purposes Fund of \$10,000, of which a maximum of \$2,000 can be awarded per Council ward.

Round 3 marks the first anniversary of Smarty Grants as a platform for applications. Officers have noted a marked improvement in the ability to analyse applicant capability and needs with this user-friendly platform. Any feedback provided to officers from applicants was implemented where applicable.

The platform allowed for the flexibility required to adjust to COVID 19 and another separate round of grants funding addressing the pandemic allowed for further funds to be distributed to the community when it was needed most. An evaluation and acquittal summary will be made available to Councillors in the Councillor Bulletin quarterly.



## KEY ISSUES

Applications opened on 1 February 2021 and closed on 1 March 2021. During this time Council Officers promoted the opportunity to community groups across the Shire and advertised on both printed and digital platforms.

Council Officers offered a Community Grants Webinar to groups intending on applying for a grant, however due to insufficient interest, applicants were contacted individually and given advice regarding their application.

An assessment of the applications was conducted by an evaluation panel consisting of two Community Assessment Panel members, Council's Coordinator Community Partnerships, Community Development Officer, Arts & Culture Officer, and Sports & Active Recreation Officer.

### Funding Distribution Model

Eleven applications were received in Round 3 of the 2020/2021 Community Grants Program. Six applications are recommended for full funding with a further application partially recommended. Two applications were not recommended, and two applications were deemed ineligible. Council Officers will continue to work with these applicants where possible to progress their projects.

**Table 1**

Category	Project Name	Community Group	Description	Grant Amount Requested	Total Project Amount	Recommendation
A	Creswick Swingalong Orchestra	Mungo Park Music & Creswick Neighbourhood Centre	Music workshops leading to performance and possibly music festival	\$2,500	\$7,540	Not eligible
A	Zelman Orchestra Concert	U3A Hepburn Shire Inc	Two concerts on 6 <sup>th</sup> June at Daylesford Town Hall – open to all	\$1,000	\$8,643	Recommended for full funding
A	Daylesford Debutante Ball 2021	Daylesford Debutante Ball 2021 & Daylesford Neighbourhood Centre	Dance lessons	\$2,500	\$9,555	Recommended for full funding
A	DLTC connects community with history	Daylesford Lawn Tennis Club	Historical display in foyer	\$2,474.90	\$3,804.90	Not recommended

<b>A</b>	Resourcing the Creswick Family History Group	Creswick Family History Group & Creswick Railway Workshop	Four laptops and ergonomic chairs	\$2,424	\$2,424	Recommended for full funding
<b>A</b>	Community Display Screen/Sport Scoreboard	Creswick Football Netball Club	Digital Display Screen at Doug Lindsay Recreation Reserve Creswick	\$2,500	\$47,423	Recommended for full funding
<b>A</b>	Creswick New Residents Welcome Event 2021	Creswick Railway Workshop	Welcome to New Residents Sessions for Creswick	\$1,400	\$2,480	Recommended for full funding
<b>A</b>	New Residents Welcome	Trentham Neighbourhood Centre	Welcoming event for new residents to Trentham	\$945	\$1,095	Recommended for partial funding
<b>B</b>	Kindergarten Room Equipment Refresh	Daylesford Community Childcare Centre	Update equipment in Kinder Room to meet learning and sensory needs	\$2,500	\$3,101.62	Recommended for full funding
<b>D</b>	School Holiday Program	Trentham Neighbourhood Centre	School holiday activities. Insufficient detail provided in application.	\$2,500	\$2,500	Not recommended
<b>D</b>	Full STEAM ahead with resources	Trentham Primary School	Resources for classes of Science, Technology, Engineering, Arts and Mathematics	\$2,500	\$2,500	Not eligible
<b>Total amount eligible requested: Category A-C</b>				<b>\$13,269</b>		
<b>Total amount eligible requested: Category D</b>				<b>\$0</b>		

## POLICY AND STATUTORY IMPLICATIONS

Council Plan 2017-2021

Active and Engaged Communities

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the

community and demonstrate leadership in advocating to government and other agencies to support the community.

### **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

### **SUSTAINABILITY IMPLICATIONS**

The Community Grants Program supports projects by volunteer community groups. The focus of these projects is to strengthen community resilience and connection, promote sustainability and to assist in the implementation of community priorities.

### **FINANCIAL IMPLICATIONS**

At the Ordinary Meeting of Council 22 December 2020, Council awarded funding of \$34,869.99 for Round 2 of this program. Due to one application being funded conditionally, and one application requiring adjustment for the purposes of GST, a total of \$34,641.59 was awarded in Round 2. The additional \$228.40 is reflected in the update table below:

<b>Category</b>	<b>Total Eligible Funds Requested</b>	<b>Annual Budget</b>	<b>Available Funds</b>
A. Active and Engaged Communities	\$10,769	\$45,000	\$14,693.01
B. Quality Community Infrastructure	\$2,500		
C. Sustainable Environments	\$0		
D. Children's Program	\$5,000	\$10,000	\$5,203
E. Charitable Purposes	\$0	\$10,000	\$2,002.04
<b>Total funding to be approved A - C</b>	\$13,269.00	<b>Remaining funds to be allocated in the 2020/2021 year</b>	\$1,424.01
<b>Total funding to be approved D</b>	\$0	<b>Remaining funds to be allocated in</b>	\$5,203

		<b>the 2020/2021 year</b>	
<b>Total funding to be approved E</b>	\$0	<b>Remaining funds for the 2020/2021 year</b>	\$2,002.04

Officers recommend that total funds remaining for Round 4, in all categories, be combined and made available for all successful applications in any category. This is recommended due to a high volume of interest in Round 4. This would bring the total amount available to \$8,629.05 for all categories.

### **RISK IMPLICATIONS**

All applicants are required to identify how project risk and safety issues will be managed and this formed part of the assessment process. Insurance and not-for-profit-status are checked for all applications. All successful applicants are required to sign grant terms and conditions prior to receiving the grant allocation. Council Officers monitor the receipt of acquittals and follow up any outstanding acquittals.

### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

A communications plan was implemented with Facebook posts, advertising on Council's page in The Local and via the Webinar. Council Officers also offered one-on-one phone support to a variety of groups during and post the application process.

## **12.3 RESPONSE TO PETITION - GLENLYON PUBLIC ART PROJECT - PLANNED LOCATION OF ARTWORK ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Arts, Culture and Reconciliation Officer, I Donna Spiller have no interests to disclose in this report.*

### **ATTACHMENTS**

- Nil

### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider the petition tabled at the Ordinary Meeting of Council on 16 March 2021 requesting that Council take all necessary steps to ensure that the sculpture by Yu Fang Chi called 'The Drop' was not installed at the Glenlyon Dam, or if installed is removed and relocated to the Glenlyon Mineral Springs.

Hepburn Shire has a range of art in public places and is committed to enhancing the region through a robust Public Art program. Public Art works have previously been commissioned for Shire communities including Creswick, Daylesford, Trentham, Clunes and a Dja Dja Wurrung commission for the Hepburn Hub at the Rex.

The Glenlyon community was identified as the next community to receive a Public Artwork commissioned by Council.

### **OFFICER'S RECOMMENDATION**

*That Council:*

- 1. Receives and notes the report which responds to the matters raised in the petition;*
- 2. Notes that the Public Art Advisory Committee are aware of the petition and have confirmed their previous recommendation that Council award the Glenlyon Public Art Commission to Yu Fang Chi to create the sculpture at the Glenlyon Dam;*
- 3. Notes the response from Officers in relation to matters raised in the petition;*
- 4. Approves for Officers to proceed with the installation of public art titled the 'Drop' at the Glenlyon Dam; and*
- 5. Writes to the head petitioner to advise of the above actions.*

### **MOTION**

*That Council:*

1. *Receives and notes the report which responds to the matters raised in the petition;*
2. *Notes that the Public Art Advisory Committee are aware of the petition and have confirmed their previous recommendation that Council award the Glenlyon Public Art Commission to Yu Fang Chi to create the sculpture at the Glenlyon Dam;*
3. *Notes the response from Officers in relation to matters raised in the petition;*
4. *Approves for Officers to proceed with the installation of public art titled the 'Drop' at the Glenlyon Dam; and*
5. *Writes to the head petitioner to advise of the above actions.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Juliet Simpson

**Carried**

## **BACKGROUND**

Council received a petition at the Ordinary Meeting of Council held on Tuesday 16 March 2021. The petition has 103 signatures however one of signatures is invalid as a complete address has not been provided. The petition reads:

*"The petitioners hereby request that the Council take all necessary steps to ensure that the sculpture by Yu Fang Chi called "The Drop" is not installed at the Glenlyon Dam, or if installed is removed and relocated to the Glenlyon Mineral Springs.*

*A better site is available (the Mineral Springs site previously proposed and identifies Council as Site A), which is liked by the artist, offers better accessibility and facility to visitor and would be enhanced by the artwork.*

*Installation of the sculpture at the Glenlyon Dam, by nature of its size and material, presents a danger of interruption to operations by emergency services vital to the Glenlyon District, may deter native wildlife and would irrevocably change the character of the historic Glenlyon Dam.*

*The design of the sculpture (as promoted) at the dam location is counterintuitive to the symbolism being water droplet. Drops emerge from the pump; water does not primarily take droplet form coming in or out of a dam which is spring fed."*

### **Public Art Policy and Public Art Advisory Committee**

Hepburn Shire Council adopted the Public Art Policy 40 (c) in December 2017.

The purpose of this policy is to provide a framework to assist the Hepburn Shire Council to make informed decisions on public art, its funding, commissioning, installation, maintenance and de-accessioning. It also assists Council in response to requests, proposals and offers of donation of works of art in public places.

Council's decisions on public art projects are informed by advice from an independent Public Art Advisory Committee. The Public Art Advisory Committee comprises community members with a wide range of professional and community art expertise, especially in the area of public art, art curatorship, architecture and design.

As part of Council's 2019/2020 Public Art Program an expression of interest was advertised nationally from 13 May 2020 until 10 June 2020 for an artist to conceive and construct a new public artwork in Glenlyon.

At its meeting on 18 June Council's Public Art Advisory Committee recommended four artists be shortlisted to develop their concepts for a permanent public artwork.

On 29 June the short-listed artists met with Council Officers at Glenlyon to view the potential sites for the Commission.

On 13 August 2020 the Public Art Advisory Committee met and assessed each concept and selected artist Yu Fang Chi's concept, 'Drop'. A 2.5-meter high reflective stainless-steel sculpture in the form of a giant water droplet which alludes to the water element of the Glenlyon Dam and pays homage to the beauty of nature and our relationship to water. The Advisory Committee recommended that Council award the Glenlyon Public Art Commission to Yu Fang Chi to create the sculpture at the Glenlyon Dam.

A report was prepared for Council and at the Ordinary Council Meeting on 16 September 2020 Council adopted the following motion;

*"That Council endorses the Public Art Advisory Committees recommendation to award the Glenlyon Public Art Commission totalling \$30,000 to artist Yu Fang Chi to produce and install the 'Drop' public art sculpture at the Glenlyon Dam."*

Yu Fang Chi subsequently commenced production of the artwork.

The Public Art Advisory Committee has been advised of the petition and have confirmed their previous recommendation.

## KEY ISSUES

A review of issues raised in the petition has been undertaken by Officers. The table below identifies issues raised in the petition and Officers response.

Issues Raised in Petition	Response
A better site is available – (the mineral Springs site previously proposed and	The Public Art Advisory Committee assessed the concept 'Drop' based on

<p>identified by Council as Site A) which is liked by the artist, offers better accessibility and facilities to visitors and would be enhanced by the artwork.</p>	<p>the stainless steel materials in situ at the Glenlyon Dam. The assessment of each shortlisted artists includes an assessment of the concept within the chosen site. Altering the site effects the original assessment process.</p> <p>The reflection of the Dam and surrounds in the sculpture was part of the appeal to this concept.</p>
<p>Installation of the sculpture at the Glenlyon Dam, by nature of its size and material presents a danger of interruption to operations by emergency services vital to the Glenlyon District, may deter native wildlife and would irrevocably change the character of the historic Glenlyon Dam.</p>	<p>The Deputy Chief Officer of the CFA Regional Director Office has reviewed the locality plan and detailed drawings and images of the proposed sculpture and advised that they do not believe the sculpture will lead to any increased fire risk at the site.</p> <p>Wildlife -Advice has been received that the installation of artwork at this site would not deter wildlife. The relationship between the artwork and wildlife would not alter based on its location.</p> <p>The Glenlyon Dam does not have any heritage or other overlays prohibiting the installation of the sculpture. The Dja Dja Wurrung Clans Aboriginal Corporation approved a notification of an advisory Land Use Activity Agreement for the installation of the sculpture. Requirements of the Aboriginal Heritage Act 2006 apply and will be adhered to.</p>
<p>The design of the sculpture (as promoted) at the dam location is counterintuitive to the symbolism being a water droplet. Drops emerge from the pump; water does not primarily take droplet form coming in or out of a dam which is spring fed.</p>	<p>As per the artists statement, the water droplet alludes to the water element of the Glenlyon Dam and pays homage to the beauty of nature and our relationship to water.</p> <p>As per the Public Art Advisory Committee's response to the artists presentation; The artist's concept</p>



	connected on many levels; the environment, climate change, community interaction with the dam, springs and river, the Djaara people and the overall importance of water to our community.
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## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

Active and Engaged Communities

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

Council Plan 2017-2021

Active and Engaged Communities

3. Support the strength and resilience of the community through delivering actions in areas such as Youth, Libraries, Early Years, Community Planning, Art and Culture, Events and Community Grants. Monitor emerging social issues impacting the community and demonstrate leadership in advocating to government and other agencies to support the community.

Hepburn Shire Council Public Art Policy 40 (c) – December 2017

The purpose of this policy is to provide a framework to assist the Hepburn Shire Council to make considered decisions on public art, its funding, commissioning, installation, maintenance and de-accessioning. It also assists Council in response to requests, proposals and offers of donation of works of art in public places.

Council's decisions on public art projects will be informed by advice from an independent Public Art Advisory Committee. The Public Art Advisory Committee comprises community members with a wide range of professional and community art expertise, especially in the area of public art, art curatorship, architecture and design.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **FINANCIAL IMPLICATIONS**

The 2019/2020 (carry-forward to 2020/2021) Public Art and Maintenance Fund will provide funding for the total cost of the artist commission.

The short-listed artists received a \$1,000 fee and travel expenses to develop their design concept. The artist appointed by Council will receive \$30,000 to produce a permanent artwork (including materials).

There is a moderate amount of maintenance identified for Council in the future and artwork has a life span of over 20 years.

## **RISK IMPLICATIONS**

Risks such as budget, delivery, safety and environmental impact have been identified and addressed by the recommended artist. A concrete footing and plinth with mesh support has been included in the budget.

The recommended artist has over three years' experience in delivery of public art, has developed a detailed budget and there will be minimal site disturbance.

Yu Fang Chi is currently under contract and the artwork is currently under fabrication with installation due in early May. Any change to the commission will require artist agreement to vary the contract and associated permits. This will require re-application to DELWP, and the Dja Dja Wurrung. Any variation to contract will result in delays and result in the need for storage of the artwork and insurances which may incur associated costs.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Council has appointed various community members to the Public Art Advisory Committee based on their expertise to recommend an appropriate art piece against the advertised criteria.

An information session for the Glenlyon community was held prior to opening the EOI to inform the community of potential sites and the commission process.

The successful commission was promoted via social media and media release early October 2020 and early 2021 an interview piece with the artist was featured in the Glenlyon District News.

Council have received landowner consent from the Department of Environment, Land, Water and Planning (DELWP) for the installation of Yu Fang Chi's sculpture titled 'Drop' at the Glenlyon Dam. The Dja Dja Wurrung Clans Aboriginal Corporation (DDWCAC) have also accepted an advisory land use activity agreement (LUAA) for installation of the sculpture at the Glenlyon Dam.

The artist lodged a request to the DDWCAC to use the Dja Dja Wurrung word for water to be included in the plinth of the sculpture. The DDWCAC Language

Repatriation Officer has recommended the word 'Wanyarram' according to the dialect for the Daylesford area.

## **12.4 MINUTES OF ADVISORY COMMITTEES ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Governance Specialist, I Rebecca Smith have no interests to disclose in this report.*

### **ATTACHMENTS**

1. CONFIDENTIAL - Amended Minutes - Reconciliation Action Plan Advisory Committee - 7 December 2020 [12.4.1 - 9 pages]
2. CONFIDENTIAL - Minutes - Disability Advisory Committee - 1 February 2021 [12.4.2 - 5 pages]

### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to note the minutes and recommendations received from Council's Advisory Committees.

### **OFFICER'S RECOMMENDATION**

*That Council receives and notes the minutes of the following Advisory Committees:*

- *Reconciliation Action Plan Advisory Committee – 7 December 2020*
- *Disability Advisory Committee – 1 February 2021*

### **MOTION**

*That Council receives and notes the minutes of the following Advisory Committees:*

1. *Reconciliation Action Plan Advisory Committee – 7 December 2020*
2. *Disability Advisory Committee – 1 February 2021*

**Moved:** Cr Brian Hood

**Seconded:** Cr Tessa Halliday

**Carried**

## **BACKGROUND**

Advisory committees are established by Council and their responsibilities outlined in Terms of Reference. Advisory Committees are required to maintain minutes of meetings held and provide a copy of the minutes to Council for review.

## **KEY ISSUES**

Please see listed below the minutes and other reports from Advisory Committees:

- Reconciliation Action Plan Advisory Committee – 7 December 2020
- Disability Advisory Committee – 1 February 2021

## **POLICY AND STATUTORY IMPLICATIONS**

There are no policy or statutory implications associated with this report.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **RISK IMPLICATIONS**

There are no risk implications associated with this report.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report.

## **13 HIGH PERFORMING ORGANISATION**

### **13.1 DRAFT 2021/2022 ANNUAL BUDGET**

#### **ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Acting Manager Financial Services, I Robert Ellis have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Draft 2021/2022 Annual Budget [13.1.1 - 61 pages]

#### **EXECUTIVE SUMMARY**

Under section 94 of the *Local Government Act 2020*, Council is required to prepare an Annual Budget. This document describes how Council intends to raise revenue and allocate resources to deliver services and invest in both existing and new infrastructure.

The purpose of this report is to recommend that Council resolves to endorse the draft 2021/2022 Annual Budget for community consultation and input prior to consideration for its adoption in June 2021.

#### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Endorses the draft 2021/2022 Annual Budget as required under Section 94 of the Local Government Act 2020;*
2. *Endorses the schedule of fees as contained in the draft 2021/2022 Annual Budget to commence from 1 July 2021;*
3. *Authorises the Interim Chief Executive Officer to give public notice of this;*
4. *Effects any minor administrative changes which may be required to the draft 2021/2022 Annual Budget;*
5. *Invites any submissions in relation to the draft 2021/2022 Annual Budget;*
6. *Notes that submissions will be considered at a Special Meeting of Council to be held 8 June 2021;*
7. *Subject to changes after the consideration of all submissions, the 2021/2022 Annual Budget will be presented for adoption as Council's budget for the 2021/2022 year in accordance with section 91 of the Local Government Act 2020 at a Special Meeting of Council on Tuesday 29 June 2021.*

#### **MOTION**

*That Council:*

1. *Endorses the draft 2021/2022 Annual Budget as required under Section 94 of the Local Government Act 2020;*
2. *Endorses the schedule of fees as contained in the draft 2021/2022 Annual Budget to commence from 1 July 2021;*

3. *Authorises the Interim Chief Executive Officer to give public notice of this;*
4. *Effects any minor administrative changes which may be required to the draft 2021/2022 Annual Budget;*
5. *Invites any submissions in relation to the draft 2021/2022 Annual Budget;*
6. *Notes that submissions will be considered at a Special Meeting of Council to be held 8 June 2021;*
7. *Subject to changes after the consideration of all submissions, the 2021/2022 Annual Budget will be presented for adoption as Council's budget for the 2021/2022 year in accordance with section 91 of the Local Government Act 2020 at a Special Meeting of Council on Tuesday 29 June 2021.*

**Moved:** Cr Brian Hood

**Seconded:** Cr Tessa Halliday

**Carried**

## **BACKGROUND**

This draft document is the result of an extensive process which commenced late in 2020. Councillors, Executive Team and Senior staff have worked together to develop and deliver a responsible financial plan for the community.

### **Budget Overview**

The budget allocates funding for the provision of more than 100 services and significant investment in asset renewal and new asset construction. The budget has sought to deliver a financially responsible budget, that is mindful of the impact of COVID, financial position of the Shire and available resources.

Council is currently undertaking extensive community consultation as part of the Hepburn Together project that will deliver a 10-year Community Vision, a 4-year Council Plan incorporating the Municipal Public Health and Wellbeing Plan and provide key input to the development of a Financial Plan (10-year Long Term Financial Plan). These key documents to detail the future direction of Council will be considered in the first quarter of the 2021/2022 financial year.

As the Hepburn Together project continues Council will further consider the allocation of its resources, as such this budget is "business as usual". However, there are a number of new programs and projects that respond to early feedback from the project. In particular Council has allocated over \$400,000 to Strategic Planning projects in this budget – this responds directly to Council resolution from the Special Council Meeting 29 March 2021.

*Requests Officers to prepare a report to Council that outlines the scope and priorities of the Strategic Planning Works Program, including settlement strategies, structure plans, heritage and environmental studies, and that the*

*report is to be tabled in such time that allows for resourcing and funding needs to be considered in the preparation of the 2021/2022 Council budget*

An overview of the budget is provided below.

#### Key Financials

- Total Revenue - \$39.365M – an increase of \$2.29M reflecting increases rates, charges and capital grants.
- 
- Total Operating Expenditure - \$34.991M – a decrease of \$238,000
- 
- Operating Surplus - \$4.373M - Council has budgeted to receive \$4.879M in Capital Grants, which will be invested into Capital works projects which results in an operating surplus.
- 
- Cash and Investments - \$9.996M – Council has budgeted to hold \$9.996M of cash and investments as at 30 June 2022 however some \$ 6.07M is restricted for use. Council has a low unrestricted cash position and is closely monitoring and improving this position.
- 
- New borrowings - \$740K to fund finalisation of the Hepburn Hub at the Rex Construction. This expenditure was approved as part of Councils 2020/2021 mid-year budget review.
- 
- Capital Works - \$11.831M – This is a large capital works projects, particularly due to significant State and Federal Government funding to assist in the economic recovery from the COVID Pandemic.

#### Rates and charges

Rates and charges makeup approximately 60% of Councils annual budgeted revenue and are vital to allow us to provide the services and facilities that our community needs. Rate increases have been capped at 1.5% in line with the Victorian Government's Fair Go Rates System, and Council has not applied to the Essential Services Commission for a rate cap variation.

The State Government now requires all properties to be revalued annually and this will result in a redistribution of rates payable, based on the change to a property's value. There can be a misconception that as properties are revalued, Council receives additional revenue. This is not the case, instead the total revenue is re-distributed across all properties in the shire.

Council will continue with its Council funded additional rebate of \$21 for pensioners who qualify under the State Government's Pensioner Rate Remission scheme to accommodate the difficulties experienced by pensioners.

#### Rate Differentials



Have been set in the Proposed Budget in accordance with the draft Revenue and Rating Strategy, with no changes proposed from the previous financial year. The proposed rate differentials are detailed in the below table. Each class of land has increased in line with the cap imposed by the Minister for Local Government. The decrease change shown in the table above is reflective of a higher capital improve value of properties following the 2021 general revaluation.

Type or class of land	2020/21 cents/\$CIV*	2021/22 cents/\$CIV*	Change	%
General rate for residential properties	0.31100	<b>0.29270</b>	(0.0183)	-5.88%
Rate concession for farm properties	0.20220	<b>0.19030</b>	(0.0119)	-5.89%
General rate for commercial properties	0.36080	<b>0.33950</b>	(0.0213)	-5.90%
General rate for mixed use properties	0.36080	<b>0.33950</b>	(0.0213)	-5.90%
General rate for industrial properties	0.36080	<b>0.33950</b>	(0.0213)	-5.90%
General rate for vacant land township properties	0.38880	<b>0.36590</b>	(0.0229)	-5.89%
General rate for vacant land other properties	0.31100	<b>0.29270</b>	(0.0183)	-5.88%
Rate concession for trust for nature properties	0.15550	<b>0.14640</b>	(0.0091)	-5.85%
Rate concession for recreational properties	0.15550	<b>0.14640</b>	(0.0091)	-5.85%

### Waste Charges

An average increase of approximately 20.9% in annual waste charges has been necessary to meet increased service costs to users of the service. This increase will amount to an average additional cost of \$83 per property per year. The increase accounts for the rising costs of waste management which has been impacted by price and volume increases (20%), the under-recovery of waste costs for 2020-2021, global recycling challenges and the payment of the State Government landfill levy.

Type of Charge	Per Rateable Property 2020/21 \$	Per Rateable Property 2021/22 \$	Change \$	%
Kerbside collection - garbage (weekly)	149	<b>179</b>	30	20.1%
Kerbside collection - garbage (Fortnightly)	122	<b>148</b>	26	21.3%
Kerbside collection - recycling (Fortnightly)	95	<b>115</b>	20	21.1%
Commercial garbage charge	351	<b>423</b>	72	20.5%
Waste management improved charge	152	<b>185</b>	33	21.7%
Waste management unimproved charge	152	<b>185</b>	33	21.7%

It is noted that this is a significant increase, however a number of cost factors are outside control of Council. Council is putting into places to respond to the increasing cost of waste services, which includes entering into a new kerbside collection contract in 2021/2022 and under a shire wide Waste Strategy to drive the future direction of objectives.

The standard annual fee for a residential property (weekly garbage collection and fortnightly recycling) will now be \$479 or the equivalent of \$9.20 per week.

### User and Statutory Fees

Council will continue to accept e-Waste materials free of charge at our transfer stations and encourage the recycling of e-Waste items. We will continue to offer significantly reduced first-year animal registration fees to promote the registration, de-sexing and microchipping of cats and dogs. Swimming pool fees will again be free of charge in 2021/2022 - encouraging our residents to stay active and healthy.

### Services and Initiatives

Section 2 of the attachment provides a description of the services and initiatives to be funded in the 2021/2022 financial years. Items to highlight included (but not limited to):

- completion of the Hepburn Together project, including adoption of a Community Vision and Council Plan
- over \$400,000 to Strategic Planning projects
- development of a new Council website
- development of a new shire wide Walking and Cycling strategy
- updating Waste, Biodiversity and Sustainability Strategies.

### Capital Works

This budget will deliver \$11.831 million of capital works – improving, renewing, and creating new infrastructure. This is a significant allocation of funding; in fact, 63% of general rates. Projects to be delivered across the Shire include:

- Over \$1.45M on road improvements, upgrades, and rehabilitation including upgrade to Daylesford-Clunes Road in Smeaton, and the Cotswold and Glengower roads intersection near Glengower;
- Over \$1.62M on gravel and road reseals;
- Over \$1.58M will be invested in the renewal of our communities' buildings.
- \$2.448M for recreation facilities, including the commencement of Hammon Park Trail Head Community and Youth Hub project, cricket nets at Newlyn and the renewal of several hardcourt facilities;
- \$600,000 for bridge renewal works;
- \$534,000 on new and upgrades to footpaths and cycleways; and
- \$1.09M on parks and open spaces works, including Chatfield Reserve landscape works at Lake Daylesford, renewal of reserve and open space furniture, and streetscape improvements planning in Clunes and Creswick.

### **KEY ISSUES**

#### **Remaining steps and timing:**

Council meeting to endorse 2021/22 Draft Budget	20 April 2021
Community consultation commences	21 April 2021
Community consultation concludes	20 May 2021
Special Meeting to consider community submissions	8 June 2021

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

High Performing Organisation

13. Deliver sustainable financial management, supported by effective long-term financial planning (10 Years), cost savings and efficient purchasing, and developing additional income streams beyond rates revenue.

The draft 2021/2022 Annual Budget has been prepared in accordance with the *Local Government Act 2020* Section 94.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no direct sustainability implications associated with this report, however the draft budget does include planned resource allocations toward sustainability, social and environmental services and projects.

Hepburn Shire Council is already responding to climate change by reducing greenhouse emissions, reducing waste to landfill and restoring biodiversity. This includes emissions due to Council operations, but also supporting the community and industry within the Shire to address their own emissions. During 2021/2022 Council will be updating (following community consultation) its Waste, Biodiversity and Sustainability Strategies.

## **FINANCIAL IMPLICATIONS**

The annual budget is critical in ensuring that funds are raised and allocated in a manner that achieves objectives prioritised by Council following consultation with the Community.

## **RISK IMPLICATIONS**

The annual budget process is a key control in controlling and mitigating financial risk.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The draft 2021/2022 Annual Budget has been completed with input from officers and Councillors. The draft budget will be subject to a media release as well as being advertised in The Local newspaper and on social media. The document will also be on Council's website, inviting community comment via the formal budget submission process.

A Special meeting is scheduled for 8 June 2021 for Council to consider Community submissions received.

The proposed community engagement strategy is consistent with Councils adopted Community Engagement Policy.



# Hepburn Shire Council

Budget 2021/22

Delivering for our community

*Hepburn*  
SHIRE COUNCIL

This Budget Report has been prepared with reference to Local Government Victoria's Model Budget 2021-22 and Better Practice Guide.

Proposed Budget 2021 - 2022

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## Mayor and CEO Introduction

### New Council, New Local Government Act

The 2021/22 budget has been developed by a newly elected Council which has a very different composition to the one which developed the 2020/21 budget. Councillors have spent the first 6 months of their term coming up to speed on all existing Council projects and commitments while taking into account community feedback around these and other potential priorities, which has been received through an extensive process of community consultation.

This process has taken place under a new legislative environment with the introduction of the Local Government Act 2020. The act impacts on a number of Council's reporting and compliance requirements and also stipulates specific expectations on community consultation around the budget and Long Term Financial Plan.

Councillors are fully aware of the preferred approach in the development and delivery of Strategic Planning and budgets, however we are also mindful of the size of our Council and the resources that we have available to deliver these outcomes. With this in mind, there has been a "business as usual approach" in the development of some of our key financial and planning information, with a commitment to fully developing these documents and plans over the next 6 months, as we finalise the Hepburn Together project.

### Hepburn Together

We have worked together to develop a shared understanding of best way to engage with the community which resulted in the adoption in February of our new Community Engagement Policy. This Policy has then influenced us every step of the way during the broader engagement on the Community Vision and Council Plan that we have undertaken with the community during February and March. It is also driving the development of the Budget 2021/22 and the Financial Plan.

The Hepburn Together project will deliver:

- Community Engagement Policy – completed
- Community Vision – draft available in June
- Council Plan – draft available in June
- Annual Budget – this document
- Revenue and Rating Plan – draft available in April
- Financial Plan – due by October 2021
- Asset Plan – due by June 2022
- Workforce Plan – due by December 2021

### COVID-19 and Financial Hardship

The global impact of Coronavirus (COVID-19) was felt across the community, business, health organisations and government. Council appreciates the uncertainty that this pandemic caused and while aware that there is the potential for the virus to impact again, plan to move forward in a positive manner given our reliance on business and tourism.

While Council seeks to be positive and focus on opportunities, it also recognises the difficulties that this situation has caused individuals and businesses within our shire. Councillors will work with Council officers to create a line of communication that provides an approach which allows the circumstances of individuals to be understood and appreciated while applying applicable Council policy.

### Financial Support

In response to helping the community in the face of the covid pandemic Council initiated a campaign called "Helping Hepburn." It was designed to let the community and business know how we can help them, or point them in the right direction for information on other support services. As a result, the following decisions were made by Council:

- Council decided there would be no interest charged on outstanding rates balances for the remainder of the 2019/20 and 2020/21 financial year.
- Council allowed additional time for residents to pay pet registrations.
- Council processed supplier payments weekly to support improved cash-flow.
- Refunded of all permit fees for events and activities that have been cancelled or closed as directed by Government.
- Dedicated COVID-19 business support page on Council's website with links to Federal and State Government programs
- Provided access to dedicated business support officer within Council for local businesses to receive individual assistance

Councillors are aware that it will be difficult for some residents and businesses to resume "business as usual" and are working with officers to implement return to normal business operations which is compassionate but mindful of the need to push in that direction.

### Budget 2021/2022

This document outlines the extensive range of services provided by Council, more than 100 - from home care for the elderly, to road construction, urban planning, environmental initiatives, leisure facilities and so much more. It also details the funding that is required to deliver these services and maintain community infrastructure.

This budget will deliver \$11.83 million of new capital works – improving, renewing and creating new infrastructure. This is a significant allocation of funding, in fact, 63% of general rates. Projects to be delivered across the Shire include:

- \* Over \$1.45M on road improvements, upgrades and rehabilitation;
- \* Over \$1.62M on gravel and road reseals;
- \* Over \$1.5M will be invested in the renewal of our communities' buildings.
- \* \$2.44M for recreation facilities, including the commencement of Hammon Park Trail Head Community and Youth Hub project, scheduled to be completed in 2022/23.
- \* \$534,000 on new and upgrades to footpaths and cycleways; and
- \* \$1.09M on parks, open spaces and streetscape works.



### Mayor and CEO Introduction continued

Rates and charges makeup approximately two-thirds of our annual budgeted revenue, and are vital to allow us to provide the services and facilities that our community needs. Rate increases have been capped at 1.5% in line with the Victorian Government's Fair Go Rates System, and Council has not applied to the Essential Services Commission for a rate cap variation. The State Government now requires all properties to be revalued annually and this will result in a redistribution of rates payable, based on the change to a property's value. This means that while Council proposes an increase to average rate income of 1.5%, the actual rate increase for each ratepayer varies due to the amount of their property valuation. The 1.5% increase is on average, \$24.34 per property for the year.

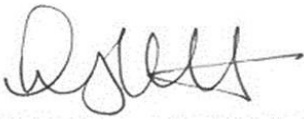
An average increase of approximately 21% in annual waste charges has been necessary to meet increased service costs to users of the service. This will mean the standard charge will be \$479 per year, or the equivalent of less than \$10 per week for your waste and recycling. This accounts for the rising costs of waste management, global recycling challenges and the payment of the State Government landfill levy. Council has also had to factor in an under-recovery of costs for the 2020-21 financial year with a change in contract rates and the significant increase in waste volume generated (approximately 20%). Councillors are strongly committed to developing a waste strategy during the second half of 2021, which will meet the changing legislative environment that we face and deliver an efficient and cost effective service in the short to medium term.

Council will continue to accept e-Waste materials free of charge at our transfer stations and encourage the recycling of e-Waste items. Registration for pets will continue to be free for their first year, to encourage registration, de-sexing and microchipping of cats and dogs. Swimming pool entry will remain free for the 2021/2022 season as they have been for the past 2 years - encouraging our residents to stay active and healthy.

We are committed to delivering high-quality services, with continued funding for programs such as libraries, biodiversity, aged and disability, tourism, reconciliation and sustainability and this budget includes many important initiatives, including over \$300,000 to support strategic planning activities and Planning Scheme Reviews following the adoption of an amended planning scheme. Council will also undertake a review of key strategies to respond to climate change and environmental development, including the Waste Strategy, Biodiversity Strategy and Sustainability Strategy.

It will continue to be Councillors' role to engage with our community and understand your needs and priorities, and to balance these demands. We want to ensure that our services meet community needs and are delivered as efficiently and effectively as possible. Council will continue to deliver high quality and accessible services to the community while increasing our advocacy efforts to ensure we are attracting State and Federal government funding.

Council is looking forward to a return to business as usual. While we have continued to deliver services and projects during the last 12 months, it will be a relief to be able to operate in a more stable environment, allowing us to focus on our core business rather than working around a set of circumstances which we hope not to have to face again anytime in the near future.



Cr Lesley Hewitt  
Mayor



Bradley Thomas  
Interim Chief Executive Officer

## Executive Summary

Overall, operating expenditure budgeted for 2021-22 has increased by 0.6% from the 2020-21 adopted budget. If you exclude depreciation, budgeted expenditure is virtually unchanged year-on-year as compared to the 2020-21 original budget.

Over the coming years Council will continue our work to ensure financial sustainability in a rate capped environment. The development of a long-term financial plan which will be delivered prior to October 31st 2021 will provide Council and ratepayers with a robust data set outlining how this will be achieved and determine parameters around major costs and income streams in order to do so.

Given the relatively low untied cash position of Council, the 2021-22 budget was developed with the aim to achieve a cash impact for 2021-22 which was close to \$0. Ultimately the proposed 2021/22 budget is based on a net impact of negative \$6,000.

Cash Impact of Recurrent Activities & Projects	\$'000
Surplus	4,373
Add back Depreciation and amortisation	7,046
Add back loss on Disposal of Assets	30
Add back operating project funded in a previous year*	236
<b>Cash Impact of Profit &amp; Loss</b>	<b>11,685</b>
Sale of Assets (Fleet)	140
Capital Project Expenditure (Gross)	(11,831)
<b>Cash Impact of 2021-22 Recurrent Activities &amp; Projects</b>	<b>(6)</b>

\*The Hub for Premium Produce project was funded in a previous financial year, but has been shown as unfunded in the current financial year.

Impact on Untied Cash	\$'000
Budgeted movement cash and investments during 2021-22	(1,519)
Transfers to Mineral Springs Reserve	(350)
Capital works funded from Mineral Springs Reserve	246
Transfers to the Waste Reserve	(144)
Reduction Debt Management Reserve	1,419
Reduction of income received in advance	236
<b>Movement in Untied Cash</b>	<b>(112)</b>
Total unrestricted cash, cash equivalents and other financial assets as reported in Mid Year Budget Review as at 30.6.2021	4,041
<b>Budgeted unrestricted cash as at 30.6.2022</b>	<b>3,929</b>

### 1. Rates and Charges

Total revenue from rates and charges is projected to be \$23.54M, which incorporates an average rate increase of 1.5%. This is in line with the new Fair Go Rates System (FGRS) which caps rates increases by Victorian councils to the forecast movement in the Consumer Price Index (CPI) of 1.5%. Council has not elected to apply to the Essential Services Commission (ESC) for a variation.

It is important to note, the actual rate increases experienced by individual ratepayers may differ from the 1.5% increase due to revaluations. Rate increases are impacted by the average rate increase (1.5%) and the property valuation increases (or decreases) of individual properties relative to the average across the municipality. If your property increased in value by more than the average for the Shire, your rates will increase by more than 1.5%. If your property value increased by less than the average, your rates will increase by less than 1.5% and may in fact reduce from the previous year.

### 2. Financial Position

The financial position is expected to improve with net assets (net worth) to increase by \$4.37M to \$314.2M during 2021-22, when compared to the latest forecast undertaken as part of the mid-year budget review. Working capital is an indicator of councils ability to meet its financial obligations as and when they fall due (being current assets less current liabilities). When comparing this measure against the forecast as at 30/6/2021 this measure is budgeted to improve from 1.68 to 1.86. Both of these figures fall into an acceptable range according to the Victorian Auditor General's Office's standard for this measure.

### 3. Operating Result

The expected operating result for the 2021-22 year is a surplus/deficit of \$4.373M, which is an increase of \$2.52M from the 2020-21 original budget. This is mainly due to an increase of \$2.52M in anticipated Capital grant funding. Increases in rates and charges \$1.28 million and contributions \$158K are offset by a decrease in Operating grants of \$1.689M. This was as a result of the one-off funding received for Working for Victoria in 2020/21. From an expenditure standpoint, the reduction in salary expenditure of \$648K is offset by the increase in Materials and Services expenditure of \$638K. Again, the budgeted decrease in salary expenditure was due to the one-off funded increase for the Working for Victoria program.

## Executive Summary continued

### 4. Financial Sustainability

A budget has been prepared for the four year period ending 30 June 2025. The Budget is in turn set within the Financial Plan to assist Council to adopt a budget within a longer term financial framework. The key objective of the Financial Plan is financial sustainability in the medium to long term, while still achieving the Council's strategic objectives.

Council needs to continue to work with the community to:

- Review and prioritise the services that we provide;
- Determine the level of service that can be afforded;
- Determine which assets are required to undertake the prioritised services;
- Determine any surplus assets that can be decommissioned or rationalised; and
- Determine where staffing resources may need to be realigned to deliver the shift in prioritised services.

This budget has been developed through a rigorous process. More detailed budget information is available throughout this document.

### 5. Services

Council will continue to work with the community over the coming years to align community priorities and expectations with Council's service delivery model. This needs to be set within a financially sustainable framework. Further detail in relation to the cost of Council's services can be found in section 2 of this document.

### 6. Cash and Investments

Cash and investments are expected to decrease by \$1.55M during the year to \$9.96M as at 30 June 2022. This decrease is compared to the latest cash forecast for 30th June 2021 undertaken as part of the recent mid-year budget review. The major impact on the cash balance during the upcoming year is the repayment of a loan of \$1.419M which falls due in November 2021.

Council had a very low unrestricted cash position of 33.6% as at 30 June 2020. This compared to 128% for similar sized Councils and 89% for all Victorian Councils. Council is closely monitoring and improving this position, with the 2021/22 budget noting this to improve to 91% as at June 30th 2022.

### 7. Capital Works

Detail of the Capital Works program for 2021/22 can be found in section 4.5 of this document.

The \$11.83M capital works program is funded by:

- \* \$5.12M in grants and contributions;
- \* \$140K in proceeds from sale of assets;
- \* \$6.56M cash generated from operations;
- \* \$740K in new borrowings will be used to fund an existing project, The Hepburn Hub at the Rex.

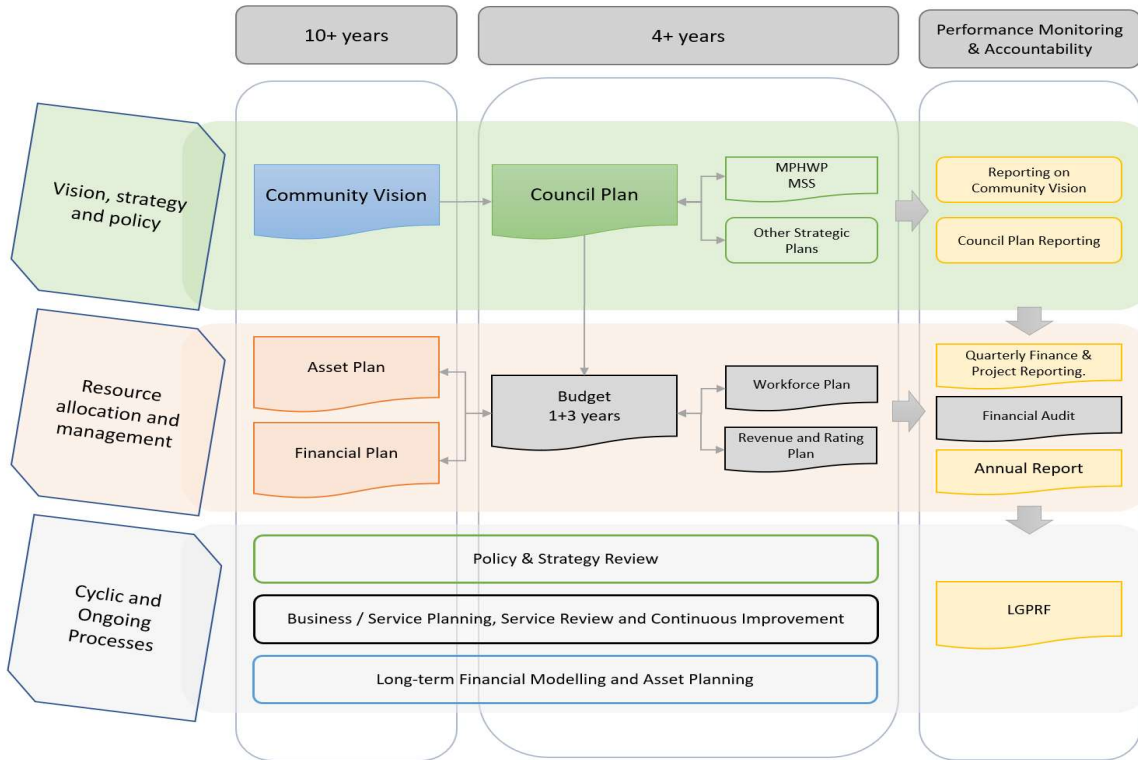
Council budget does not include carried forward projects from 2020-21. Carry forward balances are considered and approved by Council after the conclusion of the end of financial year process.

1. Link to the Council Plan

This section describes how the Budget links to the achievement of the Community Vision and Council Plan within an overall integrated planning and reporting framework. This framework guides the Council in identifying community needs and aspirations over the long term (Community Vision and Financial Plan), medium term (Council Plan, Workforce Plan, and Revenue and Rating Plan) and short term ( Budget) and then holding itself accountable (Annual Report).

1.1 Legislative Planning and accountability framework

The Budget is a rolling four-year plan that outlines the financial and non-financial resources that Council requires to achieve the strategic objectives described in the Council Plan. The diagram below depicts the integrated planning and reporting framework that applies to local government in Victoria. At each stage of the integrated planning and reporting framework there are opportunities for community and stakeholder input. This is important to ensure transparency and accountability to both residents and ratepayers.



1.1.2 Key planning considerations

Service level planning

Although councils have a legal obligation to provide some services—such as animal management, local roads, food safety and statutory planning—most council services are not legally mandated, including some services closely associated with councils, such as libraries, building permits and sporting facilities. Further, over time, the needs and expectations of communities can change. Therefore councils need to have robust processes for service planning and review to ensure all services continue to provide value for money and are in line with community expectations. In doing so, councils should engage with communities to determine how to prioritise resources and balance service provision against other responsibilities such as asset maintenance and capital works.

Community consultation needs to be in line with a council's adopted Community Engagement Policy and Public Transparency Policy.

[1. Link to the Council Plan continued](#)

1.2 Our Council Plan

As Council does not currently have a Council Plan for the 2021/22 year the Council activities and initiatives have been included under the previously adopted pillars as detailed below and following adoption of the Council Plan will be updated.

Our Pillars

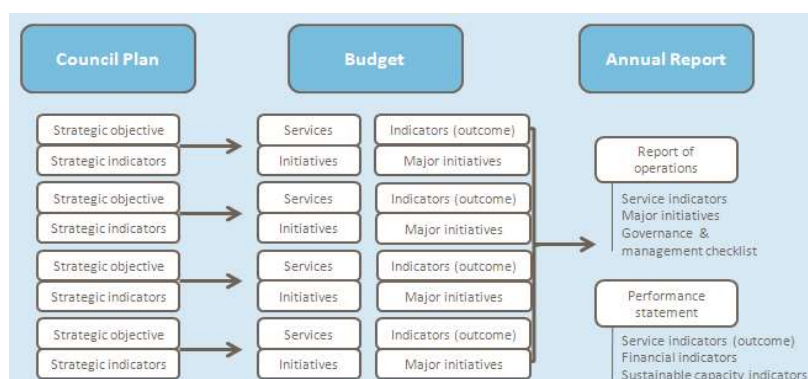
Council delivers activities and initiatives under major service categories. Each contributes to the achievement of one of the pillars as set out in the four year Council Plan 2017-2021. The five pillars described in the Council Plan are:

Strategic Objective	Description
1. Quality Community Infrastructure	Providing quality infrastructure that supports community needs now and into the future.
2. Active & Engaged Communities	Working with our diverse community to understand and deliver quality services.
3. Sustainable Environment	Protecting our natural and built environment.
4. Vibrant Economy	Creating a vibrant economy by adding value.
5. High Performing Organisation	Driving innovation to continuously improve service delivery to our customers (better, faster, cheaper)



## 2. Services and service performance indicators

This section provides a description of the services and initiatives to be funded in the Budget for the 2021/22 year and how these will contribute to achieving the strategic objectives outlined in the Council Plan. It also describes several initiatives and service performance outcome indicators for key areas of Council's operations. Council is required by legislation to identify major initiatives, initiatives and service performance outcome indicators in the Budget and report against them in their Annual Report to support transparency and accountability. The relationship between these accountability requirements in the Council Plan, the Budget and the Annual Report is shown below



Source: Department of Jobs, Precincts and Regions

### 2.1 Strategic Objective 1 : Quality Community Infrastructure

To achieve our objective of quality community infrastructure, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Service area	Description of services provided		2019/20	2020/21	2021/22
			Actual \$'000	Budget \$'000	Budget \$'000
Assets, Roads and Maintenance	With forward planning, the timely intervention and replacement of infrastructure assets is programmed to maximise serviceability of assets and minimise escalating maintenance costs. This proactive management of assets also allows long term financial demands for asset renewal works to be anticipated and planned for.	<i>Income</i>	2,148	3,717	4,972
		<i>Expenses</i>	4,482	4,936	5,031
		<b><i>Surplus/(Deficit)</i></b>	<b>(2,334)</b>	<b>(1,219)</b>	<b>(59)</b>

Parks and Open Space	This service provides well presented Parks & Gardens, Public Open Space and Sporting Fields for the enjoyment, amenity and well being of our community and visitors to the Shire.	<i>Income</i>	2	351	500
		<i>Expenses</i>	1,765	2,070	1,938
		<b><i>Surplus/(Deficit)</i></b>	<b>(1,763)</b>	<b>(1,719)</b>	<b>(1,438)</b>

Service area	Description of services provided		2019/20	2020/21	2021/22
			Actual \$'000	Budget \$'000	Budget \$'000
Risk & Property	To utilise risk management proactively as a tool to achieve success across all areas. To make effective and efficient risk-based decisions on the allocation of budget and resources. To make decisions on property management arrangements that are underpinned by service plans, the long term financial plan and a minimisation of risks.	<i>Income</i>	963	1,074	1,097
		<i>Expenses</i>	796	743	481
		<b><i>Surplus/(Deficit)</i></b>	<b>167</b>	<b>331</b>	<b>616</b>

#### Major Variances

Major changes from the year-to-year budget for the above service areas relate to:

\* Assets, Roads and Maintenance - due to \$1.06 million in extra grant funding to assist in the delivery of infrastructure works

\* Parks and Open Space - income relates to unconfirmed stimulus funding for works.

\* Risk and Property - Insurance costs of \$325K have been transferred to the governance service area in 2021/22.

#### Initiatives

\* Annual asset renewal program including road reconstruction, building, road, footpaths, bridges, and drainage – refer to capital works listing for details.

\* Annual maintenance program including road reconstruction, buildings, roads, footpaths, bridges, drainage and parks and open spaces.

Note: Most insurance costs have been now been transferred to the Governance Service area.

## 2. Services and service performance indicators

### 2.2 Strategic Objective 2 : Active & Engaged Communities

To achieve our objective of active & engaged communities, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Service area	Description of services provided		2019/20	2020/21	2021/22
			Actual	Budget	Budget
			\$'000	\$'000	\$'000
Aged & Disability Services	This service provides high quality aged and disability services including home and community care.	<i>Income</i>	1,031	1,494	1,410
		<i>Expenses</i>	1,735	1,779	1,775
		<i>Surplus/(Deficit)</i>	(704)	(285)	(365)
Family Services	This service provides leadership in the planning and development of early years services and programs and in partnership with community and service providers facilitate integrated and co-ordinated service provision including maternal and child health.	<i>Income</i>	351	199	143
		<i>Expenses</i>	370	472	422
		<i>Surplus/(Deficit)</i>	(19)	(273)	(279)
Library Services	This service provides, through our public libraries, a welcoming space that develops strong and connected communities, supports a culture of reading and improves quality of life.	<i>Income</i>	214	207	208
		<i>Expenses</i>	902	865	847
		<i>Surplus/(Deficit)</i>	(688)	(658)	(639)
Recreation	This service provides proactive and planned approach to the maintenance, renewal and upgrade of recreation assets, and provide strategic direction for future recreation and aquatic facilities.	<i>Income</i>	53	142	1,287
		<i>Expenses</i>	730	449	599
		<i>Surplus/(Deficit)</i>	(677)	(307)	688
Youth	This service seeks to engage our young people. Invest in them now and create our community leaders for the future.	<i>Income</i>	35	25	25
		<i>Expenses</i>	114	154	137
		<i>Surplus/(Deficit)</i>	(79)	(129)	(112)
Community Development	This service seeks to identify and create opportunities with residents to participate in enhancing community health and wellbeing.	<i>Income</i>	154	304	125
		<i>Expenses</i>	1,292	1,616	1,597
		<i>Surplus/(Deficit)</i>	(1,138)	(1,312)	(1,472)
Environmental Health	To provide a range of public health programs including food safety throughout the community which focus on a preventative approach to health and aim to minimise future problems.	<i>Income</i>	168	179	183
		<i>Expenses</i>	322	332	375
		<i>Surplus/(Deficit)</i>	(154)	(153)	(192)
Compliance	Through education and Local Law enforcement, including animal management, the Compliance Department provides a safe community for all to enjoy.	<i>Income</i>	193	273	259
		<i>Expenses</i>	517	587	620
		<i>Surplus/(Deficit)</i>	(324)	(314)	(361)

#### Initiatives

\* Hammon Park Trail Head Community and Youth Hub \$1.250 million in 2021-22 (\$1.175 million grant funded) with further works scheduled for 2022-23.

\* Newlyn cricket net construction \$240K, (\$100K grant funded)

\* Development of an Arts and Culture Strategy \$40K.

\* Development of our next Reconciliation Action Plan \$29K.

\* State and Federal Governments will continue to part fund the Home and Community Care and Commonwealth Home Support Program to deliver quality programs in aged and disability services.

## 2. Services and service performance indicators

### 2.3 Strategic Objective 3: Sustainable Environment

To achieve our objective of a sustainable environment, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Service area	Description of services provided		2019/20	2020/21	2021/22
			Actual \$'000	Budget \$'000	Budget \$'000
Waste Management and Cleaning services	This service is to deliver high quality kerbside waste and recycling collection services, and general waste management which includes transfer stations, transporting materials, public place bins, disposing of waste, street cleaning, rehabilitating closed landfills and other waste management services.	<i>Income</i>	3,630	4,083	4,834
		<i>Expenses</i>	4,122	3,967	5,050
		<b><i>Surplus/(Deficit)</i></b>	<b>(492)</b>	<b>116</b>	<b>(216)</b>
Emergency Management	We work with the community and response agencies to develop robust and innovative plans to prepare, respond and recover from emergencies.	<i>Income</i>	120	220	120
		<i>Expenses</i>	329	220	211
		<b><i>Surplus/(Deficit)</i></b>	<b>(209)</b>	<b>-</b>	<b>(91)</b>
Sustainability	To guide and support Council and the community in the development of innovative sustainable practices that ensure the preservation of limited resources.	<i>Income</i>	15	-	-
		<i>Expenses</i>	149	175	112
		<b><i>Surplus/(Deficit)</i></b>	<b>(134)</b>	<b>(175)</b>	<b>(112)</b>
Natural Resource Management	In partnership with the community, natural resources are managed to ensure their conservation, enhancement and control.	<i>Income</i>	-	-	-
		<i>Expenses</i>	131	165	137
		<b><i>Surplus/(Deficit)</i></b>	<b>(131)</b>	<b>(165)</b>	<b>(137)</b>

#### Initiatives

\* Development of a waste strategy to be implemented across the Shire, continuing funding allocation for resource recovery education and other waste management initiatives as well some minor works to improve transfer station operations.

\* An Emergency Management Coordinator funded by the State Government (\$120K grant funded).

\* Flora and Fauna assessment for township planning \$45K.

### 2.4 Strategic Objective 4: Vibrant Economy

To achieve our objective of a vibrant economy, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Service area	Description of services provided		2019/20	2020/21	2021/22
			Actual \$'000	Budget \$'000	Budget \$'000
Economic Development and Tourism	To facilitate Hepburn Shire becoming a recognised tourist destination and to foster economic development that is appropriate within the Shire which increases employment and business opportunities.	<i>Income</i>	151	82	82
		<i>Expenses</i>	1,119	734	691
		<b><i>Surplus/(Deficit)</i></b>	<b>(968)</b>	<b>(652)</b>	<b>(609)</b>
Statutory and Strategic Planning	The Planning team provides advice and guidance for responsible current and future land use planning which includes the consideration of applications for planning permits and ensuring compliance with planning permits and controls. Through regular review of the Hepburn Shire Planning Scheme and development of new policy documents, the Planning Department ensures that statutory planning, investment and decision making for the Shire is relevant to the needs of the community and provides a sustainable base for future generations.	<i>Income</i>	535	500	560
		<i>Expenses</i>	1,170	1,080	1,406
		<b><i>Surplus/(Deficit)</i></b>	<b>(635)</b>	<b>(580)</b>	<b>(846)</b>

#### Major Variance

\* Additional funding of \$200K to support additional strategic planning projects following the adoption of a revised planning scheme.

#### Initiatives

\* A significant allocation of resource has been directed into strategic planning for the 2021-22 year. This will enable Council to commence and complete high priority work on Strategic Planning Schemes and planning scheme amendments.

\* Continuation of the Community and Economic Development strategy, especially related to Covid recovery opportunities.



## 2. Services and service performance indicators

### 2.5 Strategic Objective 5: High Performing Organisation

To achieve our objective of a high performing organisation, we will continue to plan, deliver and improve high quality, cost effective, accessible and responsive services. The services, initiatives, major initiatives and service performance indicators for each business area are described below.

Service area	Description of services provided		2019/20	2020/21	2021/22
			Actual	Budget	Budget
			\$'000	\$'000	\$'000
Financial Services	To deliver efficient and effective allocation of resources through sound financial planning and management, that is guided by the long-term financial plan and secures the financial viability of the municipality.	<i>Income</i>	4,867	4,743	4,474
		<i>Expenses</i>	2,019	1,510	1,148
		<b><i>Surplus/(Deficit)</i></b>	<b>2,848</b>	<b>3,233</b>	<b>3,326</b>
ICT	To provide the highest quality technology-based services, in the most cost-effective manner, to facilitate the delivery of services to Council and the community.	<i>Income</i>	15	306	-
		<i>Expenses</i>	1,175	1,585	1,390
		<b><i>Surplus/(Deficit)</i></b>	<b>(1,160)</b>	<b>(1,279)</b>	<b>(1,390)</b>
People and Culture	In partnership with Management, People and Culture provide a high level of service and support to the organisation for recruiting and retaining qualified and diverse staff, facilitating positive employee relations, developing and delivering training to enhance employees skills and capabilities, measuring employee performance and job satisfaction and providing industrial relations advice to contribute to Council's organisational effectiveness.	<i>Income</i>	-	157	-
		<i>Expenses</i>	614	718	570
		<b><i>Surplus/(Deficit)</i></b>	<b>(614)</b>	<b>(561)</b>	<b>(570)</b>
Customer Service	To provide consistent, high quality customer service, by managing, resolving, and preventing problems; empowering and educating our customers with self-service tools and solutions; communicating effectively; and exceeding customer expectations which will enable Council and our community to reach their goals.	<i>Income</i>	6	-	-
		<i>Expenses</i>	386	472	500
		<b><i>Surplus/(Deficit)</i></b>	<b>(380)</b>	<b>(472)</b>	<b>(500)</b>
Building	To provide quality regulatory advice on all building matters associated with properties in the Shire.	<i>Income</i>	239	653	240
		<i>Expenses</i>	331	366	287
		<b><i>Surplus/(Deficit)</i></b>	<b>(92)</b>	<b>287</b>	<b>(47)</b>
Governance	Good governance is provided through the development and implementation of policies and procedures that support good decision making.	<i>Income</i>	22	68	-
		<i>Expenses</i>	1,786	2,059	2,191
		<b><i>Surplus/(Deficit)</i></b>	<b>(1,764)</b>	<b>(1,991)</b>	<b>(2,191)</b>
Communications	Council delivers effective communication through varied channels to ensure all who wish to be informed are.	<i>Income</i>	-	50	-
		<i>Expenses</i>	148	212	178
		<b><i>Surplus/(Deficit)</i></b>	<b>(148)</b>	<b>(162)</b>	<b>(178)</b>

#### Major Variances

Governance - Insurance costs of \$325K have been transferred to the governance service area in 2021/22.

Building - A one-off building grant of \$317K and income for the Working for Victoria program was received in the 2020/21 year.

#### Initiatives

\* Council are committed to the improvement of its ICT infrastructure and in addition to maintaining a higher level of recurrent budget to enhance its day-to-day capability. It is also investing in a number of capital works projects to improve infrastructure, which will benefit both residents and staff.

\* Development of a new Council website.

\* A customer service strategy is being undertaken in the current financial year with outcomes being rolled out in 2021-22. This is an organisation-wide project, with aims to improve customer service outcomes from all departments.

## 2. Services and service performance indicators

## 2.6 Service Performance Outcome Indicators

Service	Indicator	Performance Measure	Computation
Governance	Satisfaction	Satisfaction with Council decisions. (Community satisfaction rating out of 100 with how Council has performed in making decisions in the interests of the community)	Community satisfaction rating out of 100 with how Council has performed in making decisions in the interests of the community
Statutory planning	Decision making	Council planning decisions upheld at VCAT. (Percentage of planning application decisions subject to review by VCAT and that were not set aside)	[Number of VCAT decisions that did not set aside Council's decision in relation to a planning application / Number of VCAT decisions in relation to planning applications] x100
Roads	Satisfaction	Satisfaction with sealed local roads. (Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads)	Community satisfaction rating out of 100 with how Council has performed on the condition of sealed local roads.
Libraries	Participation	Active library members. (Percentage of the municipal population that are active library members)	[Number of active library members / municipal population] x100
Waste collection	Waste diversion	Kerbside collection waste diverted from landfill. (Percentage of garbage, recyclables and green organics collected from kerbside bins that is diverted from landfill)	[Weight of recyclables and green organics collected from kerbside bins / Weight of garbage, recyclables and green organics collected from kerbside bins] x100
Aquatic Facilities	Utilisation	Utilisation of aquatic facilities. (Number of visits to aquatic facilities per head of municipal population)	Number of visits to aquatic facilities / Municipal population
Animal Management	Health and safety	Animal management prosecutions. (Number of successful animal management prosecutions)	Number of successful animal management prosecutions
Food safety	Health and safety	Critical and major non-compliance notifications. (Percentage of critical and major non-compliance notifications that are followed up by Council)	[Number of critical non-compliance notifications and major non-compliance notifications about a food premises followed up / Number of critical non-compliance notifications and major non-compliance notifications about food premises] x100

## 2. Services and service performance indicators

Service	Indicator	Performance Measure	Computation
Maternal and Child Health	Participation	Participation in the MCH service. (Percentage of children enrolled who participate in the MCH service)	[Number of children who attend the MCH service at least once (in the year) / Number of children enrolled in the MCH
		Participation in MCH service by Aboriginal children. (Percentage of Aboriginal children enrolled who participate in the MCH service)	[Number of Aboriginal children who attend the MCH service at least once (in the year) / Number of Aboriginal children enrolled in the MCH service] x100

## 2.7 Reconciliation with budgeted operating result

Strategic Objective	Surplus/ (Deficit)	Expenditure	Revenue
	\$'000	\$'000	\$'000
Quality Community Infrastructure	(881)	7,450	6,569
Active & Engaged Communities	(2,732)	6,372	3,640
Sustainable Environment	(556)	5,510	4,954
Vibrant Economy	(1,455)	2,097	642
High Performing Organisation	(1,550)	6,264	4,714
<b>Total</b>	<b>(7,174)</b>	<b>27,693</b>	<b>20,519</b>
<i>Expenses added in:</i>			
Depreciation & Amortisation	(7,047)		
Finance costs	(213)		
Loss on Sale of Assets	30		
<i>(Deficit) before funding sources</i>	<b>(14,404)</b>		
<i>Funding sources added in:</i>			
General Rates Revenue	18,777		
<b>Total Funding Sources</b>	<b>18,777</b>		
<b>Operating surplus / (deficit) for the year</b>	<b>4,373</b>		

### 3. Financial Statements

This section presents information in regard to the Financial Statements and Statement of Human Resources. The budget information for the year 2021/22 has been supplemented with projections to 2024/25. These projections will be reviewed during the Financial Plan development.

This section includes the following financial statements prepared in accordance with the Local Government Act 2020 and the Local Government (Planning and Reporting) Regulations 2020.

- \* Comprehensive Income Statement
- \* Balance Sheet
- \* Statement of Changes in Equity
- \* Statement of Cash Flows
- \* Statement of Capital Works
- \* Statement of Human Resources



### 3. Financial Statements

#### 3.1 Comprehensive Income Statement

For the four years ending 30 June 2025

	Notes	Budget	Budget	Projections		
		2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000
<b>Income</b>						
Rates and charges	4.1.1	22,266	23,547	24,190	24,755	25,445
Statutory fees and fines	4.1.2	915	946	970	994	1,019
User fees	4.1.3	964	1,043	1,069	1,096	1,123
Grants - Operating	4.1.4	8,741	7,066	7,239	7,416	7,598
Grants - Capital	4.1.4	2,355	4,879	2,689	2,364	2,989
Contributions - monetary	4.1.5	370	528	289	294	300
Net gain/(loss) on disposal of property, infrastructure, plant and equipment		(20)	(30)	(26)	(12)	(3)
Other income	4.1.6	1,485	1,384	1,409	1,436	1,462
<b>Total income</b>		<b>37,076</b>	<b>39,365</b>	<b>37,829</b>	<b>38,344</b>	<b>39,934</b>
<b>Expenses</b>						
Employee costs	4.1.7	15,518	14,869	15,241	15,622	16,012
Materials and services	4.1.8	11,424	12,062	12,004	12,244	12,489
Depreciation	4.1.9	7,168	6,926	6,998	7,072	7,146
Amortisation - intangible assets	4.1.10	101	121	121	121	121
Bad and doubtful debts		18	15	21	26	29
Borrowing costs		206	213	155	131	107
Finance Costs - leases		-	0	-	-	-
Other expenses	4.1.11	794	785	799	813	830
<b>Total expenses</b>		<b>35,229</b>	<b>34,991</b>	<b>35,339</b>	<b>36,029</b>	<b>36,734</b>
<b>Surplus/(deficit) for the year</b>		<b>1,847</b>	<b>4,373</b>	<b>2,490</b>	<b>2,315</b>	<b>3,200</b>
<b>Other comprehensive income</b>						
Items that will not be reclassified to surplus or deficit in future periods						
Net asset revaluation increment /(decrement)		-	-	-	-	-
<b>Total comprehensive result</b>		<b>1,847</b>	<b>4,373</b>	<b>2,490</b>	<b>2,315</b>	<b>3,200</b>

### 3. Financial Statements

#### 3.2 Balance Sheet

For the four years ending 30 June 2025

	Notes	Budget	Budget	Projections		
		2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000
<b>Assets</b>						
<b>Current assets</b>						
Cash and cash equivalents		3,430	4,996	3,238	3,823	4,564
Trade and other receivables		4,208	4,378	4,404	4,448	4,502
Other financial assets		5,933	5,000	5,000	3,000	3,000
Inventories		6	15	19	16	14
Other assets		86	39	30	40	55
<b>Total current assets</b>	4.2.1	<b>13,663</b>	<b>14,428</b>	<b>12,692</b>	<b>11,328</b>	<b>12,134</b>
<b>Non-current assets</b>						
Property, infrastructure, plant & equipment		277,237	311,831	315,138	318,138	319,165
Intangible assets		415	792	671	550	429
<b>Total non-current assets</b>	4.2.1	<b>277,652</b>	<b>312,624</b>	<b>315,809</b>	<b>318,689</b>	<b>319,595</b>
<b>Total assets</b>		<b>291,314</b>	<b>327,052</b>	<b>328,501</b>	<b>330,017</b>	<b>331,729</b>
<b>Liabilities</b>						
<b>Current liabilities</b>						
Trade and other payables		2,196	1,853	1,899	1,945	1,693
Trust funds and deposits		962	1,185	1,189	1,193	1,197
Provisions		2,107	2,368	2,466	2,562	2,044
Interest-bearing liabilities	4.2.3	2,063	663	701	725	751
Other Liabilities	4.2.2	528	1,671	1,166	916	911
<b>Total current liabilities</b>	4.2.2	<b>7,855</b>	<b>7,740</b>	<b>7,420</b>	<b>7,341</b>	<b>6,595</b>
<b>Non-current liabilities</b>						
Provisions		442	436	445	454	463
Interest-bearing liabilities	4.2.3	4,397	4,580	3,859	3,125	2,365
Other Liabilities	4.2.2	63	27	18	23	30
<b>Total non-current liabilities</b>	4.2.2	<b>4,901</b>	<b>5,043</b>	<b>4,321</b>	<b>3,602</b>	<b>2,859</b>
<b>Total liabilities</b>		<b>12,757</b>	<b>12,783</b>	<b>11,742</b>	<b>10,942</b>	<b>9,454</b>
<b>Net assets</b>		<b>278,557</b>	<b>314,269</b>	<b>316,759</b>	<b>319,074</b>	<b>322,275</b>
<b>Equity</b>						
Accumulated surplus		157,242	169,693	171,888	174,003	177,028
Reserves		121,315	144,576	144,871	145,071	145,246
<b>Total equity</b>		<b>278,557</b>	<b>314,269</b>	<b>316,759</b>	<b>319,074</b>	<b>322,275</b>

### 3. Financial Statements

#### 3.3 Statement of Changes in Equity

For the four years ending 30 June 2025

	Notes	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2020/21 Forecast</b>					
Balance at beginning of the financial year		308,759	163,155	142,258	3,346
Surplus/(deficit) for the year		1,136	1,136	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(4,907)	-	4,907
Transfers from other reserves		-	4,765	-	(4,765)
<b>Balance at end of the financial year</b>		<b>309,895</b>	<b>164,148</b>	<b>142,258</b>	<b>3,489</b>
<b>2021/22 Budget</b>					
Balance at beginning of the financial year		309,895	164,148	142,258	3,489
Surplus/(deficit) for the year		4,373	4,373	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves	4.3.1	-	(929)	-	929
Transfers from other reserves	4.3.1	-	2,100	-	(2,100)
<b>Balance at end of the financial year</b>	<b>4.3.2</b>	<b>314,269</b>	<b>169,693</b>	<b>142,258</b>	<b>2,318</b>
<b>2022/23 Budget</b>					
Balance at beginning of the financial year		314,269	169,693	142,258	2,318
Surplus/(deficit) for the year		2,490	2,490	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(745)	-	745
Transfers from other reserves		-	450	-	(450)
<b>Balance at end of the financial year</b>		<b>316,759</b>	<b>171,888</b>	<b>142,258</b>	<b>2,613</b>
<b>2023/24 Budget</b>					
Balance at beginning of the financial year		316,759	171,888	142,258	2,613
Surplus/(deficit) for the year		2,315	2,315	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(550)	-	550
Transfers from other reserves		-	350	-	(350)
<b>Balance at end of the financial year</b>		<b>319,074</b>	<b>174,003</b>	<b>142,258</b>	<b>2,813</b>
<b>2024/25 Budget</b>					
Balance at beginning of the financial year		319,074	174,003	142,258	2,813
Surplus/(deficit) for the year		3,200	3,200	-	-
Net asset revaluation increment/(decrement)		-	-	-	-
Transfers to other reserves		-	(725)	-	725
Transfers from other reserves		-	550	-	(550)
<b>Balance at end of the financial year</b>		<b>322,274</b>	<b>177,028</b>	<b>142,258</b>	<b>2,988</b>

### 3. Financial Statements

#### 3.4 Statement of Cash Flows

For the four years ending 30 June 2025

	Notes	Budget		Projections		
		2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000
		Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)	Inflows (Outflows)
<b>Cash flows from operating activities</b>						
Rates and charges		22,156	23,722	24,010	24,555	25,232
Statutory fees and fines		898	931	955	979	1,004
User fees		850	966	1,064	1,085	1,110
Grants - operating		8,741	7,066	7,239	7,416	7,598
Grants - capital		2,355	4,879	2,689	2,364	2,989
Contributions - monetary		370	528	289	294	300
Interest received		320	235	278	282	285
Rent received		1,048	1,055	580	871	1,141
Trust funds and deposits taken		-	(11)	4	4	4
Other receipts		227	186	190	194	198
Employee costs		(15,518)	(14,784)	(15,143)	(15,526)	(16,531)
Materials and services		(11,424)	(12,384)	(11,940)	(12,196)	(12,744)
Other payments		(795)	(786)	(799)	(813)	(830)
<b>Net cash provided by/(used in) operating activities</b>	4.4.1	<b>9,229</b>	<b>11,603</b>	<b>9,416</b>	<b>9,510</b>	<b>9,757</b>
<b>Cash flows from investing activities</b>						
Payments for property, infrastructure, plant and equipment		(12,631)	(11,492)	(10,365)	(10,097)	(8,251)
Proceeds from sale of property, infrastructure, plant and equipment		(20)	(30)	34	13	75
Payments for investments		(8,000)	(6,000)	(8,000)	(6,000)	(8,000)
Proceeds from sale of investments		8,000	6,000	8,000	8,000	8,000
<b>Net cash provided by/ (used in) investing activities</b>	4.4.2	<b>(12,651)</b>	<b>(11,522)</b>	<b>(10,331)</b>	<b>(8,084)</b>	<b>(8,176)</b>
<b>Cash flows from financing activities</b>						
Finance costs		(206)	(213)	(155)	(131)	(107)
Proceeds from borrowings		3,012	740	-	-	-
Repayment of borrowings		(532)	(2,128)	(687)	(709)	(734)
<b>Net cash provided by/(used in) financing activities</b>	4.4.3	<b>2,274</b>	<b>(1,600)</b>	<b>(843)</b>	<b>(841)</b>	<b>(841)</b>
<b>Net increase/(decrease) in cash &amp; cash equivalents</b>		<b>(1,147)</b>	<b>(1,519)</b>	<b>(1,758)</b>	<b>585</b>	<b>740</b>
Cash and cash equivalents at the beginning of the financial year		4,577	6,515	4,996	3,238	3,823
<b>Cash and cash equivalents at the end of the financial year</b>		<b>3,430</b>	<b>4,996</b>	<b>3,238</b>	<b>3,823</b>	<b>4,563</b>



### 3. Financial Statements

#### 3.5 Statement of Capital Works

For the four years ending 30 June 2024

	Notes	Budget	Budget	Projections		
		2020/21 \$'000	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000
<b>Property</b>						
Land improvements		88	-	24	60	84
Buildings and improvements		5,318	1,586	985	875	981
<b>Total property</b>		<b>5,406</b>	<b>1,586</b>	<b>1,009</b>	<b>935</b>	<b>1,065</b>
<b>Plant and equipment</b>						
Plant, machinery and equipment		866	860	620	620	620
Computers and telecommunications		602	917	660	701	660
Library books		60	60	60	60	60
<b>Total plant and equipment</b>		<b>1,527</b>	<b>1,837</b>	<b>1,340</b>	<b>1,381</b>	<b>1,340</b>
<b>Infrastructure</b>						
Roads		2,886	3,077	3,256	3,256	3,256
Bridges		275	600	-	1,600	1,600
Footpaths and cycleways		549	534	991	845	1,605
Drainage		299	270	270	270	270
Recreational, leisure and community facilities		1,679	2,448	2,170	785	1,685
Waste Management		47	169	450	-	-
Parks, open space and streetscapes		207	1,097	515	492	324
Other infrastructure		118	212	364	534	530
<b>Total infrastructure</b>		<b>6,060</b>	<b>8,407</b>	<b>8,016</b>	<b>7,781</b>	<b>9,270</b>
<b>Total capital works expenditure</b>	4.5.1	<b>12,993</b>	<b>11,831</b>	<b>10,365</b>	<b>10,097</b>	<b>11,675</b>
<b>Represented by:</b>						
New asset expenditure		3,404	2,170	2,096	1,094	1,919
Asset renewal expenditure		7,750	8,283	5,552	7,731	7,728
Asset upgrade expenditure		1,839	1,378	2,717	1,272	2,028
<b>Total capital works expenditure</b>	4.5.1	<b>12,993</b>	<b>11,831</b>	<b>10,365</b>	<b>10,097</b>	<b>11,675</b>
<b>Funding sources represented by:</b>						
Grants		2,275	4,879	2,570	2,364	2,989
Contributions & asset sales		192	390	120	100	100
Council cash		7,514	6,561	7,675	7,634	8,586
Borrowings		3,012	-	-	-	-
<b>Total capital works expenditure</b>	4.5.1	<b>12,993</b>	<b>11,831</b>	<b>10,365</b>	<b>10,097</b>	<b>11,675</b>

### 3. Financial Statements

#### 3.6 Statement of Human Resources

For the four years ending 30 June 2025

	Budget	Budget	Projections		
	2020/21	2021/22	2022/23	2023/24	2024/25
	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Staff expenditure</b>					
Employee costs - operating	15,518	14,869	15,241	15,622	16,012
Employee costs - capital	1,035	1,193	1,223	1,253	1,285
<b>Total staff expenditure</b>	<b>16,552</b>	<b>16,062</b>	<b>16,464</b>	<b>16,875</b>	<b>17,297</b>
	FTE	FTE	FTE	FTE	FTE
<b>Staff numbers</b>					
Employees	179.9	168.0	168.0	168.0	168.0
<b>Total staff numbers</b>	<b>179.9</b>	<b>168.0</b>	<b>168.0</b>	<b>168.0</b>	<b>168.0</b>

A summary of human resources expenditure categorised according to the organisational structure of Council is included below:

Directorate	Budget	Permanent		Casual
	2021/22	Full Time	Part time	
	\$'000	\$'000	\$'000	\$'000
Community & Corporate Services	6,149	3,266	2,393	490
Executive Services	940	940		
Infrastructure and Development Services	7,224	5,933	576	715
Total permanent staff expenditure	14,313	10,139	2,969	1,205
Other employee related expenditure	556			
Capitalised labour costs	1,193			
<b>Total expenditure</b>	<b>16,062</b>			

A summary of the number of full time equivalent (FTE) Council staff in relation to the above expenditure is included below:

Directorate	Budget	Comprises		
		Permanent		
		2020/21	Full Time	Part time
Community & Corporate Services	66.0	31.0	29.1	5.9
Executive Services	7.7	7.0		0.7
Infrastructure and Development Services	82.2	66.6	6.9	8.7
Total staff	155.8	104.6	36.0	15.3
Capitalised labour	12.2			
<b>Total staff</b>	<b>168.0</b>			

The decrease in staffing costs and FTE is due to the Working for Victoria scheme. In 2020/21 grant funding was received to recruit 33 employees on six month contracts as part of the economic stimulus in response to the COVID 19 pandemic. The on-going staffing numbers and cost has increased due to the full year impact of the re-alignment undertaken by Council over the 2019-20 and 2020-21 years.

A full workforce analysis will be undertaken as part of Council's long-term planning process which will be completed prior to October 31st 2021.

Summary of Planned Human Resources Expenditure  
For the four years ended 30 June 2025

	2021/22 \$'000	2022/23 \$'000	2023/24 \$'000	2024/25 \$'000
<b>Executive Services</b>				
Permanent - Full time	939.9	963.4	987.5	1,012.2
Female	554.2	568.1	582.3	596.8
Male	385.7	395.4	405.3	415.4
Self-described gender	-	-	-	-
Permanent - Part time	-	-	-	-
Female	-	-	-	-
Male	-	-	-	-
Self-described gender	-	-	-	-
<b>Total Executive Services</b>	<b>939.9</b>	<b>963.4</b>	<b>987.5</b>	<b>1,012.2</b>
<b>Infrastructure and Development Services</b>				
Permanent - Full time	5,932.9	6,081.2	6,233.2	6,389.1
Female	1,030.0	1,055.8	1,082.1	1,109.2
Male	4,902.9	5,025.5	5,151.1	5,279.9
Self-described gender	-	-	-	-
Permanent - Part time	576.5	590.9	605.7	620.8
Female	305.0	312.6	320.4	328.5
Male	271.5	278.3	285.2	292.3
Self-described gender	-	-	-	-
<b>Total Infrastructure and Development Services</b>	<b>6,509.4</b>	<b>6,672.1</b>	<b>6,838.9</b>	<b>7,009.9</b>
<b>Community &amp; Corporate Services</b>				
Permanent - Full time	3,266.2	3,347.9	3,431.6	3,517.3
Female	2,418.0	2,478.5	2,540.4	2,603.9
Male	848.2	869.4	891.1	913.4
Self-described gender	-	-	-	-
Permanent - Part time	2,392.8	2,452.6	2,513.9	2,576.8
Female	2,187.0	2,241.7	2,297.7	2,355.2
Male	205.8	210.9	216.2	221.6
Self-described gender	-	-	-	-
<b>Total Community &amp; Corporate Services</b>	<b>5,659.0</b>	<b>5,800.5</b>	<b>5,945.5</b>	<b>6,094.1</b>
Casuals, temporary and other expenditure	1,760.6	1,804.7	1,849.8	1,896.0
Capitalised labour costs	1,193.0	1,222.8	1,253.4	1,284.7
<b>Total staff expenditure</b>	<b>14,868.9</b>	<b>15,240.6</b>	<b>15,621.7</b>	<b>16,012.2</b>

Summary of Planned Human Resources Expenditure  
For the four years ended 30 June 2025 continued

	2021/22	2022/23	2023/24	2024/25
	FTE	FTE	FTE	FTE
<b>Executive Services</b>				
Permanent - Full time	7.0	7.0	7.0	7.0
Female	5.0	5.0	5.0	5.0
Male	2.0	2.0	2.0	2.0
Self-described gender	-	-	-	-
Permanent - Part time	-	-	-	-
Female	-	-	-	-
Male	-	-	-	-
Self-described gender	-	-	-	-
<b>Total Executive</b>	<b>7.0</b>	<b>7.0</b>	<b>7.0</b>	<b>7.0</b>
<b>Infrastructure and Development Services</b>				
Permanent - Full time	66.6	66.6	66.6	66.6
Female	11.0	11.0	11.0	11.0
Male	55.6	55.6	55.6	55.6
Self-described gender	-	-	-	-
Permanent - Part time	6.9	6.9	6.9	6.9
Female	3.7	3.7	3.7	3.7
Male	3.2	3.2	3.2	3.2
Self-described gender	-	-	-	-
<b>Total Infrastructure and Development Services</b>	<b>73.5</b>	<b>73.5</b>	<b>73.5</b>	<b>73.5</b>
<b>Community &amp; Corporate Services</b>				
Permanent - Full time	31.0	31.0	31.0	31.0
Female	24.0	24.0	24.0	24.0
Male	7.0	7.0	7.0	7.0
Self-described gender	-	-	-	-
Permanent - Part time	29.1	29.1	29.1	29.1
Female	26.4	26.4	26.4	26.4
Male	2.6	2.6	2.6	2.6
Self-described gender	-	-	-	-
<b>Total Community &amp; Corporate Services</b>	<b>60.1</b>	<b>60.1</b>	<b>60.1</b>	<b>60.1</b>
Casuals and temporary staff	15.3	15.3	15.3	15.3
Capitalised labour	12.2	12.2	12.2	12.2
<b>Total staff numbers</b>	<b>155.8</b>	<b>155.8</b>	<b>155.8</b>	<b>155.8</b>

#### 4. Notes to the financial statements

This section presents detailed information on material components of the financial statements. Council needs to assess which components are material, considering the dollar amounts and nature of these components.

##### 4.1 Comprehensive Income Statement

###### 4.1.1 Rates and charges

Rates and charges are required by the Act and the Regulations to be disclosed in Council's budget.

As per the Local Government Act 2020, Council is required to have a Revenue and Rating Plan which is a four year plan for how Council will generate income to deliver the Council Plan, program and services and capital works commitments over a four-year period.

In developing the Budget, rates and charges were identified as an important source of revenue. Planning for future rate increases has therefore been an important component of the financial planning process. The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For 2021/22 the FGRS cap has been set at 1.5%. The cap applies to both general rates and municipal charges and is calculated on the basis of council's average rates and charges.

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

To achieve these objectives while maintaining service levels and a strong capital expenditure program, the average general rate and the municipal charge will increase by 1.5% in line with the rate cap.

This budget will raise total rates and charges for 2021-2022 of \$23,547,353.

4.1.1(a) The reconciliation of the total rates and charges to the Comprehensive Income Statement is as follows:

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
General rates*	18,275	18,777	502	2.7%
Waste management charge	1,662	2,051	388	23.4%
Service rates and charges	1,937	2,325	388	20.0%
Special rates and charges	125	125	-	100.0%
Supplementary rates and rate adjustments*	150	152	2	1.5%
Interest on rates and charges	110	110	-	0.0%
Revenue in lieu of rates	6	7	1	10.0%
<b>Total rates and charges</b>	<b>22,266</b>	<b>23,547</b>	<b>1,281</b>	<b>5.8%</b>

\*These items are subject to the rate cap established under the FGRS

4.1.1(b) The rate in the dollar to be levied as general rates under section 158 of the Act for each type or class of land compared with the previous financial year

Type or class of land	2020/21 cents/\$CIV*	2021/22 cents/\$CIV*	Change	%
General rate for residential properties	0.31100	0.29270	(0.0183)	-5.88%
Rate concession for farm properties	0.20220	0.19030	(0.0119)	-5.89%
General rate for commercial properties	0.36080	0.33950	(0.0213)	-5.90%
General rate for mixed use properties	0.36080	0.33950	(0.0213)	-5.90%
General rate for industrial properties	0.36080	0.33950	(0.0213)	-5.90%
General rate for vacant land township properties	0.38880	0.36590	(0.0229)	-5.89%
General rate for vacant land other properties	0.31100	0.29270	(0.0183)	-5.88%
Rate concession for trust for nature properties	0.15550	0.14640	(0.0091)	-5.85%
Rate concession for recreational properties	0.15550	0.14640	(0.0091)	-5.85%

\*Cents/\$CIV are subject to minor changes as the general revaluation is finalised, and will be adopted when the proposed budget adopted in June 2021.

4.1.1(c) The estimated total amount to be raised by general rates in relation to each type or class of land, and the estimated total amount to be raised by general rates, compared with the previous financial year

Type or class of land	2020/21 \$'000	2021/22 \$'000	Change \$'000	%
Residential	12,140	12,554	414	3.4%
Farm	2,088	2,175	87	4.2%
Commercial	2,307	2,200	(107)	-4.6%
Industrial	101	104	3	3.1%
Mixed Use	308	299	(9)	-2.9%
Vacant land - township	631	724	93	14.7%
Vacant land - other	667	687	21	3.1%
Trust for nature	18	18	-	0.0%
Recreational	15	15	(0)	-1.4%
<b>Total amount to be raised by general rates</b>	<b>18,275</b>	<b>18,777</b>	<b>502</b>	<b>2.7%</b>

#### 4. Notes to the financial statements

4.1.1(d) The number of assessments in relation to each type or class of land, and the total number of assessments, compared with the previous financial year

Type or class of land	2020/21 Budget Number	2021/22 Budget Number	Change	%
Residential	7,669	7,801	132	1.7%
Farm	1,127	1,143	16	1.4%
Commercial	859	848	(11)	-1.3%
Industrial	58	59	1	1.7%
Mixed use	111	106	(5)	-4.5%
Vacant land - township	645	675	30	4.7%
Vacant land - other	855	839	(16)	-1.9%
Trust for nature	21	21	-	0.0%
Recreational	13	13	-	0.0%
<b>Total number of assessments</b>	<b>11,358</b>	<b>11,505</b>	<b>147</b>	<b>1.3%</b>

4.1.1(e) The basis of valuation to be used is the Capital Improved Value (CIV)

4.1.1(f) The estimated total value of each type or class of land, and the estimated total value of land, compared with the previous financial year

Type or class of land	2020/21 \$'000	2021/22 \$'000	Change \$'000	%
Residential	3,903,561	4,289,010	385,449	9.9%
Farm	1,032,674	1,143,082	110,408	10.7%
Commercial	639,507	648,077	8,570	1.3%
Industrial	28,046	30,712	2,666	9.5%
Mixed Use	85,581	88,175	2,594	3.0%
Vacant land - township	162,264	197,808	35,544	21.9%
Vacant land - other	214,321	234,831	20,510	9.6%
Trust for Nature	11,662	12,587	925	7.9%
Recreational	9,730	10,195	465	4.8%
<b>Total value of land</b>	<b>6,087,346</b>	<b>6,654,477</b>	<b>567,131</b>	<b>9.3%</b>

4.1.1(g) The rate or unit amount to be levied for each type of service rate or charge under Section 162 of the Act compared with the previous financial year

Type of Charge	Per Rateable Property 2020/21 \$	Per Rateable Property 2021/22 \$	Change \$	%
Kerbside collection - garbage (weekly)	149	179	30	20.1%
Kerbside collection - garbage (Fortnightly)	122	148	26	21.3%
Kerbside collection - recycling (Fortnightly)	95	115	20	21.1%
Commercial garbage charge	351	423	72	20.5%
Waste management improved charge	152	185	33	21.7%
Waste management unimproved charge	152	185	33	21.7%

4.1.1(h) The estimated total amount to be raised by each type of service rate or charge, and the estimated total amount to be raised by service rates and charges, compared with the previous financial year

Type of Charge	2020/21 \$'000	2021/22 \$'000	Change \$'000	%
Kerbside collection - garbage (weekly)	833	994	161	19.3%
Kerbside collection - garbage (Fortnightly)	267	309	42	15.7%
Kerbside collection - recycling (Fortnightly)	727	909	182	25.1%
Commercial garbage charge	111	114	3	2.5%
Waste management improved charge	1,411	1,740	328	23.3%
Waste management unimproved charge	251	311	60	23.9%
<b>Total</b>	<b>3,600</b>	<b>4,376</b>	<b>776</b>	<b>21.6%</b>

#### 4. Notes to the financial statements

4.1.1(i) The estimated total amount to be raised by all rates and charges compared with the previous financial year

	2019/20	2020/21	Change	
	\$'000	\$'000	\$	%
Residential	11,861	12,554	692	5.8%
Farm	1,832	2,175	342	18.7%
Commercial	2,373	2,200	-173	-7.3%
Industrial	115	104	-11	-9.4%
Mixed Use	316	299	-16	-5.1%
Vacant land - township	591	724	133	22.5%
Vacant land - other	674	687	13	2.0%
Trust for Nature	18	18	0	0.7%
Recreational	16	15	-2	-9.2%
Special rates and charges	125	125	-	100.0%
Supplementary rates and rate adjustments	150	152	2	1.5%
Interest on rates and charges	144	110	(34)	-23.6%
Revenue in lieu of rates	6	7	1	12.3%
Kerbside collection - garbage (weekly)	724	1,416	692	95.6%
Kerbside collection - garbage (Fortnightly)	214	-	214	-100.0%
Kerbside collection - recycling (Fortnightly)	618	909	291	47.0%
Commercial garbage charge	74	-	74	-100.0%
Waste management improved charge	1,231	1,740	509	41.3%
Waste management unimproved charge	223	311	88	39.4%
<b>Total Rates and charges</b>	<b>21,306</b>	<b>23,547</b>	<b>2,241</b>	<b>10.5%</b>

#### 4.1.1(i) Fair Go Rates System Compliance

Hepburn Shire Council is fully compliant with the State Government's Fair Go Rates System

	2020/21	2021/22
Total Rates (Prior year annualised)	\$ 17,905,865	\$ 18,502,758
Number of rateable properties (excluding recreational)	11,345	11,492
Base Average Rates	\$ 1,578.30	\$ 1,610.06
Maximum Rate Increase (set by the State Government)	2.00%	1.50%
Capped Average Rate	\$ 1,609.87	\$ 1,634.21
Maximum General Rates and Municipal Charges Revenue	\$ 18,263,982	\$ 18,780,299
Budgeted General Rates and Municipal Charges Revenue	\$ 18,259,834	\$ 18,777,212
Budgeted Supplementary Rates	\$ 150,000	\$ 152,250
<b>Budgeted Total Rates and Municipal Charges Revenue</b>	<b>\$ 18,409,834</b>	<b>\$ 18,929,462</b>

#### 4.1.1(j) Any significant changes that may affect the estimated amounts to be raised by rates and charges

There are no known significant changes which may affect the estimated amounts to be raised by rates and charges. However, the

\* The making of supplementary valuations (2021/2022: estimated \$152,500)

\* Changes of use of land such that rateable land becomes non-rateable land and vice versa

\* Changes of use of land such that residential land becomes business land and vice versa.

#### 4.1.1(k) Differential rates

##### Rates to be levied

The rate and amount of rates payable in relation to land in each category of differential are:

- \* A general rate of 0.2927% (0.2927 cents in the dollar of CIV) for all rateable residential properties;
- \* A concessional rate of 0.1903% (0.1903 cents in the dollar of CIV) for all rateable farm properties;
- \* A general rate of 0.3395% (0.3395 cents in the dollar of CIV) for all rateable commercial properties;
- \* A general rate of 0.33395% (0.3395 cents in the dollar of CIV) for all rateable industrial properties;
- \* A general rate of 0.3395% (0.3395 cents in the dollar of CIV) for all rateable mixed use properties;
- \* A general rate of 0.3659% (0.3659 cents in the dollar of CIV) for all rateable vacant land-township properties;
- \* A general rate of 0.2927% (0.2927 cents in the dollar of CIV) for all rateable vacant land-other properties;
- \* A concessional rate of 0.1464% (0.1464 cents in the dollar of CIV) for all rateable trust for nature properties;
- \* A concessional rate of 0.1464% (0.1464 cents in the dollar of CIV) for all rateable recreation properties.

Council considers that each differential rate will contribute to the equitable and efficient carrying out of council functions. Details of the objectives of each differential rate, the types of classes of land, which are subject to each differential rate and the uses of each differential rate, are set out below.

**General Rate** - Residential rateable land which is used solely for residential purposes and the balance of land defined by exception to the general rate.

**Farm Rate** - Rateable land identified and defined as farmland and which is used solely for the purpose of farming as defined in section 2(1) of the Valuation of Land Act 1960 and is deemed to be a property for primary production purposes as accepted by the Australian Taxation Office.

#### 4. Notes to the financial statements

**Commercial Rate** - Rateable land which is used solely for commercial purposes. Includes rateable land which is used for short term accommodation which does not qualify as Residential under the Residential Tenancies Act 1997 characterised by stays of greater than 60 days and the existence of a tenancy agreement to which the Residential Tenancy Act 1997 applies.

**Industrial Rate** - Rateable land which is used solely for industrial purposes.

**Mixed Used Rate** - Rateable land which is not used solely for residential or commercial or farmland or industrial or recreational but is a combination of residential and at least one other category.

**Trust For Nature Rate** - Rateable land which has a Trust for Nature Covenant applying to the land. A Trust for Nature Covenant enables the permanent protecting of significant areas of natural bush land. To encourage landowners to voluntarily place conservation covenants on their land, Council will offer a lower differential compared to the general rate.

**Vacant Land (Township Rate)** - Rateable land, within township boundaries, which does not form part of a commercial or industrial or farming enterprise or recreational purpose or upon which a residence is erected.

**Vacant Land (Other Rate)** - Rateable land which does not form part of a commercial or industrial or farming enterprise or recreational purpose or upon which a residence is erected. This applies to all vacant land that does not meet the definition of "township" above.

**Vacant Premises (Commercial)** - Vacant rateable premises which, if occupied, would be used solely for commercial purposes.

**Vacant Premises (Industrial)** - Vacant rateable premises which, if occupied, would be used solely for industrial purposes.

**Recreational Rate** - Rateable land upon which sporting, recreational or cultural activities are conducted, including buildings which may be ancillary to such activities. Profits from recreational land must be applied in promoting its objectives. The definition of "recreational lands" is per section 2 of the Cultural and Recreational Lands Act 1964. The recreational differential will not apply to any component of the property that is used for gaming. This component will be rated as commercial.

##### 4.1.2 Statutory fees and fines

	Budget	Budget	Change	
	2020/21	2021/22	\$'000	%
	\$'000	\$'000	\$'000	%
Infringements and costs	104	93	-	0
Permits	93	93	-	0.0%
Registration fees	233	238	5	2.2%
Planning fees	455	455	-	0.0%
Other fees and fines	30	67	37	122.1%
<b>Total statutory fees and fines</b>	<b>915</b>	<b>946</b>	<b>31</b>	<b>3.4%</b>

Statutory fees relate mainly to fees and fines levied in accordance with legislation and include animal registrations, Public Health and Wellbeing Act 2008 registrations infringements and planning fees. Increases in statutory fees are made in accordance with legislative requirements.

##### 4.1.3 User fees

	Budget	Budget	Change	
	2020/21	2021/22	\$'000	%
	\$'000	\$'000	\$'000	%
Aged and health services	296	301	5	1.7%
Aquatic centres	12	12	0	2.0%
Building services	241	256	16	6.5%
Waste management services	316	324	8	2.6%
Other fees and charges	99	149	50	50.7%
<b>Total user fees</b>	<b>964</b>	<b>1,043</b>	<b>79</b>	<b>8.2%</b>

User fees relate mainly to the recovery of service delivery costs through the charging of fees to users of Council's services. These include use of transfer stations, leisure, and other community facilities and the provision of human services such home help services and building services. User charges are projected to increase by 8.3% or \$80,000 over 2020/21, mainly due to recovery of additional planning and building fees, such as S173 costs.



#### 4. Notes to the financial statements

##### 4.1.4 Grants

Grants are required by the Act and the Regulations to be disclosed in Council's annual budget.

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Grants were received in respect of the following:				
<b>Summary of grants</b>				
Commonwealth funded grants	7,249	8,338	1,088	15.0%
State funded grants	2,162	3,608	1,445	66.8%
<b>Total grants received</b>	<b>9,412</b>	<b>11,945</b>	<b>2,534</b>	<b>26.9%</b>
<b>(a) Operating Grants</b>				
<i>Recurrent - Commonwealth Government</i>				
Financial Assistance Grants - General	3,617	3,671	54	1.5%
Financial Assistance Grants - Local Roads	1,703	1,677	(26)	-1.5%
General home care	961	955	(5)	-0.6%
<i>Recurrent - State Government</i>				
Aged care	150	153	3	2.0%
Libraries	167	170	3	1.9%
Maternal and child health	140	143	3	2.0%
Emergency management and preparation	120	120	-	0.0%
School crossing supervisors	32	32	1	2.0%
Youth	25	25	-	0.0%
Other	56	58	1	2.0%
<b>Total recurrent grants</b>	<b>6,850</b>	<b>7,004</b>	<b>33</b>	<b>0.5%</b>
<i>Non-recurrent - State Government</i>				
Information Technology	100	-	(100)	-100.0%
Working for Victoria	1,585	-	(1,585)	-100.0%
Commerce and tourism	-	-	(0)	#DIV/0!
Recreation	30	-	(30)	100.0%
Transport	29	29	-	0.0%
Waste and Environment	28	34	-	0.0%
<b>Total non-recurrent grants</b>	<b>1,891</b>	<b>62</b>	<b>(1,829)</b>	<b>-96.7%</b>
<b>Total operating grants</b>	<b>8,741</b>	<b>7,066</b>	<b>(1,676)</b>	<b>-19.2%</b>

##### 4.1.4 Grants (continued)

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
<b>(b) Capital Grants</b>				
<i>Recurrent - Commonwealth Government</i>				
Roads to recovery	969	969	-	0.0%
<b>Total recurrent grants</b>	<b>969</b>	<b>969</b>	<b>-</b>	<b>0.0%</b>
<i>Non-recurrent - Federal Government</i>				
Local Government Community Infrastructure Funding	-	1,066	1,066	0.0%
<i>Non-recurrent - State Government</i>				
Roads	98	-	(98)	-100.0%
Buildings	500	1,000	500	100%
Recreation	696	1,275	579	83.2%
Tourism	92	500	408	100.0%
Waste and Environment	-	70	70	100.0%
<b>Total non-recurrent grants</b>	<b>1,386</b>	<b>3,910</b>	<b>2,524</b>	<b>182.1%</b>
<b>Total capital grants</b>	<b>2,355</b>	<b>4,879</b>	<b>2,524</b>	<b>107.2%</b>
<b>Total Grants</b>	<b>11,096</b>	<b>11,945</b>	<b>849</b>	<b>7.7%</b>

Operating grants include all monies received from State and Federal sources for the purposes of funding the delivery of Council's services to ratepayers. Overall, the level of operating grants is projected to decrease by 19.2% or \$1,676,000 compared to 2020/21. The decrease in funding primarily relates to the one-off State Government response to the COVID 19 Pandemic, particularly the Work for Victoria scheme where Council secured funding of \$1,585,000. A list of all grants by type and source, classified into recurrent and non-recurrent, has been included above.

Capital grants include all monies received from State and Federal sources for the purposes of funding the capital works program. Overall the level of capital grants is budgeted to increase by 82.1% or \$2.52M compared to 2020/21. Section 4.5 "Capital works program" includes a more detailed listing of the capital grants expected to be received during the 2021/2022 year.

## 4. Notes to the financial statements

### 4.1.5 Contributions

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Monetary	370	528	158	42.7%
Non-monetary	-	-	-	0.0%
<b>Total contributions</b>	<b>370</b>	<b>528</b>	<b>158</b>	<b>42.7%</b>

Contributions can relate to monies paid by developers in regard to public resort and recreation, drainage and car parking in accordance with planning permits issued for property development, as well as community groups contributions to capital works.

### 4.1.6 Other income

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Interest	210	125	(85)	-40.5%
Reimbursements	121	71	(50)	-41.3%
Rental income	1,048	1,073	25	2.4%
Other	106	115	9	8.9%
<b>Total other income</b>	<b>1,485</b>	<b>1,384</b>	<b>(101)</b>	<b>-6.8%</b>

Other income relates to a range of items such as sale of materials, cost recoups and other miscellaneous income items. It also includes interest revenue on investments and rental income. Interest received is anticipated to decrease due to continuing low interest rates.

### 4.1.7 Employee costs

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Wages and salaries	13,363	12,850	(512)	-3.8%
WorkCover	423	400	(23)	-5.4%
Superannuation	1,312	1,353	41	3.1%
Fringe Benefits Tax	95	75	(20)	-21.1%
Other initiatives	325	191	(134)	-41.3%
<b>Total employee costs</b>	<b>15,518</b>	<b>14,869</b>	<b>(648)</b>	<b>-4.2%</b>

Employee costs include all labour related expenditure such as wages and salaries and on-costs such as allowances, leave entitlements, employer superannuation, WorkCover premium and fringe benefits tax.

Employee costs are budgeted to decrease by 4.18% or \$648K compared to 2020/2021. When the impact of the Working for Victoria program is excluded, salaries increase by 4.2% or \$600K.

A summary of human resources expenditure categorised according to the organisational structure of Council is included in the "3.6 Statement of Human Resources".

### 4.1.8 Materials and services

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Contract and consultant payments	6,123	6,858	735	12.0%
Materials and maintenance	3,204	2,977	(227)	-7.1%
Utilities	580	620	40	6.9%
Office administration	348	377	29	8.3%
Information technology	690	701	11	1.5%
Insurance	479	530	51	10.7%
<b>Total materials and services</b>	<b>11,424</b>	<b>12,062</b>	<b>638</b>	<b>5.6%</b>

Materials and services include the purchases of consumables, payments to contractors for the provision of services and utility costs. Materials and services are budgeted to increase by 5.6% or \$638,000 compared to 2020/2021. The majority of the additional cost relates to the increase in waste services contractor costs.

### 4.1.9 Depreciation

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Property	1,269	1,366	96	7.6%
Plant & equipment	908	815	(93)	-10.3%
Infrastructure	4,990	4,745	(245)	-4.9%
<b>Total depreciation and amortisation</b>	<b>7,168</b>	<b>6,926</b>	<b>(242)</b>	<b>-3.4%</b>

Depreciation is an accounting measure which attempts to allocate the value of an asset over its useful life for Council's property, plant and equipment including infrastructure assets such as roads and drains.

## 4. Notes to the financial statements

### 4.1.10 Amortisation - Intangible assets

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Intangible assets	101	121	20	19.8%
<b>Total amortisation - intangible assets</b>	<b>101</b>	<b>121</b>	<b>20</b>	<b>19.8%</b>

### 4.1.11 Other expenses

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Auditors remuneration- VAGO	54	54	-	0.0%
Auditors remuneration - Internal	24	28	4	14.7%
Councillors allowances	210	208	(2)	-1.1%
Community grants	354	351	(2)	-0.7%
Others	152	144	(8)	-5.1%
<b>Total other expenses</b>	<b>794</b>	<b>785</b>	<b>(9)</b>	<b>-1.1%</b>

Other expenses relate to a range of unclassified items including contributions to community groups, audit expenses, councillor allowances and other miscellaneous expenditure items. Other expenses are budgeted to decrease by 1.1% or \$9,000 compared to 2020/2021.

## 4.2 Balance Sheet

### 4.2.1 Assets

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
<b>Assets</b>				
<b>Current assets</b>				
Cash and cash equivalents	3,430	4,996	1,567	45.7%
Trade and other receivables	4,208	4,378	170	4.0%
Other financial assets	5,933	5,000	(933)	-15.7%
Inventories	6	15	9	143.3%
Other assets	86	39	(47)	-55.1%
<b>Total current assets</b>	<b>13,663</b>	<b>14,428</b>	<b>766</b>	<b>5.6%</b>
<b>Non-current assets</b>				
Property, infrastructure, plant & equipment	277,237	311,831	34,594	12.5%
Intangible assets	415	792	378	91.0%
<b>Total non-current assets</b>	<b>277,652</b>	<b>312,624</b>	<b>34,972</b>	<b>12.6%</b>
<b>Total assets</b>	<b>291,315</b>	<b>327,052</b>	<b>35,738</b>	<b>12.3%</b>

Cash and Cash equivalents include cash on hand, deposits at call and term deposits with original maturity dates of 90 days or less. Other financial assets include term deposits which will mature within the next twelve months with original maturity dates of greater than 90 days.

Trade and other receivables include monies owing to Council and include Council rates and charges, fire service levy, and GST receivable. Inventories include Council's diesel storage and other assets include accrued income and prepaid expenses.

Current assets are budgeted to increase by \$766K or 5.6% compared to 2020/2021. Movements contributing to the increase in cash and cash equivalents are detailed in section 4.4 "Statement of Cash Flows".

Property, infrastructure, plant & equipment includes all of Council's land, buildings, vehicles, plant, information technology, roads, bridges, recreational and other infrastructure assets. Intangible assets include software programs. The value of these non-current assets represent their written down values, which is either their acquisition cost less accumulated depreciation or current valuation following an asset revaluation.

Non-current assets are budgeted to increase by \$34.972 million or 12.6% compared to 2020/2021 reflecting a significant change in asset valuations in the 2020/21 year and 2021/22 budgeted capital works less depreciation.

## 4. Notes to the financial statements

### 4.2.2 Liabilities

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
<b>Liabilities</b>				
<b>Current liabilities</b>				
Trade and other payables	2,196	1,853	(343)	-15.6%
Trust funds and deposits	962	1,185	223	23.2%
Provisions	2,107	2,368	261	12.4%
Interest-bearing liabilities	2,063	663	(1,400)	-67.9%
Other Liabilities	528	1,671	1,143	216.5%
<b>Total current liabilities</b>	<b>7,855</b>	<b>7,740</b>	<b>(116)</b>	<b>-1.5%</b>
<b>Non-current liabilities</b>				
Provisions	442	436	(6)	-1.4%
Interest-bearing liabilities	4,397	4,580	184	4.2%
Other Liabilities	63	27	(36)	-57.1%
<b>Total non-current liabilities</b>	<b>4,901</b>	<b>5,043</b>	<b>142</b>	<b>2.9%</b>
<b>Total liabilities</b>	<b>12,757</b>	<b>12,783</b>	<b>26</b>	<b>0.2%</b>

Trade and other payables include amounts owed to suppliers for goods and or services and other accrued expenses. Trust funds and deposits represent amounts received as deposits and retention amounts controlled by Council until they are returned, transferred in accordance with the purpose of the receipt, or forfeited. Provisions include liability for accrued employee benefits and landfill rehabilitation. Interest bearing liabilities reflect the outstanding principal balance of previous borrowings.

The classification as current liabilities illustrates that portion that is likely to be repaid in upcoming twelve months. Total liabilities are budgeted to increase by \$26K or 0.2% compared to the budget 2020/2021.

### 4.2.3 Borrowings

The table below shows information on borrowings specifically required by the Regulations.

	Forecast 2020/21 \$'000	Budget 2021/22 \$'000
Amount borrowed as at 30 June of the prior year	3,990	6,631
Amount proposed to be borrowed	3,012	740
Amount projected to be redeemed	(371)	(2,128)
Amount of borrowings as at 30 June	<b>6,631</b>	<b>5,243</b>

Borrowings are an important funding source which enables funding for capital works or other items as identified without adversely affecting Council's liquidity position. Council has committed to borrowing an additional \$740K to fund the Hepburn Hub at the Rex project during 2021/22, while repaying \$2.12 million of previously committed borrowings.

Year	New Borrowings \$'000	Principal Paid \$'000	Interest paid \$'000	Balance 30 June \$'000
2020/2021 (Forecast)				6,631
2021/2022	740	2,128	213	5,243
2022/2023	-	684	155	4,559
2023/2024	-	709	131	3,850
2024/2025	-	734	107	3,116

## 4.3 Statement of changes in Equity

### 4.3.1 Reserves

	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
<b>2021/2022 Budget</b>				
Balance at beginning of the financial year	309,895	164,148	142,258	3,489
Surplus/(deficit) for the year	4,373	4,373	-	-
Net asset revaluation increment/(decrement)	-	-	-	-
Transfers to other reserves	-	(929)	-	929
Transfers from other reserves	-	2,100	-	(2,100)
<b>Balance at end of the financial year</b>	<b>314,269</b>	<b>169,693</b>	<b>142,258</b>	<b>2,318</b>

Council has allocated funds to reserves for specific purposes. These reserves are either statutory or discretionary reserves. Statutory reserve funds must be applied for specified statutory purposes in accordance with various legislative requirements. Discretionary reserves have been established by Council regarding the future use of these funds. Net reserve movements for 2021/2022 is forecast to be a transfer to reserve of \$1.315M. Each reserve and their forecast balance are shown below, with all "other reserves" cash backed.

#### 4. Notes to the financial statements

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Asset revaluation reserve	118,024	142,258	24,234	20.5%
<b>Other reserves</b>				
Open Space Recreation Reserve *	729	1,361	632	86.6%
Mineral Springs Reserves Financial Reserve *	1,014	914	(100)	-9.8%
<b>Discretionary Reserves</b>				
Clunes Caravan Park	7	7	-	0.0%
Heritage Advisory Fund Reserve	20	20	-	0.0%
Mt Beck worth Pit Reserve	28	28	-	0.0%
Smeaton Hill Pit Reserve	74	74	-	0.0%
Waste Management Reserve	-	(459)	(459)	0.0%
Debt Management Reserve	1,419	373	(1,046)	-73.7%
<b>Total Other Reserves</b>	<b>3,291</b>	<b>2,318</b>	<b>(973)</b>	<b>-29.6%</b>
<b>Total Reserves</b>	<b>121,315</b>	<b>144,576</b>	<b>23,261</b>	<b>19.2%</b>

\* Indicates statutory reserve

#### 4.3.2 Equity

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
<b>Equity</b>				
Accumulated surplus	157,242	169,693	12,451	7.9%
Reserves	121,315	144,576	23,261	19.2%
<b>Total equity</b>	<b>278,557</b>	<b>314,269</b>	<b>35,712</b>	<b>12.8%</b>

Total equity equals net assets and is made up of the following components:

\* Asset revaluation reserve which represents the difference between the previously recorded value of assets and their current valuations.

\* Other reserves that are funds that Council wishes to separately identify as being set aside to meet a specific purpose in the future and to which there is no existing liability. These amounts are transferred from the surplus of the Council to be separately disclosed.

\* Accumulated surplus which is the value of all net assets less reserves that have accumulated over time.

#### 4.4 Statement of Cash Flows

##### 4.4.1 Net cash flows provided by/used in operating activities

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
	Inflows	Inflows		
	(Outflows)	(Outflows)		
Rates and charges	22,156	23,722	1,566	7.1%
Statutory fees and fines	898	931	33	3.7%
User fees	850	966	115	13.5%
Grants - operating	8,741	7,066	(1,675)	-19.2%
Grants - capital	2,355	4,879	2,524	107.2%
Contributions - monetary	370	528	158	42.7%
Interest received	320	235	(85)	-26.6%
Rent received	1,048	1,055	7	0.7%
Trust funds and deposits taken	-	(11)	(11)	0.0%
Other receipts	227	186	(41)	-17.9%
Employee costs	(15,518)	(14,784)	733	-4.7%
Materials and services	(11,424)	(12,384)	(961)	8.4%
Other payments	(795)	(786)	9	-1.1%
<b>Net cash provided by/(used in) operating activities</b>	<b>9,229</b>	<b>11,603</b>	<b>2,374</b>	<b>25.7%</b>

Cash flow from operating activities refers to the cash generated or used in the normal service delivery functions of Council. Cash remaining after paying for the provision of services to the community may be available for investment in capital works, or repayment of debt.

##### 4.4.2 Net cash flows provided by/used in investing activities

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
	Inflows	Inflows		
	(Outflows)	(Outflows)		
Payments for property, infrastructure, plant and equipment	(12,631)	(11,492)	1,138	-9.0%
Proceeds from sale of property, infrastructure, plant and	(20)	(30)	(10)	50.0%
Payments for investments	(8,000)	(6,000)	2,000	-25.0%
Proceeds from sale of investments	8,000	6,000	(2,000)	-25.0%
<b>Net cash provided by/ (used in) investing activities</b>	<b>(12,651)</b>	<b>(11,522)</b>	<b>1,128</b>	<b>-8.9%</b>

4. Notes to the financial statements

Cash flows from investing activities refers to cash generated or used in the enhancement or creation of infrastructure and other assets. These activities also include the acquisition and sale of other assets such as vehicles, property and other financial assets including term deposits greater than 90 days maturity.

The 2020/2021 budget for net cash used in investing activities is \$11.52 million, which is \$1.128 million less than 2020/2021. This is reflective of an decrease in the capital works program when compared to 2020/2021 which was inflated due to the inclusion of the Hepburn Hub at the Rex project. This has been offset to some extent by additional Capital grant funding for a number of new projects.

4.4.3 Net cash flows provided by/used in financing activities

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change	
	Inflows (Outflows)	Inflows (Outflows)	\$'000	%
Finance costs	(206)	(213)	(6)	3.1%
Proceeds from borrowings	3,012	740	(2,272)	100.0%
Repayment of borrowings	(532)	(2,128)	(1,596)	300.3%
<b>Net cash provided by/(used in) financing activities</b>	<b>2,274</b>	<b>(1,600)</b>	<b>(3,875)</b>	<b>-170.4%</b>

Cash flows from financing activities refers to cash generated or used in the financing of Council functions and include borrowings from financial institutions and advancing of repayable loans to other organisations. These activities also include repayment of the principal component of loan repayments for the year.

The 2021/2022 budget for cash flows provided by financing activities is a decrease in cash of \$1.6 million. The borrowing for the Hepburn Hub at the Rex project required significant funding in 2020/2021.

## 4.5 Capital works program

This section presents a listing of the capital works projects that will be undertaken for the 2021/2022 year, classified by expenditure type and funding source.

### 4.5.1 Summary

	Budget 2020/21 \$'000	Budget 2021/22 \$'000	Change \$'000	%
Property	5,406	1,586	(3,820)	-71%
Plant and equipment	1,527	1,837	310	20%
Infrastructure	6,060	8,407	2,347	39%
<b>Total</b>	<b>12,993</b>	<b>11,831</b>	<b>(1,162)</b>	<b>-9%</b>

	Project Cost \$'000	Asset expenditure types			Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Grants \$'000	Contrib./ Asset Sale \$'000	Council cash \$'000	Borrowings \$'000
Property	1,586	-	894	692	1,000	50	536	-
Plant and equipment	1,837	133	1,530	175	-	140	1,697	-
Infrastructure	8,407	2,038	5,859	511	3,879	200	4,328	-
<b>Total</b>	<b>11,831</b>	<b>2,170</b>	<b>8,283</b>	<b>1,378</b>	<b>4,879</b>	<b>390</b>	<b>6,561</b>	<b>-</b>

Projects that are funded/part funded from Council reserves are annotated as follows to indicate source of funds -

- ° Open space recreation reserve
- + Mineral springs financial reserve
- \* Waste management reserve

### 4.5.2 Capital works program

Capital Works Area	Project Cost \$'000	Asset expenditure types			Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Grants \$'000	Contrib./ Asset Sale \$'000	Council cash \$'000	Borrowings \$'000
<b>PROPERTY</b>								
Land Improvements								
<b>Buildings</b>								
Creswick Mechanics Institute	70	-	70	-	-	-	70	-
Painting Program	83	-	83	-	-	-	83	-
Building Renewal Program	93	-	93	-	-	-	93	-
Unconfirmed stimulus funding works	1,340	-	648	692	1,000	50	290	-
<b>TOTAL PROPERTY</b>	<b>1,586</b>	<b>-</b>	<b>894</b>	<b>692</b>	<b>1,000</b>	<b>50</b>	<b>536</b>	<b>-</b>
<b>PLANT AND EQUIPMENT</b>								
Plant, Machinery and Equipment								
Vehicle and Plant Replacement	860	-	860	-	-	140	720	-
<b>Computers and Telecommunications</b>								
IT Hardware / Technology Renewal Program	842	133	610	100	-	-	842	-
Council Website Upgrade	75	-	-	75	-	-	75	-
<b>Library books</b>								
Library Collection Renewal	60	-	60	-	-	-	60	-
<b>TOTAL PLANT AND EQUIPMENT</b>	<b>1,837</b>	<b>133</b>	<b>1,530</b>	<b>175</b>	<b>-</b>	<b>140</b>	<b>1,697</b>	<b>-</b>
<b>INFRASTRUCTURE</b>								
<b>Roads</b>								
Road Reseals Program	1,052	-	1,052	-	969	-	84	-
Gravel Resheet Program	570	-	570	-	-	-	570	-
Pavement Rehabilitation	1,419	-	1,419	-	1,066	-	353	-
Road Safety Improvements Program	36	-	-	36	-	-	36	-
<b>Bridges</b>								
Bridge Renewal Program	600	-	600	-	-	-	600	-
<b>Footpaths and Cycleways</b>								
Footpath Improvement and Renewal Program	504	267	237	-	-	-	504	-
Clunes Walkability	30	-	-	30	-	-	30	-

## 4.5.2 Capital works program (continued)

Capital Works Area	Project Cost \$'000	Asset expenditure types			Summary of Funding Sources			
		New \$'000	Renewal \$'000	Upgrade \$'000	Grants \$'000	Contrib./ Asset Sale \$'000	Council cash \$'000	Borrowings \$'000
<b>Drainage</b>								
Drainage/Kerb & Channel Implementation and Renewal and Program	270	-	270	-	-	-	270	-
<b>Recreational, Leisure &amp; Community Facilities</b>								
Lee Medlyn Bottle Museum	160	-	160	-	-	-	160	-
Chatfield Reserve Lake Daylesford Landscape Works	162	162	-	-	-	-	162	-
Clunes Recreation Reserve Netball Pavilion Redevelopment	12	-	-	12	-	-	12	-
Glenlyon Pavilion Redevelopment	24	-	-	24	-	-	24	-
Hard Court Renewal Program	144	-	144	-	-	-	144	-
Newlyn Cricket Net Construction	240	240	-	-	100	-	140	-
Newlyn Recreation Reserve Playground Upgrade Planning	11	-	-	11	-	-	11	-
Reserve and Open Space Furniture Renewal and Expansion Program	52	-	52	-	-	-	52	-
Recreation Facility Accessible Carpark and Pathways	24	24	-	-	-	-	24	-
Hammon Park Trail Head	1,250	1,250	-	-	1,175	-	75	-
Pool Building Renewal Works Program	55	-	55	-	-	-	55	-
Glenlyon Recreation Reserve Land Contamination	262	-	262	-	-	-	262	-
Recreation Lighting Strategy	30	-	-	30	-	-	30	-
Daylesford Secondary College - (ARC) Masterplan Implementation	22	-	-	22	-	-	22	-
<b>Waste Management</b>								
Transfer Station Improvement Scoping *	30	-	-	30	-	-	30	-
Trentham Transfer Station Site Hut Replacement *	79	79	-	-	40	-	40	-
Transfer Station Improvements *	60	-	-	60	30	-	30	-
<b>Parks, Open Space and Streetscapes</b>								
Creswick Streetscape Upgrade	36	-	-	36	-	-	36	-
Lake Daylesford Amphitheatre Repair Works +	108	-	108	-	-	-	108	-
Water Fountain - Trentham	15	15	-	-	-	-	15	-
Unconfirmed stimulus funding works	888	-	888	-	500	200	188	-
Clunes Streetscape	50	-	-	50	-	-	50	-
<b>Other Infrastructure</b>								
Building Efficiency Upgrades	50	-	-	50	-	-	50	-
Hepburn Mineral Spring Reserve Steps and Retaining Wall Refurbishment +	18	-	18	-	-	-	18	-
Mineral Springs Priority Projects +	120	-	-	120	-	-	120	-
Town Signage Renewal Program	24	-	24	-	-	-	24	-
<b>TOTAL INFRASTRUCTURE</b>	<b>8,407</b>	<b>2,038</b>	<b>5,859</b>	<b>511</b>	<b>3,879</b>	<b>200</b>	<b>4,328</b>	<b>-</b>
<b>TOTAL CAPITAL WORKS</b>	<b>11,831</b>	<b>2,170</b>	<b>8,283</b>	<b>1,378</b>	<b>4,879</b>	<b>390</b>	<b>6,561</b>	<b>-</b>

## 4.6 Non-Capital projects program

This section presents a listing of non-capital projects that will be undertaken for the 2021/2022 year. The projects listed below are one-off or cyclical in nature or are additional to funding levels which are ordinarily provided to undertake these activities.

Project Name	Project Cost \$'000	Income \$'000	Net Cost to Council \$'000
Arts & Culture Strategy	40	-	40
Land Exchange - associated legal charges	29	-	29
Solar Savers Program	125	125	-
Community Christmas Celebration program	10	-	10
Flora And Fauna Assessments For Township Structure Planning	45	-	45
Waste And Recycling Improvements	49	-	49
Waste Strategy 2021-25	44	-	44
Electoral Representation Review	35	-	35
Reconciliation Action Plan - Innovate	29	-	29
Walking & Cycling Strategy development	90	-	90
Planning and technical reports - Strategic Planning	200	-	200
<b>TOTAL NON-CAPITAL PROJECTS</b>	<b>696</b>	<b>125</b>	<b>571</b>



Summary of Planned Capital Works Expenditure  
For the four years ended 30 June  
2025

2022/23	Asset Expenditure Types				Funding Sources				
	Total \$'000	New \$'000	Renewal \$'000	Upgrade \$'000	Total \$'000	Grants \$'000	Contributions \$'000	Council Cash \$'000	Borrowings \$'000
<b>Property</b>									
Land	-	-	-	-	-	-	-	-	-
Land improvements	24	24	-	-	24	-	-	24	-
<b>Total Land</b>	<b>24</b>	<b>24</b>	<b>-</b>	<b>-</b>	<b>24</b>	<b>-</b>	<b>-</b>	<b>24</b>	<b>-</b>
Buildings	985	-	325	660	985	-	-	985	-
Heritage Buildings	-	-	-	-	-	-	-	-	-
Building improvements	-	-	-	-	-	-	-	-	-
Leasehold improvements	-	-	-	-	-	-	-	-	-
<b>Total Buildings</b>	<b>985</b>	<b>-</b>	<b>325</b>	<b>660</b>	<b>985</b>	<b>-</b>	<b>-</b>	<b>985</b>	<b>-</b>
<b>Total Property</b>	<b>1,009</b>	<b>24</b>	<b>325</b>	<b>660</b>	<b>1,009</b>	<b>-</b>	<b>-</b>	<b>1,009</b>	<b>-</b>
<b>Plant and Equipment</b>									
Heritage plant and equipment	-	-	-	-	-	-	-	-	-
Plant, machinery and equipment	620	-	620	-	620	-	-	620	-
Fixtures, fittings and furniture	-	-	-	-	-	-	-	-	-
Computers and telecommunications	660	-	660	-	660	-	100	560	-
Library books	60	-	60	-	60	-	-	60	-
<b>Total Plant and Equipment</b>	<b>1,340</b>	<b>-</b>	<b>1,340</b>	<b>-</b>	<b>1,340</b>	<b>-</b>	<b>100</b>	<b>1,240</b>	<b>-</b>
<b>Infrastructure</b>									
Roads	3,256	-	3,040	216	3,256	970	-	2,286	-
Bridges	-	-	-	-	-	-	-	-	-
Footpaths and cycleways	991	661	300	30	991	200	20	771	-
Drainage	270	-	270	-	270	-	-	270	-
Recreational, leisure and community facilities	2,170	1,331	143	696	2,170	1,300	-	870	-
Waste management	450	-	-	450	450	100	-	350	-
Parks, open space and streetscapes	515	-	-	515	515	-	-	515	-
Aerodromes	-	-	-	-	-	-	-	-	-
Off street car parks	-	-	-	-	-	-	-	-	-
Other infrastructure	364	80	134	150	364	-	-	364	-
<b>Total Infrastructure</b>	<b>8,016</b>	<b>2,072</b>	<b>3,887</b>	<b>2,057</b>	<b>8,016</b>	<b>2,570</b>	<b>20</b>	<b>5,426</b>	<b>-</b>
<b>Total Capital Works Expenditure</b>	<b>10,365</b>	<b>2,096</b>	<b>5,552</b>	<b>2,717</b>	<b>10,365</b>	<b>2,570</b>	<b>120</b>	<b>7,675</b>	<b>-</b>

Summary of Planned Capital Works Expenditure  
For the four years ended 30 June  
2025 continued

2023/24	Asset Expenditure Types				Funding Sources				
	Total \$'000	New \$'000	Renewal \$'000	Upgrade \$'000	Total \$'000	Grants \$'000	Contributions \$'000	Council Cash \$'000	Borrowings \$'000
<b>Property</b>									
Land	-	-	-	-	-	-	-	-	-
Land improvements	60	60	-	-	-	-	-	60	-
<b>Total Land</b>	<b>60</b>	<b>60</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>60</b>	<b>-</b>
Buildings	875	50	825	-	-	-	-	875	-
Heritage Buildings	-	-	-	-	-	-	-	-	-
Building improvements	-	-	-	-	-	-	-	-	-
Leasehold improvements	-	-	-	-	-	-	-	-	-
<b>Total Buildings</b>	<b>875</b>	<b>50</b>	<b>825</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>875</b>	<b>-</b>
<b>Total Property</b>	<b>935</b>	<b>110</b>	<b>825</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>935</b>	<b>-</b>
<b>Plant and Equipment</b>									
Heritage plant and equipment	-	-	-	-	-	-	-	-	-
Plant, machinery and equipment	620	-	620	-	-	-	100	520	-
Fixtures, fittings and furniture	-	-	-	-	-	-	-	-	-
Computers and telecommunications	701	41	660	-	-	-	-	701	-
Library books	60	-	60	-	-	-	-	60	-
<b>Total Plant and Equipment</b>	<b>1,381</b>	<b>41</b>	<b>1,340</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>100</b>	<b>1,281</b>	<b>-</b>
<b>Infrastructure</b>									
Roads	3,256	-	3,040	216	3,256	1,469	-	1,787	-
Bridges	1,600	-	1,600	-	1,600	750	-	850	-
Footpaths and cycleways	845	515	300	30	845	20	-	825	-
Drainage	270	-	270	-	270	-	-	270	-
Recreational, leisure and community facilities	785	138	263	384	785	125	-	660	-
Waste management	-	-	-	-	-	-	-	-	-
Parks, open space and streetscapes	492	-	-	492	492	-	-	492	-
Aerodromes	-	-	-	-	-	-	-	-	-
Off street car parks	-	-	-	-	-	-	-	-	-
Other infrastructure	534	290	94	150	534	-	-	534	-
<b>Total Infrastructure</b>	<b>7,781</b>	<b>943</b>	<b>5,566</b>	<b>1,272</b>	<b>7,781</b>	<b>2,364</b>	<b>-</b>	<b>5,417</b>	<b>-</b>
<b>Total Capital Works Expenditure</b>	<b>10,097</b>	<b>1,094</b>	<b>7,731</b>	<b>1,272</b>	<b>10,097</b>	<b>2,364</b>	<b>100</b>	<b>7,634</b>	<b>-</b>

Summary of Planned Capital Works Expenditure  
For the four years ended 30 June  
2025 continued

2024/25	Asset Expenditure Types				Funding Sources				
	Total \$'000	New \$'000	Renewal \$'000	Upgrade \$'000	Total \$'000	Grants \$'000	Contributions \$'000	Council Cash \$'000	Borrowings \$'000
<b>Property</b>									
Land	-	-	-	-	-	-	-	-	-
Land improvements	84	84	-	-	84	-	-	84	-
<b>Total Land</b>	<b>84</b>	<b>84</b>	<b>-</b>	<b>-</b>	<b>84</b>	<b>-</b>	<b>-</b>	<b>84</b>	<b>-</b>
Buildings	981	156	825	-	981	-	-	981	-
Heritage Buildings	-	-	-	-	-	-	-	-	-
Building improvements	-	-	-	-	-	-	-	-	-
Leasehold improvements	-	-	-	-	-	-	-	-	-
<b>Total Buildings</b>	<b>981</b>	<b>156</b>	<b>825</b>	<b>-</b>	<b>981</b>	<b>-</b>	<b>-</b>	<b>981</b>	<b>-</b>
<b>Total Property</b>	<b>1,065</b>	<b>240</b>	<b>825</b>	<b>-</b>	<b>1,065</b>	<b>-</b>	<b>-</b>	<b>1,065</b>	<b>-</b>
<b>Plant and Equipment</b>									
Heritage plant and equipment	-	-	-	-	-	-	-	-	-
Plant, machinery and equipment	620	-	620	-	620	-	100	520	-
Fixtures, fittings and furniture	-	-	-	-	-	-	-	-	-
Computers and telecommunications	660	-	660	-	660	-	-	660	-
Library books	60	-	60	-	60	-	-	60	-
<b>Total Plant and Equipment</b>	<b>1,340</b>	<b>-</b>	<b>1,340</b>	<b>-</b>	<b>1,340</b>	<b>-</b>	<b>100</b>	<b>1,240</b>	<b>-</b>
<b>Infrastructure</b>									
Roads	3,256	-	3,040	216	3,256	1,969	-	1,287	-
Bridges	1,600	-	1,600	-	1,600	750	-	850	-
Footpaths and cycleways	1,605	1,275	300	30	1,605	20	-	1,585	-
Drainage	270	-	270	-	270	-	-	270	-
Recreational, leisure and community facilities	1,685	114	263	1,308	1,685	250	-	1,435	-
Waste management	-	-	-	-	-	-	-	-	-
Parks, open space and streetscapes	324	-	-	324	324	-	-	324	-
Aerodromes	-	-	-	-	-	-	-	-	-
Off street car parks	-	-	-	-	-	-	-	-	-
Other infrastructure	530	290	90	150	530	-	-	530	-
<b>Total Infrastructure</b>	<b>9,270</b>	<b>1,679</b>	<b>5,563</b>	<b>2,028</b>	<b>9,270</b>	<b>2,989</b>	<b>-</b>	<b>6,281</b>	<b>-</b>
<b>Total Capital Works Expenditure</b>	<b>11,675</b>	<b>1,919</b>	<b>7,728</b>	<b>2,028</b>	<b>11,675</b>	<b>2,989</b>	<b>100</b>	<b>8,586</b>	<b>-</b>

## 5. Financial performance indicators

The following table highlights Council's current and projected performance across a range of key financial performance indicators. These indicators provide a useful analysis of Council's financial position and performance and should be interpreted in the context of the organisation's objectives.

Indicator	Measure	Notes	Actual	Budget	Budget	Projections			Trend
			2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	+/-
<b>Operating position</b>									
Adjusted underlying result <sup>v</sup>	Adjusted underlying surplus (deficit) / Adjusted underlying revenue	1	-2.0%	1.6%	1.3%	2.5%	2.5%	3.1%	+
<b>Liquidity</b>									
Working Capital <sup>v</sup>	Current assets / current liabilities	2	332%	174%	186%	171%	154%	184%	o
Unrestricted cash	Unrestricted cash / current liabilities	3	34%	85%	91%	72%	53%	70%	-
<b>Obligations</b>									
Loans and borrowings	Interest bearing loans and borrowings / rate revenue	4	20.5%	32.0%	24.8%	21.1%	17.3%	13.7%	+
Loans and borrowings	Interest and principal repayments on interest bearing loans and borrowings / rate revenue		3.1%	3.7%	11.1%	3.9%	3.8%	3.7%	o
Indebtedness <sup>v</sup>	Non-current liabilities / own source revenue		16.6%	19.1%	18.7%	15.6%	12.7%	9.8%	+
Asset renewal	Asset renewal expenses / Asset depreciation	5	116.5%	108.1%	119.6%	79.3%	109.3%	108.1%	o
<b>Stability</b>									
Rates concentration	Rate revenue / adjusted underlying revenue	6	64%	65%	67%	67%	68%	68%	o
Rates effort	Rate revenue / CIV of rateable properties in the municipality		0.31%	0.32%	0.32%	0.31%	0.32%	0.32%	o
<b>Efficiency</b>									
Expenditure level	Total expenses / no. of property assessments		\$2,872	\$3,102	\$3,041	\$3,061	\$3,110	\$3,160	-
Revenue level	Residential rate revenue / no. of residential property assessments		\$1,520	\$1,583	\$1,609	\$1,650	\$1,691	\$1,733	+
Workforce turnover	No. of permanent staff resignations & terminations / average no. of permanent staff for the financial year		15%	14%	14%	13%	12%	11%	o

### Key to Forecast Trend:

- + Forecasts improvement in Council's financial performance/financial position indicator
- o Forecasts that Council's financial performance/financial position indicator will be steady
- Forecasts deterioration in Council's financial performance/financial position indicator

<sup>v</sup> Identifies those financial performance indicators that are also included in the financial sustainability indicators for councils as per the Victorian Auditor-General's Office (VAGO). In addition to the three indicators above, VAGO also uses a further three indicators, namely Self-financing, Capital replacement and Renewal gap.

### Notes to indicators

#### 1 - Adjusted underlying result

An indicator of the sustainable operating result required to enable Council to continue to provide core services and meet its objectives. The positive result for this indicator identifies an adjusted underlying surplus and the trend indicates similar underlying surpluses over the strategic resource plan.

#### 2 - Working Capital

The proportion of current liabilities represented by current assets. This indicator reduces due to a reduction in cash reserves to fund the capital works program, impact of rate capping and replacement of loans.

#### 3 - Unrestricted Cash

Similar to working capital, this indicator represents Council's ability to meet its short term commitments without the need to use funds which are earmarked for other purposes. The reduction from is due to a significant loan repayment amount, capital work investment and impact of rate capping.

#### 4 - Debt compared to rates

This indicator measures the level of Council's total debt as a percentage of rate revenue.

#### 5 - Asset renewal

This percentage indicates the extent of Council's renewals against its depreciation charge (an indication of the decline in value of its existing capital assets). A percentage greater than 100 indicates Council is maintaining its existing assets, while a percentage less than 100 means its assets are deteriorating faster than they are being renewed and future capital expenditure will be required to renew assets.

#### 6 - Rates concentration

Reflects extent of reliance on rate revenues to fund all of Council's on-going services.

## Appendix A

### Fees and charges schedule

This appendix presents the fees and charges of a statutory and non-statutory nature which will be charged in respect to various goods and services provided during the 2021/22 year.

Fees and charges are based on information available at the time of publishing and may vary during the financial year subject to any changes in Council's policy or legislation.

The Fees and Charges are grouped by functional area and include:

- Environmental Health
- Town Planning
- Building Services
- Domestic and Commercial Waste
- Infrastructure
- Compliance
- Visitor Information Centres
- Swimming Pools
- Community Services
- Libraries
- Home and Community Care Services
- Functions in Council Reserves and Facilities
  - All Reserves and Facilities
  - Victoria Park, Daylesford
  - Wombat Hill Botanic Gardens
  - Lake Daylesford Foreshore
  - Doug Lindsay Reserve
  - Creswick Town Hall
  - Clunes Town Hall
  - Daylesford Town Hall
  - Clunes Community Centre
  - Creswick Hub
  - The Warehouse – Clunes
- Photocopying/Printing
- Rates Information
- Freedom of Information
- Dishonoured Payments

All items include GST, except where denoted with an \*

Shading denotes statutory fees as determined by legislation and therefore subject to any change in legislation. Please note these fees are still at the 2020/21 rate as new statutory fees for 2021/22 have not yet been set.

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>ENVIRONMENTAL HEALTH</b>		
<b>Food Act 1984</b>		
<b>CLASS 1: High risk unpackaged food supplied to vulnerable people</b> Premises include: Child Care, Kindergartens, Aged Care and Nursing Homes	\$496.00	\$506.00
<b>CLASS 2: Handling unpackaged high risk potentially hazardous foods</b>		
2(A) Premises include: Large function centres, Manufacturers, Supermarkets, and restaurants employing more than 20 staff	\$534.00	\$545.00
2(B) Premises include: Restaurants, cafes, caterers, supermarkets, home based manufacturer ,takeaway outlets employing less than 20 staff	\$438.00	\$447.00
2(C) Premises include: Prep and cooking of potentially hazardous foods for immediate consumption at accomodation getaway premises.	\$363.00	\$371.00
2(D) Premises include: Community groups, sporting clubs serving full meals	\$182.00	\$186.00
<b>CLASS 3: Handling and supplying low risk unpackaged foods</b>		
3(A) Milk Bars, Convenience Stores, Fruit Stall, Pre-packaged and home based manufacturer.	\$268.00	\$274.00
3(B) Seasonal Kiosks, Community Groups, Sporting Clubs (½ Annual Fee of Class 3(A))	\$134.00	\$137.00
<b>CLASS 4: Low risk to public health packaged food (includes Newsagents, Pharmacies, Video Stores)</b>	Fee Exempt	Fee Exempt
<b>Streetrader (Temporary and Mobile Premises)</b>		
Class 2 Food Vehicle or Stall (business)	\$381.00	\$389.00
Class 2 Food Vehicle or Stall (community group)	\$174.00	\$178.00
Class 3 Food Vehicle or Stall (business)	\$255.00	\$261.00
Class 3 Food Vehicle or Stall (community group)	\$128.00	\$131.00
Business (1 event for no more than 2 consecutive days)	\$90.00	\$92.00
Inspection Fee for non-compliant food premises - Class 2	\$133.00	\$136.00
Inspection Fee for non-compliant food premises - Class 3	\$82.00	\$84.00
Community Group/Fundraiser (1 event for no more than 2 consecutive days)	\$45.00	\$46.00
<b>Other Fees</b>		
New Business Registration	150% of annual registration fee	150% of annual registration fee
Transfer of Registration of Food Business	50% of annual registration fee	50% of annual registration fee
Late Fee - applicable to renewal of registration if the renewal fee is not received within 14 days of the due date	50% of the annual registration fee	50% of annual registration fee
<b>Public Health and Wellbeing Act 2008</b>		
Beauty premises, day spa, nails and hair removal premises *	\$162.00	\$166.00
Skin Penetration - tattooing and piercing *	\$316.00	\$323.00
Prescribed Accommodation – hotels/motels, recreation camps, B&Bs (NOT self contained or exclusive use of Units, Villas, Houses)*		
6 to 10 persons*	\$273.00	\$279.00
Over 10 persons*	\$337.00	\$344.00
New Hair Dresser registration	\$145.00	\$148.00
New Business Registration	150% of annual registration fee	150% of annual registration fee
Transfer of Registration of Public Health and Wellbeing Premises	50% of annual registration fee	50% of annual registration fee
Late Fee - applicable to renewal of registration if the renewal fee is not received within 14 days of the due date	50% of the annual registration fee	50% of the annual registration fee

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>Residential Tenancies Act 1970</b>		
Caravan Parks* (3 Yearly Fee)	as per Sched 5 of the Residential Tenancies Act	as per Sched 5 of the Residential Tenancies Act
Transfer of Registration*	\$74.05 (5 Fee Units)	\$74.05 (5 Fee Units)
<b>Public Health and Wellbeing Regulations 2019</b>		
<b>NEW FEE</b>		
Category 1 Aquatic Facilities annual registration fee	\$100.00	\$100.00
Transfer of Registration Category 1 Aquatic Facilities	50% of annual registration fee	50% of annual registration fee
<b>Environment Protection Act 1970</b>		
Special Visit – Pre-purchase inspections *	\$215.00	\$220.00
Special Visit – Pre-purchase inspections within 48 hours*	\$321.00	\$328.00
New Septic Tank systems*	\$587.00	\$599.00
Major alteration to septic system e.g. increasing wastewater field, replacing an existing system	\$374.00	\$382.00
Minor alteration to septic system e.g. connecting new internal plumbing fixtures	\$215.00	\$220.00
Extension of Time for Septic Permit	\$268.00	\$274.00
<b>General Fees</b>		
Property Enquiries/Plan Search – Commercial (site history/copies of permits/copies of endorse plans/etc)*	\$215.00	\$220.00
Property Enquiries/Plan Search – Residential (site history/copies of permits/copies of endorse plans/etc)*	\$94.00	\$96.00
Written request for General Advice	\$158.00	\$162.00
Special request for inspection – septic, food premises	\$268.00	\$274.00
NOTES Full registration fees are to be paid up until 31 August. Registrations after this date, i.e. from 1 September onwards are only		

**ATTACHMENT 13.1.1**

Description of Charge		Fee/Charge 2020/21 (inc GST)	Fee/Charge 2020/21 (inc GST)
<b>TOWN PLANNING</b>			
Part 1: Prescribed Statutory Fees (subject to change by State Government)			
Fees for amendment to planning scheme (regulation 6)			
Stage	Stage of Amendment		
1	For: a) considering a request to amend a planning scheme; and b) taking action required by Division 1 of Part 3 of the Act; and c) considering any submissions which do not seek a change to the amendment; and d) if applicable, abandoning the amendment	TBC (206 fee units)	TBC (206 fees units)
2	For: a) considering (i) up to and including 10 submissions which seek a change to an amendment and where necessary referring the submissions to a panel; or (ii) 11 to (and including) 20 submissions which seek a change to an amendment and where necessary referring the submissions to a panel; or (iii) Submissions that exceed 20 submissions which seek a change to an amendment, and where necessary referring the submissions to a panel; and b) providing assistance to a panel in accordance with section 158 of the Act; and c) making a submission to a panel appointed under Part 8 of the Act at a hearing referred to in section 24(b) of the Act; and d) considering the panel's report in accordance with section 27 of the Act; and e) after considering submissions and the panel's report, abandoning the amendment.	TBC (1021 fee units) TBC (2040 fee units) TBC (2727 fee units)	TBC (1021 fee units) TBC (2040 fee units) TBC (2727 fee units)
3	For: a) adopting the amendment or part of the amendment in accordance with section 29 of the Act; and b) submitting the amendment for approval by the Minister in accordance with section 31 of the Act; and c) giving the notice of the approval of the amendment required by section 36(2) of the Act.	\$481.32 (32.5 fee units) if the Minister is not the planning authority	\$481.32 (32.5 fee units) if the Minister is not the planning authority
Applications for Permits under section 47 of the Planning and Environment Act (Regulation 9)			
Class	Type of Application		
1	Amendment to a permit to change the use of land allowed by the permit or allow a new use of land	TBC (89 fee units)	TBC (89 fee units)
2	To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 7 permit or a permit to subdivide or consolidate land) if the estimated cost of development is \$10,000 or less	TBC (13.5 fee units)	TBC (13.5 fee units)
3	To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$10,000 but not more than \$100,000	TBC (42.5 fee units)	TBC (42.5 fee units)
4	To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$100,000 but not more than \$500,000	TBC (87 fee units)	TBC (87 fee units)
5	To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$500,000 but not more than \$1,000,000	TBC (94 fee units)	TBC (94 fee units)
6	To develop land for a single dwelling per lot or use and develop land for a single dwelling per lot and undertake development ancillary to the use of land for a single dwelling per lot included in the application (other than a class 8 permit or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$1,000,000 but not more than \$2,000,000	TBC (101 fee units)	TBC (101 fee units)
7	VicSmart application if the estimated cost of development is \$10,000 or less	TBC (13.5 fee units)	TBC (13.5 fee units)
8	VicSmart application if the estimated cost of development is more than \$10,000	TBC (29 fee units)	TBC (29 fee units)
9	VicSmart application to subdivide or consolidate land	TBC (13.5 fee units)	TBC (13.5 fee units)
10	VicSmart application other than class 7, class 8 or class 9 permit	TBC (13.5 fee units)	TBC (13.5 fee units)
11	To develop land (other than a class 2, class 3, class 7 or class 8 or a permit to subdivide or consolidate land) if the estimated cost of development is less than \$100,000	TBC (77.5 fee units)	TBC (77.5 fee units)
12	To develop land (other than a class 4, class 5, or class 8 or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$100,000 and not more than \$1,000,000	TBC (104.5 fee units)	TBC (104.5 fee units)
13	To develop land (other than a class 6 or class 8 or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$1,000,000 and not more than \$5,000,000	TBC (230.5 fee units)	TBC (230.5 fee units)
14	To develop land (other than a class 8 or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$5,000,000 and not more than \$15,000,000	TBC (587.5 fee units)	TBC (587.5 fee units)
15	To develop land (other than a class 8 or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$15,000,000 and not more than \$50,000,000	TBC (1,732.5 fee units)	TBC (1,732.5 fee units)
16	To develop land (other than a class 8 or a permit to subdivide or consolidate land) if the estimated cost of development is more than \$50,000,000	TBC (3,894 fee units)	TBC (3,894 fee units)
17	To subdivide an existing building (other than a class 9 permit)	TBC (89 fee units)	TBC (89 fee units)
18	To subdivide land into 2 lots (other than a class 9 or class 16 permit)	TBC (89 fee units)	TBC (89 fee units)



## ATTACHMENT 13.1.1

Description of Charge		Fee/Charge 2020/21 (inc GST)	Fee/Charge 2020/21 (inc GST)
19	To effect a realignment of a common boundary between lots or consolidate 2 or more lots (other than a class 9 permit)	TBC (89 fee units)	TBC (89 fee units)
20	Subdivide land (other than a class 9, class 16, class 17 or class 18 permit)	TBC per 100 lots created (89 fee units per 100 lots created)	TBC per 100 lots created (89 fee units per 100 lots created)
21	To: a) create, vary or remove a restriction within the meaning of the Subdivision Act 1988; or b) create or remove a right of way; or c) create, vary or remove an easement other than a right of way; or d) vary or remove a condition in the nature of an easement (other than right of way) in a Crown grant.	TBC (89 fee units)	TBC (89 fee units)
22	A permit not otherwise provided for in the regulation	TBC (89 fee units)	TBC (89 fee units)
Applications to amend permits under section 72 of the Planning and Environment Act 1987 (Regulation 11)			
Class	Type of Application		
1	Amendment to a permit to change the use of land allowed by the permit or allow a new use of land	TBC (89 fee units)	TBC (89 fee units)
2	Amendment to a permit (other than a permit to develop land for a single dwelling per lot or to use and develop land for a single dwelling per lot) to change the statement of what the permit allows or to change any or all of the conditions which apply to the permit.	TBC (89 fee units)	TBC (89 fee units)
3	Amendment to a class 2, class 3, class 4, class 5 or class 6 permit, * if the cost of any additional development permitted by the amendment is \$10,000 or less	TBC (13.5 fee units)	TBC (13.5 fee units)
4	Amendment to a class 2, class 3, class 4, class 5 or class 6 permit, * if the cost of any additional development permitted by the amendment is more than \$10,000 but not more than \$100,000	TBC (42.5 fee units)	TBC (42.5 fee units)
5	Amendment to a class 2, class 3, class 4, class 5 or class 6 permit, * if the cost of any additional development permitted by the amendment is more than \$100,00 but not more than \$500,000	TBC (87 fee units)	TBC (87 fee units)
6	Amendment to a class 2, class 3, class 4, class 5 or class 6 permit, * if the cost of any additional development permitted by the amendment is more than \$500,000	TBC (94 fee units)	TBC (94 fee units)
7	Amendment to a permit * that is the subject of VicSmart application, if the estimated cost of the additional development is \$10,000 or less	TBC (13.5 fee units)	TBC (13.5 fee units)
8	Amendment to a permit * that is the subject of VicSmart application, if the estimated cost of the additional development is more than \$10,000	TBC (29 fee units)	TBC (29 fee units)
9	Amendment to a class 9 permit	TBC (13.5 fee units)	TBC (13.5 fee units)
10	Amendment to a class 10 permit	TBC (13.5 fee units)	TBC (13.5 fee units)
11	Amendment to a class 11, class 12, class 13, class 14, class 15 or class 16 permit * if the estimated cost of the additional development to be permitted by the amendment is \$100,000 or less	TBC (104.5 fee units)	TBC (104.5 fee units)
12	Amendment to a class 12, class 13, class 14, class 15 or class 16 permit * if the estimated cost of any additional development to be permitted by the amendment is more than \$100,000 but not more than \$1,000,000	TBC (230.5 fee units)	TBC (230.5 fee units)
13	Amendment to a class 11, class 12, class 13, class 14, class 15 or class 16 permit * if the estimated cost of any additional development to be permitted by the amendment is more than \$1,000,000	TBC (89 fee units)	TBC (89 fee units)
14	Amendment to a class 17 permit	TBC (89 fee units)	TBC (89 fee units)
15	Amendment to a class 18 permit	TBC (89 fee units)	TBC (89 fee units)
16	Amendment to a class 19 permit	TBC (89 fee units)	TBC (89 fee units)
17	Amendment to a class 20 permit	TBC (89 fee units)	TBC (89 fee units)
18	Amendment to a class 21 permit	TBC (89 fee units)	TBC (89 fee units)
18	Amendment to a class 22 permit	TBC (89 fee units)	TBC (89 fee units)

**ATTACHMENT 13.1.1**

Description of Charge		Fee/Charge 2020/21 (inc GST)	Fee/Charge 2020/21 (inc GST)
<b>Other Statutory Fees</b>			
<b>Regulation</b>	<b>Type of Application</b>		
10	For combined permit applications	Sum of the highest of the fees which would have applied if separate applications were made and 50% of each of the other fees which would have applied if separate applications were made	
12	Amend an application for a permit or an application to amend a permit	a) Under section 57A(3)(a) of the Act the fee to amend an application for a permit after notice is given is 40% of the application fee for that class of permit set out in the Table at regulation 9 b) Under section 57A(3)(a) of the Act the fee to amend an application to amend a permit after notice is given is 40% of the application fee for that class of permit set out in the Table at regulation 11 and any additional fee under c) below c) If an application to amend an application for a permit or amend an application to amend a permit has the effect of changing the class of that permit to a new class, having a higher application fee set out in the Table to regulation 9, the applicant must pay an additional fee being the difference the original class of application and the amended class of permit	
13	For a combined application to amend permit	The sum of the highest of the fees which would have applied if separate applications were made and 50% of each of the other fees which would have applied if separate applications were made	
14	For a combined permit and planning scheme amendment	Under section 96A(4)(a) of the Act: The sum of the highest of the fees which would have applied if separate applications were made and 50% of each of the other fees which would have applied if separate applications were made	
15	For a certificate of compliance	\$325.80 (22 fee units)	\$325.80 (22 fee units)
16	For an agreement to a proposal to amend or end an agreement under section 173 of the Act	\$659.00 (44.5 fee units)	\$659.00 (44.5 fee units)
17	For a planning certificate	a) \$22.20 (1.5 fee units) for an application not made electronically b) \$7 for an application made electronically	a) \$22.20 (1.5 fee units) for an application not made electronically b) \$7 for an application made electronically
18	Where a planning scheme specifies that a matter must be done to the satisfaction of a responsible authority, Minister, public authority or municipal council	TBC	TBC
<b>Part 2: Administrative Charges (Non Statutory Fees)</b>			
<b>Enquiries</b>			
Written request for Heritage Control advice		\$162.00	\$166.00
Written request for Demolition Control advice (Section 29A – Form 8)		\$162.00	\$166.00
Written request for General Planning advice		\$162.00	\$166.00
Request a copy of a planning permit (on site archives - From 2012 onwards)		\$50.00	\$50.00
Request a copy of a planning permit (off site archives - Pre 2012)		\$215.00	\$215.00
<b>Extension of Time</b>			
Extension of time (First Request)		\$268.00	\$274.00
Extension of time (second request)		\$400.00	\$408.00
Extension of Time (Third and subsequent requests)		\$600.00	\$612.00
<b>Refunds</b>			
Cancellation/withdrawal of application when no work carried out		Refund ¾ of application fee	Refund ¾ of application fee
Cancellation/withdrawal after direction to advertise but before commenced		Refund ½ of application fee	Refund ½ of application fee
Cancellation/withdrawal after advertising commenced		No Refund	No Refund
Cancellation/withdrawal due to prohibited proposal (written planning advice will be provided)		Full Refund	\$162

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2020/21 (inc GST)
<b>Other fees</b>		
Condition Plan assessment - First Submission (plans submitted for endorsement as required by conditions of a planning permit)	\$0.00	\$0.00
Condition Plan assessment - Second and subsequent submission (plans submitted for endorsement as required by conditions of a planning permit)	\$100.00	\$102.00
Preparation and registration of section 173 agreement	\$1,250.00	\$1,275.00
Review of Section 173 Agreement not prepared by Council	Invoice to applicant Re-coup full costs	Invoice to applicant Re-coup full costs
Secondary Consent	\$268.00	\$274.00
Miscellaneous Planning Consent	\$400.00	\$408.00
<b>Advertising</b>		
Advertising – A3 Notice	\$109.00	\$112.00
Advertising – Letters to adjoining owners	\$56.00	\$58.00
Advertising – Notice in Newspaper	Invoice to applicant Re-coup full costs	Invoice to applicant Re-coup full costs

**NOTES****Statutory Fees**

These fees are cumulative unless otherwise stated. If your application or request falls into several categories the highest fee and half the lower fee are payable.

**Administrative charges for photocopying and printing**

These charges are in accordance with those published by Hepburn Shire Council and subject to amendment. Please contact the Planning Customer Service for the list of charges.

The preceding sections are a summary of the fees prescribed under the Planning and Environment (Fees) Regulations 2016, and is not a complete representation of these Regulations or other legislative provisions. Reference should be made to the Regulations to obtain the complete wording of individual fee Regulations and other Regulations (which include waiving and rebating provisions). Please visit [www.planning.vic.gov.au](http://www.planning.vic.gov.au) for more details on the Planning and Environment (Fees) Regulations 2016 setting out the new fees and the Planning and Environment Act 1987.

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>BUILDING SERVICES</b>		
<b>Residential</b>		
New Dwelling	\$626.00 plus \$6.15 per m <sup>2</sup> (plus levy & lodgement fee) (Minimum \$1,104.00)	\$626.00 plus \$6.15 per m <sup>2</sup> (plus levy & lodgement fee) (Minimum \$1,104.00)
Alteration to Dwelling	\$626.00 plus \$6.15 per m <sup>2</sup> (plus levy & lodgement fee) (Minimum \$1,104.00)	\$626.00 plus \$6.15 per m <sup>2</sup> (plus levy & lodgement fee) (Minimum \$1,104.00)
Addition to a Dwelling	\$626.00 plus \$6.15 per m <sup>2</sup> (plus levy & lodgement fee) (Minimum \$1,104.00)	\$626.00 plus \$6.15 per m <sup>2</sup> (plus levy & lodgement fee) (Minimum \$1,104.00)
Units	(Minimum \$1,304 per unit)	(Minimum \$1,304 per unit)
Garages/Carports up to \$10,000	\$600.00 (plus lodgement fee)	\$600.00 (plus lodgement fee)
Garages/Carports over \$10,000	\$678.00 (plus lodgement fee & levy)	\$678.00 (plus lodgement fee & levy)
Swimming Pools	\$609.00	\$622.00
Restump	\$384.00	\$392.00
Building Reg 326 (2) statutory fee	\$47.20 (3.19 fee units)	\$47.20 (3.19 fee units)
Lodgement Fees (Payable on Council & Private Building Surveyor Projects)*	\$121.90 (8.23 fee units)	\$121.90 (8.23 fee units)
Conducting an assessment for compliance under AS3959 (Bushfire Code)	\$336.00	\$343.00
<b>Commercial/Industrial</b>		
All works under \$5,000	\$534.00	\$545.00
Works valued \$5,000 – \$30,000	\$799.00	\$815.00
Works valued \$30,000 – \$250,000	\$Cost x 0.4% plus \$1,000	\$Cost x 0.4% plus \$1,000
Works valued \$250,000 – \$500,000	\$Cost x 0.25% plus \$2,000	\$Cost x 0.25% plus \$2,000
Works valued over \$500,000	\$Cost x 0.25% plus \$2,000	\$Cost x 0.25% plus \$2,000
Lodgement Fees (Commercial/Industrial)*	\$40.70 (2.75 fee units)	\$40.70 (2.75 fee units)
<b>Demolition</b>		
Single Storey Building	\$782.00 plus Sec 29A fee \$ (4.6 fee units)	\$782.00 plus Sec 29A fee \$ (4.6 fee units)
Any other building more than one storey	\$1252.00 plus Sec 29A fee \$ (4.6 fee units)	\$1252.00 plus Sec 29A fee \$ (4.6 fee units)
<b>Other Permits/Services</b>		
Fences and signs	\$321.00	\$328.00
Swimming Pool Reports (Existing)	\$305.00	\$312.00
Request for variation of siting*	\$290.40 (19.61 fee units)	\$290.40 (19.61 fee units)
Any other service not otherwise provided for (per Hour)	\$259.00	\$265.00
Extension of Time for a Permit	\$268.00	\$274.00
Amendment to a Building Permit	\$294.00	\$300.00
Inspection associated with lapsed permits (per inspection)	\$215.00	\$220.00
State Government Building Levy Cost recovery of levy*	\$1.28 per \$1,000 of construction value	\$1.28 per \$1,000 of construction value

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>Requests for Information</b>		
Property Certificates (last 10 years information)*		
Temporary Structures	\$294.00	\$300.00
Copies of Plans from Building files*	\$215.00	\$220.00
Written Advice	\$162.00	\$166.00
Any other service	\$109.00	\$112.00
<b>Swimming Pools and Spas</b>		
Pool or Spa registration fee	\$31.85	\$31.85
Information Search fee	\$47.25	\$47.25
Lodgement of a certificate of compliance	\$20.45	\$20.45
Lodgement of a certificate of non-compliance	\$385.10	\$385.10
<b>Other Fees</b>		
Issue Building Notice	No Charge	No Charge
Issue Building Order	\$799.00	\$815.00
<b>NOTES</b>		
1. Square metres calculated on total floor		
2. Cost of works determined by Relevant Building Surveyor, unless contract applies.		
3. All fees quoted (unless determined by legislation) are a minimum basis.		
Shading denotes statutory fees as determined by legislation and therefore subject to any change in legislation.		

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>Transfer Station Disposal Fees</b>		
<b>Domestic Waste &amp; Recyclables</b>		
Standard Garbage Bag (approx. 120 litre)	\$7.00	\$8.00
Car/Boot Load (½ m³ max)	\$21.00	\$22.00
Utility/Small Trailer (1.0 m³ max)	\$41.00	\$42.00
Small Truck/Tandem Trailer (2.0 m³ max)	\$82.00	\$84.00
Other Loads that are non-commercial / m³	\$41.00	\$42.00
Commercial or Industrial Waste	Not accepted	Not accepted
Clean Green Waste up to ½ m³	\$11.00	\$12.00
Clean Green Waste / m³	\$20.00	\$21.00
Woody Weeds / m³	Not accepted	Not accepted
Comingled recyclables - up to 240L bin	\$4.00	\$6.00
Comingled recyclables - ½ m³	\$7.00	\$8.00
Comingled recyclables - per m³	\$12.00	\$16.00
Separated recyclable cardboard & paper	No charge	No charge
<b>Tyres</b>		
Car	\$7.00	\$8.00
Light Truck	\$33.00	\$34.00
Truck	\$66.00	\$68.00
Tractor – Small	\$139.00	\$142.00
Tractor – Large	\$214.00	\$219.00
Rims only	No charge	No charge
<b>Other</b>		
Paint	4 Ltr container or smaller \$2.50	4 Ltr container or smaller \$3.50
Paint	5 Ltr container or greater \$5.00	5 Ltr container or greater \$6.00
Empty paint containers - Recyclable	No charge	No charge
Oil	No charge	No charge
Batteries	No charge	No charge
Scrap steel	No charge	No charge
Non ferrous metals	No charge	No charge
Car bodies	No charge	No charge
Refrigerators and freezers (Degassed/Gassed)	\$12.00	\$13.00
Televisions / Computer <sup>+</sup>	No charge	No charge
Other E-Waste Item	No charge	No charge
Mattresses	\$27.00	\$28.00
<b>Sale of Garbage Bins (Delivered)</b>		
120 or 140 ltr bin (township & rural residential waste)	\$61.00	\$63.00
240 ltr bin (Commercial Waste)	\$76.00	\$78.00

Commercial waste and recycling quantities not accepted

<sup>+</sup> Government Subsidy scheme conditions apply

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>INFRASTRUCTURE</b>		
Legal Point of Discharge*	\$68.10 (4.6 fee units)	\$68.10 (4.6 fee units)
Consent to Work on Road where speed greater than 50 kph		
Works on road, shoulder or pathway (max speed greater than 50 kph)	\$638.30 (43.1 fee units)	\$638.30 (43.1 fee units)
Road but NOT on roadway, shoulder or pathway	\$348.00 (23.5 fee units)	\$348.00 (23.5 fee units)
Minor works on a road, shoulder or pathway	\$137.70 (9.3 fee units)	\$137.70 (9.3 fee units)
Minor works but NOT on a road, shoulder or pathway	\$88.90 (6 fee units)	\$88.90 (6 fee units)
Consent to Work on Road where speed not more than 50 kph		
Works on road, shoulder or pathway	\$348.00 (23.5 fee units)	\$348.00 (23.5 fee units)
Road but NOT on roadway, shoulder or pathway	\$88.90 (6 fee units)	\$88.90 (6 fee units)
Minor works on a road, shoulder or pathway	\$137.70 (9.3 fee units)	\$137.70 (9.3 fee units)
Minor works but NOT on a road, shoulder or pathway	\$88.90 (6 fee units)	\$88.90 (6 fee units)
Street Signage (Tourist Accommodation)		
Blade supply and installation	\$235.00	\$240.00
Blade plus pole supply and installation	\$294.00	\$300.00
Vic Roads signage installation		
One pole	\$210.00	\$215.00
two poles	\$230.00	\$235.00
Land Use Activity Agreements LUAA		
Facilitation fee - Advisory		\$260.00
Facilitation fee - Negotiation and other	\$417.00	\$426.00
Water Sensitive Urban Design Contribution WSUD		
Standard sizes subdivision 450 sq/m to 2000 sq/m. Minimum contribution \$1,500.00	N/A	\$8.00 per sq/m
High density subdivision less than 450 sq/m. Minimum contribution \$1,500.00	N/A	\$10.00 per sq/m
Industrial/Commercial development. Minimum contribution \$1,500.00	N/A	\$10.00 per sq/m
Low density subdivision larger than 2000 sq/m. Minimum contribution \$1,500.00	N/A	\$1.00 per sq/m
<div style="border: 1px solid black; padding: 10px;"> <ul style="list-style-type: none"> <li>• Minimum contribution fee is \$1,500 including when a partial contribution is made</li> <li>• Partial contributions will be based on the amount of treatment that will not be met with proposed stormwater treatment infrastructure. For example if a treatment will achieve 80% then the partial contribution will be 20% of the rate based on the development type.</li> </ul> </div>		
Shading denotes statutory fees as determined by legislation and therefore subject to any change in legislation.		

ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>COMPLIANCE AND LOCAL LAWS</b>		
<b>Animal Registration Fees</b>		
Dog – Full fee*	\$97.00	\$99.00
Dog – Discounted fee*#	\$33.00	\$34.00
Dog - Menacing dog fee	\$215.00	\$220.00
Dog - Dangerous / restricted breed fee	\$374.00	\$382.00
Dog - 1st year registration 50% of fee	\$49.00	\$50.00
Dog - 1st year registration free Discounted fee*#	\$0.00	\$0.00
Cat – Full fee*	\$82.00	\$84.00
Cat – Discounted fee*#	\$29.00	\$30.00
Cat - 1st year registration 50% of fee	\$41.00	\$42.00
Cat - 1st year registration free Discounted fee*#	\$0.00	\$0.00
Replacement Tag	\$11.00	\$12.00
Domestic animal business registration*	\$215.00	\$220.00
# The discounted fees only apply if the animal meets certain eligibility criteria (e.g. Micro-chipped)	\$0.00	\$0.00
<b>Domestic Animal Impound Release Fees</b>		
Unregistered dog not desexed*	\$182.00	\$186.00
Unregistered dog desexed*	\$182.00	\$186.00
Registered dog not desexed*	\$182.00	\$186.00
Registered dog desexed*	\$182.00	\$186.00
Unregistered cat not desexed*	\$124.00	\$127.00
Unregistered cat desexed*	\$124.00	\$127.00
Registered cat not desexed*	\$124.00	\$127.00
Registered cat desexed*	\$124.00	\$127.00
<b>Live Stock Impounding - Agistment Fees</b>		
Medium animals (sheeps/goats)*	\$2.00 per day, per animal	\$2.00 per day, per animal
Large animals (cows/horses)*	\$2.50per day, per animal	\$2.50 per day, per animal
Sustenance fees	At cost	At cost
Identification tags	At cost	At cost
Vet costs	At cost	At cost
Transport contractor fees	At cost	At cost
<b>Live Stock Impounding - Release Fees</b>		
Medium animals (sheeps/goats)*	up to 3: \$55.00 4 or over: \$110.00	up to 3: \$60.00 4 or over: \$115.00
Large animals (cows/horses)*	up to 3: \$110.00 4 or over: \$320.00	up to 3: \$115.00 4 or over: \$325.00
<b>Abandoned Vehicles</b>		
Impounded vehicle release fee	\$109.00	\$112.00
Towing contractor fees		At contractors cost
<b>Parking Fines</b>		
Overstaying time*	\$81.00 (0.5 penalty unit)	\$81.00 (0.5 penalty unit)
In No Parking area*	\$81.00 (0.5 penalty unit)	\$81.00 (0.5 penalty unit)
Not within parking bay*	\$81.00 (0.5 penalty unit)	\$81.00 (0.5 penalty unit)
Not completely within parking bay*	\$81.00 (0.5 penalty unit)	\$81.00 (0.5 penalty unit)
<b>Fire Prevention</b>		
Private grass slashing administration fee which is in addition to the contractor's charge	\$172.00	\$176.00
Costs of works to clear property	At contractors cost	At contractors cost
Failing to comply with notice	10 penalty units	10 penalty units



## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
Other		
Tradesperson Parking Permit*	\$28.00 per day	\$29.00 per day
A-Frame Signage*	Daylesford CBD \$118 per year Outside Daylesford CBD \$60 per year	Daylesford CBD \$120 per year Outside Daylesford CBD \$61 per year
Table & Two chairs*	Daylesford CBD \$214 per year in trading zone (up to 3 sets) Above 3 sets a further \$214 Outside Daylesford CBD \$103 per year in trading zone (up to 3 sets) Above 3 sets a further \$103	Daylesford CBD \$218 per year in trading zone (up to 3 sets) Above 3 sets a further \$218 Outside Daylesford CBD \$103 per year in trading zone (up to 3 sets) Above 3 sets a further \$103
Goods for Display or Sale*	Daylesford CBD \$190 per year Outside Daylesford CBD \$95 per year	Daylesford CBD \$195 per year Outside Daylesford CBD \$97 per year
Wind Barriers*	Daylesford CBD \$112 per year Outside Daylesford CBD \$56 per year	Daylesford CBD \$114 per year Outside Daylesford CBD \$57 per year
Cat Cage Hire*	\$125 Bond refundable on return of cage	\$128 Bond refundable on return of cage
Skip Bin Permit	\$117.00 per week or part thereof	\$119.00 per week or part thereof
Busking Permit	\$17.00 per day \$105.00 per year	\$18.00 per day \$110.00 per year
Street Stalls <sup>+</sup>	\$33.00 per day	\$35.00 per day
Hoarding / Fencing Permit	\$117.00 per week or part thereof	\$120.00 per week or part thereof
Excess Animals Permit	\$109	\$112.00
Itinerant Trader - other than Policy 19	\$480 (annual) \$161 (up to 1 week)	\$490 (annual) \$165 (up to 1 week)
Occupation of Road for Works	\$119	\$122.00
Roadside Grazing Permit	\$28	\$29.00
Other Local Law Permits (not separately identified) issued in accordance with the provisions of General Local Law No 2	\$56	\$58.00
Firewood Collection	N/A	No Charge
Planting Vegetation	N/A	No Charge
Farm Gate Sale	N/A	No Charge
+ Fees will be waived for Community Not for Profit organisations on application		
Denotes statutory fees as determined by legislation and therefore subject to any change in legislation.		

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2020/21 (inc GST)
<b>VISITOR INFORMATION CENTRES</b>		
Basic	\$0.00	\$0.00
<i>Basic website listing and single VIC Brochure display</i>		
Premium	\$164.00	\$168.00
<i>Premium website listing with multiple categories and multiple VIC brochure display</i>		
Ultimate	\$408.00	\$417.00
<i>Premium website listing , Daylesford VIC window display for 2 weeks &amp; Daylesford VIC cube display for 12 months</i>		
Cube Display - 12 month period	\$164.00	\$168.00
Window Display - 2 week period	\$126.00	\$129.00
<i>Previous membership options have been simplified to make it easier for businesses and easier for VIC staff and the accounts team. Conditions apply. This will be managed directly through the new 'Visit' websites with online payment required</i>		
<b>SWIMMING POOLS</b>		
Family Season Ticket	\$0.00	\$0.00
Adult Season Ticket	\$0.00	\$0.00
Concession Season Entry	\$0.00	\$0.00
Child Season Ticket	\$0.00	\$0.00
Family Day Entry	\$0.00	\$0.00
Adult Day Entry	\$0.00	\$0.00
Concession Day Entry	\$0.00	\$0.00
Child Day Entry	\$0.00	\$0.00
Spectators Day Entry	\$0.00	\$0.00
School Entry per student	\$2.00	\$3.00
<b>COMMUNITY SERVICES</b>		
Marquee Hire		
5m x 5m	\$109.00	\$112.00
Bonds		
Marquee*	\$352.00	\$360.00

**ATTACHMENT 13.1.1**

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>LIBRARIES</b>		
Fines	\$0.50 cents per day per item to a maximum of \$6.00	\$0.55 cents per day per item to a maximum of \$6.60
Holds	Free (Maximum of 30 holds)	Free (Maximum of 30 holds)
Inter Library Loans	\$4.30 plus other charges incurred*	\$4.40 plus other charges incurred*
Inter Library Loans - Universities	\$22.00	\$23.00
Replacement card	\$3.20	\$3.30
Photocopying A3	\$0.90	\$0.95
Photocopying A4	\$0.45	\$0.50
Colour printing A4	\$1.45	\$1.50
Colour printing A3	\$2.05	\$2.10
Scanning	Free	Free
Fax receiving	\$0.70	\$0.75
<ul style="list-style-type: none"> <li>• 1st page</li> <li>• Additional pages</li> </ul>	\$2.60 \$1.40	\$2.65 \$1.45
Lost or damaged items	Cost of replacement plus processing fee	Cost of replacement plus processing fee
Processing fee	\$6.70	\$6.80
Debt Collection charge	\$17.50	\$17.85
Book Club Package <ul style="list-style-type: none"> <li>• Private Book Club</li> <li>• Library Book Club</li> </ul>	\$165 per club per year \$55.00 per person per year	\$170 per club per year \$60.00 per person per year
Book Sales	From \$0.30 per item	From \$0.30 per item
Events	Variable fee from Free to \$90.00	Variable fee from Free to \$92.00
<b>Note GST is applicable unless it is the copying of official documents.</b>		

Description of Charge	Fee/Charge 2020/21 (inc GST)			Fee/Charge 2021/22 (inc GST)		
AGED AND DISABILITY SERVICES						
Client Contribution	Low*	Medium	High	Low*	Medium	High
Social Support Group* (per day) Inclusive of attendance fee and meal component	\$20.00	\$20.00	\$20.00	\$21.00	\$21.00	\$21.00
Home Care* (per hour)	\$7.00	\$15.90	\$48.50	\$7.15	\$16.20	\$49.50
Personal Care* (per hour)	\$4.90	\$9.80	\$47.50	\$5.00	\$10.00	\$48.50
Respite Care* (per hour)	\$3.90	\$5.40	\$47.50	\$4.00	\$5.50	\$48.45
Property Maintenance* (per hour)	\$15.50	\$25.90	\$51.50	\$15.80	\$26.45	\$52.55

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)			Fee/Charge 2021/22 (inc GST)		
<b>FUNCTIONS IN COUNCIL RESERVES AND FACILITIES</b>						
<b>ALL RESERVES AND FACILITIES</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
<b>Bonds</b>						
Keys*	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00
Meetings*	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00	\$100.00
Functions*	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00	\$200.00
Functions with alcohol*	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00
Functions with alcohol >200*	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
Insurance admin fee (if no Certificate of Currency is provided) {charged once per annum for regular users}	\$59.00	\$59.00	\$59.00	\$61.00	\$61.00	\$61.00
<b>ALL RESERVES</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
Personal training Subject to LTA	\$178.00	\$178.00	\$178.00	\$182.00	\$182.00	\$182.00
<b>VICTORIA PARK DAYLESFORD</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
No fee waiver is applicable to the hire of this venue - refer Council Policy 48						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
Function + Kitchen (Day)	\$55.00	\$110.00	\$310.00	\$56.00	\$112.00	\$316.00
Function + Kitchen (Half Day)	\$20.00	\$80.00	\$230.00	\$21.00	\$84.00	\$235.00
Function + Kitchen with alcohol	\$200.00	\$250.00	\$400.00	\$204.00	\$255.00	\$408.00
<b>WOMBAT HILL BOTANIC GARDENS</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
Wedding (1 Day or part thereof)	\$200.00	\$200.00	\$200.00	\$204.00	\$204.00	\$204.00
<b>LAKE DAYLESFORD FORESHORE</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
Wedding (1 Day or part thereof)	\$204.00	\$204.00	\$204.00	\$208.00	\$208.00	\$208.00
<b>DOUG LINDSAY RESERVE</b>						
Meetings	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council
Functions – Use of Kitchen	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council
Function with alcohol	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council
Kitchen Use	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council	Not set by Council
<b>CRESWICK TOWN HALL</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
Hepburn Shire Community Not for Profit	Fee waiver is by application only in accordance with Council Policy Number 48 (bond and insurance fees must still be paid). All applications must be sent to Governance for assessment.					
<i>Fees based on 1 day hire or part thereof</i>						
Rehearsals/Regular user	\$41.00	\$40.00	\$41.00	\$42.00	\$41.00	\$42.00
Regular User - Use of Kitchen	\$56.00	\$80.00	\$105.00	\$57.00	\$82.00	\$107.00
Meetings	\$134.00	\$80.00	\$105.00	\$137.00	\$82.00	\$107.00
Functions – Use of Kitchen	\$156.00	\$110.00	\$310.00	\$160.00	\$112.00	\$316.00
Function with alcohol	\$200.00	\$250.00	\$400.00	\$204.00	\$255.00	\$408.00

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)			Fee/Charge 2021/22 (inc GST)		
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
<b>CLUNES TOWN HALL</b>						
Hepburn Shire Community Not for Profit	Fee waiver is by application only in accordance with Council Policy Number 48 (bond and insurance fees must still be paid). All applications must be sent to Governance for assessment.					
<i>Fees based on 1 day hire or part there of</i>						
Rehearsals/Regular user (no Kitchen Use)	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Regular User - Use of Kitchen	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Meetings / Functions (no Kitchen Use)	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Functions – Use of Kitchen	\$180.00	\$220.00	\$270.00	\$185.00	\$225.00	\$275.00
Function with alcohol	\$200.00	\$250.00	\$400.00	\$205.00	\$255.00	\$410.00

## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)			Fee/Charge 2021/22 (inc GST)		
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
<b>TRENTHAM MECHANICS INSTITUTE HALL</b>						
Main Hall Hire	\$50.00	\$80.00	\$105.00	\$107.00	\$82.00	\$107.00
Supper Room - Meeting	\$18.00	\$30.00	\$50.00	\$22.00	\$35.00	\$55.00
Small meeting Room	\$8.00	\$17.00	\$34.00	\$12.00	\$18.00	\$35.00
Insurance admin fee (if no Certificate of Currency is provided) (charged once per annum for regular users)	\$59.00	\$59.00	\$59.00	\$61.00	\$61.00	\$61.00
Function with alcohol	\$200.00	\$250.00	\$400.00	\$205.00	\$255.00	\$410.00
<b>DAYLESFORD TOWN HALL</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
Hepburn Shire Community Not for Profit	Fee waiver is by application only in accordance with Council Policy Number 48 (bond and insurance fees must still be paid). All applications must be sent to Governance for assessment.					
<i>Fees based on 1 day hire or part there of</i>						
Rehearsals	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Meetings	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Functions and set up days	\$180.00	\$220.00	\$270.00	\$185.00	\$225.00	\$275.00
Function with alcohol	\$200.00	\$250.00	\$400.00	\$205.00	\$255.00	\$410.00
Senior Citizens Room	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
PA System	\$25.00	\$50.00	\$80.00	\$26.00	\$52.00	\$85.00
<b>CLUNES COMMUNITY CENTRE</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
No fee waiver is applicable to the hire of this venue - refer Council Policy 48						
Oval Lights (per hour)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Rehearsals/Regular user (1 Day or part there of)	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Meetings (1 Day or part there of)	\$50.00	\$80.00	\$105.00	\$51.00	\$82.00	\$107.00
Functions (1 Day or part there of)	\$180.00	\$220.00	\$270.00	\$185.00	\$225.00	\$275.00
Function with alcohol (1 Day or part there of)	\$200.00	\$250.00	\$400.00	\$205.00	\$255.00	\$410.00

Description of Charge	Fee/Charge 2020/21 (inc GST)			Fee/Charge 2021/22 (inc GST)		
<b>CRESWICK HUB - OFFICE HOURS ONLY</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
No fee waiver is applicable to the hire of this venue - refer Council Policy 48						
<b>Meeting Room</b>						
Regular (per hour)	\$7.00	\$17.00	\$33.00	\$8.00	\$18.00	\$34.00
Casual (per hour)	\$16.00	\$32.00	\$55.00	\$17.00	\$34.00	\$56.00
Saturday Morning (per hour) Not Public Holidays	\$20.00	\$40.00	\$65.00	\$21.00	\$42.00	\$66.00
<b>THE WAREHOUSE - CLUNES</b>						
	Local Community	Not for Profit / Government	Private or Commercial	Local Community	Not for Profit / Government	Private or Commercial
No fee waiver is applicable to the hire of this venue - refer Council Policy 48						
<b>Community Meeting Room - Ullumburra</b>						
Regular (per hour)	\$7.00	\$17.00	\$33.00	\$8.00	\$18.00	\$34.00
Casual (per hour)	\$16.00	\$32.00	\$55.00	\$17.00	\$34.00	\$56.00
Weekend (per hour) Fri evenings, Sat, Sun & Public Holidays	\$20.00	\$40.00	\$65.00	\$21.00	\$42.00	\$66.00
<b>Community Activity Room - Esmond Gallery</b>						
Regular (per hour)	\$7.00	\$17.00	\$33.00	\$8.00	\$18.00	\$34.00
Casual (per hour)	\$16.00	\$32.00	\$55.00	\$17.00	\$34.00	\$56.00
Weekend (per hour) Fri evenings, Sat, Sun & Public Holidays	\$20.00	\$40.00	\$65.00	\$21.00	\$42.00	\$66.00
Weekly Hire	\$490.00	\$980.00	\$2,450.00	\$500.00	\$1,000.00	\$2,500.00
<b>ALL OTHER FACILITIES NOT PREVIOUSLY LISTED</b>						
Regular (per hour)	\$7.00	\$17.00	\$33.00	\$8.00	\$18.00	\$34.00
Casual (per hour)	\$16.00	\$32.00	\$55.00	\$17.00	\$34.00	\$56.00
Weekend (per hour) Fri evenings, Sat, Sun & Public Holidays	\$20.00	\$40.00	\$65.00	\$21.00	\$42.00	\$66.00

A minimum hire of one hour will be charged to allow for set up and pack up.



## ATTACHMENT 13.1.1

Description of Charge	Fee/Charge 2020/21 (inc GST)	Fee/Charge 2021/22 (inc GST)
<b>PHOTOCOPYING / PRINTING</b>		
A4 per side – Black & White	\$0.45	\$0.45
A4 per side – Colour	\$1.45	\$1.45
A3 per side – Black & White	\$0.85	\$0.85
A3 per side – Colour	\$2.05	\$2.05
Tender documents	\$62.00	\$64.00
Note: GST is applicable unless copying official documents.		
<b>RATES INFORMATION</b>		
Land information certificate* 1.82 fee units	\$27.00 (1.82 fee units)	\$27.00 (1.82 fee units)
Urgent Land information certificate	\$38.00	\$39.00
Duplicate/Reprint Rates Notice	\$15.00	\$16.00
Rate search 15 years	\$70.00	\$72.00
Rate search 30 Years	\$137.00	\$140.00
<b>FREEDOM OF INFORMATION</b>		
Freedom of information access supervision fee (per ¼ hr)*	\$21.70 (1.5 fee units) per hour or part of an hour	\$22.20 (1.5 fee units) per hour or part of an hour
Freedom of information search fee (per hr)*	\$21.70 (1.5 fee units) per hour or part of an hour	\$22.20 (1.5 fee units) per hour or part of an hour
Photocopying Charge (Black & White A4)	\$0.20	\$0.20
Freedom of Information lodgement fee*	\$28.90 (2 fee units)	\$29.60 (2 fee units)
Other charges may apply, as per the Freedom of Information (Access Charges) Regulations 2014		
<b>COMMUNITY HOUSING</b>		
Community housing units	N/A Handed over to Community Housing Victoria	
<b>DISHONOURED PAYMENTS</b>		
Direct Debit fee	\$7.00	\$8.00
Dishonoured Cheque Fee	\$7.00	\$8.00

**13.2 ENDORSEMENT AND PUBLIC EXHIBITION OF THE DRAFT REVENUE AND RATING PLAN 2021-2025**  
**ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Acting Manager Financial Services, I Robert Ellis have no interests to disclose in this report.*

**ATTACHMENTS**

1. Revenue and Rating Plan 2021-2025 [13.2.1 - 27 pages]

**EXECUTIVE SUMMARY**

The Revenue and Rating Plan is a new requirement under the *Local Government Act 2020*. It will be a four-year plan starting on 1 July 2021.

The Plan describes the sources of Council revenue (property rates, waste service charges, fees, grants and contributions) and describes Council's rationale and policy decisions to inform the medium-term approach on how Council will generate the income it needs to deliver on the commitments in the Council Plan and the programs, services and capital works in the Budget.

The purpose of this report is to endorse the Draft Revenue and Rating Plan for public exhibition and feedback in preparation for adoption in June 2021.

**OFFICER'S RECOMMENDATION**

*That Council:*

1. *Endorses the Draft Revenue and Rating Plan 2021-2025 in accordance with Section 93 of the Local Government Act 2020;*
2. *Authorises the Interim Chief Executive Officer to display the Draft Revenue and Rating Plan 2021-2025 on public exhibition inviting feedback on the Plan for 28 days commencing 21 April 2021;*
3. *Authorises Officers to make minor administrative changes to the Draft Revenue and Rating Plan 2021-2025 as required; and*
4. *Notes that the final Revenue and Rating Plan 2021-2025 will be presented to a Special Council Meeting scheduled for the 29 June 2021.*

**MOTION**

*That Council:*

1. *Endorses the Draft Revenue and Rating Plan 2021-2025 in accordance with Section 93 of the Local Government Act 2020;*
2. *Authorises the Interim Chief Executive Officer to display the Draft Revenue and Rating Plan 2021-2025 on public exhibition inviting feedback on the Plan for 28 days commencing 21 April 2021;*
3. *Authorises Officers to make minor administrative changes to the Draft Revenue and Rating Plan 2021-2025 as required; and*
4. *Notes that the final Revenue and Rating Plan 2021-2025 will be presented to a Special Council Meeting scheduled for the 29 June 2021.*

**Moved:** Cr Brian Hood

**Seconded:** Cr Tessa Halliday

**Carried**

## **BACKGROUND**

Under section 93 of the *Local Government Act 2020*, Council is required to prepare a Revenue and Rating Plan by 30 June following a general election. The plan covers a period of four financial years, with the document describing how Council intends to raise revenue and distribute the rating burden over that period.

## **KEY ISSUES**

This is the first year that Council has been required to prepare a Revenue and Rating Plan and the document replaces the existing rating strategy.

The existing plan is drafted in line with current practices.

Council is currently developing a Community Vision, Financial Plan and Council Plan. Changes in the strategic direction that have been identified in these documents can be incorporated into a future review of this plan as required.

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

High Performing Organisation

13. Deliver sustainable financial management, supported by effective long term financial planning (10 Years), cost savings and efficient purchasing, and developing additional income streams beyond rates revenue.

Section 93 of the *Local Government Act 2020* requires Council to prepare and adopt a four-year Revenue and Rating Plan by 30 June after a general election.

## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

While there are no direct sustainability implications associated with this report, the sustainability of the Shire relies on its ability to raise sufficient income to deliver required services, maintain, renew and build its asset and infrastructure base.

## **FINANCIAL IMPLICATIONS**

The plan details the revenue raising policy of Council and should be considered alongside Council's annual budget.

## **RISK IMPLICATIONS**

The Revenue and Rating Plan is a new legislative requirement introduced by the *Local Government Act 2020*. There is a risk that Council may fail to adopt the Revenue and Rating Plan within the required timeframe, partly because of other legislative requirements currently being implemented.

There are no other risk implications associated with this report.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Deliberative community engagement is not prescribed for a Revenue and Rating Plan in either the *Local Government Act 2020*, or the *Local Government (Planning and Reporting) Regulations 2020*.

It is intended that public notice of the Revenue and Rating Plan will be given in a similar manner and timeframe as the draft 2021/2022 Annual Budget.

The draft Revenue and Rating Plan placed on public exhibition from 21 April 2021, pending approval at the Ordinary Meeting of Council, for a period of 28 days and calling for public feedback.

Community engagement will occur through local media outlets and Council digital channels including website and social media.

The draft Revenue and Rating Plan (with any revisions) to be presented to a Special Council Meeting on 29 June 2021 for adoption.

This level of engagement is in accordance with Councils Community Engagement Policy.

# **Hepburn Shire Council**

## **DRAFT REVENUE AND RATING PLAN 2021-2025**

**April 2021**

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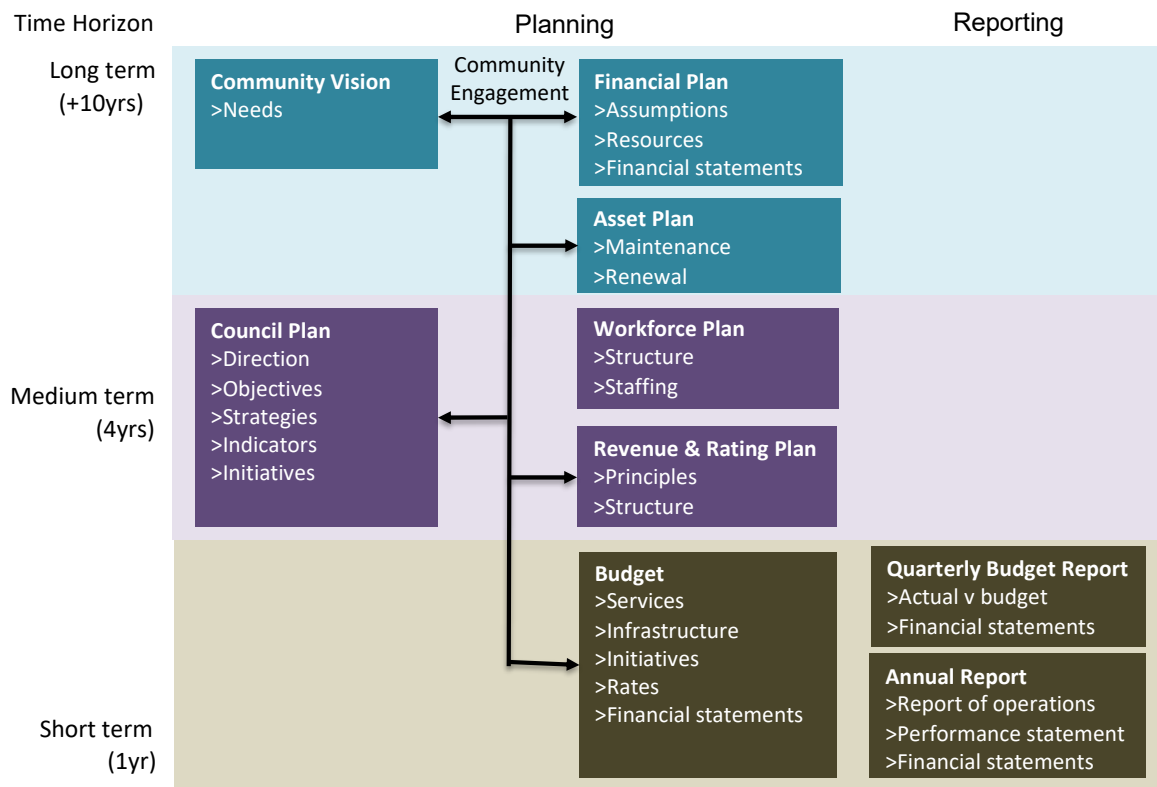
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# 1 Purpose

The *Local Government Act 2020* requires each council to prepare a Revenue and Rating Plan to cover a minimum period of four years following each Council election. The Revenue and Rating Plan establishes the revenue raising framework within which the Council proposes to work.

The purpose of the Revenue and Rating Plan is to determine the most appropriate and affordable revenue and rating approach for the Hepburn Shire Council (the Council) which in conjunction with other income sources will adequately finance the objectives in the council plan.

The Revenue and Rating Plan is part of the Council’s Integrated Strategic Planning Framework as set out in the following diagram.



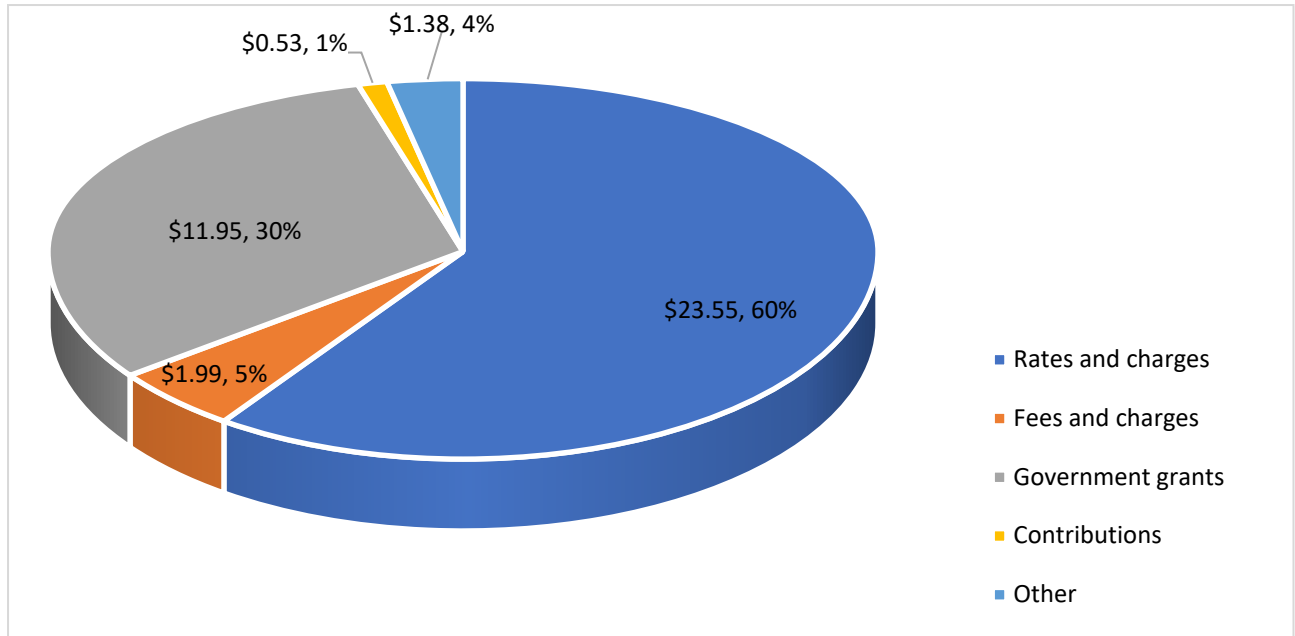
The strategies outlined in this plan align with the objectives contained in the Council Plan and feed into the Council’s Budget and Financial Plan, as well as other strategic planning documents.

This plan explains how Council calculates the revenue needed to fund its activities, and how the funding burden will be apportioned between ratepayers and other users of Council facilities and services. In particular, this plan sets out decisions that Council has made in relation to rating options available to it under the *Local Government Act 2020* to ensure the fair and equitable distribution of rates across property owners. It also sets out principles that are used in decision making for other revenue sources such as fees and charges. The plan does not set revenue targets.

## 2 Introduction

Council provides a number of services and facilities to its local community, and in doing so, must collect revenue to cover the cost of providing these services and facilities.

### 2.1 Revenue Sources



Note: All \$numbers on the graph are shown in millions.

The above graph shows a breakup of the revenue the Council uses to fund services and facilities for the Hepburn Shire community. The total revenue for the 2021-22 year is budgeted to be \$39 million with the major components being rates and charges (60%), government grants (30%) and fees and charges (5%). Loss on disposal of property, infrastructure, plant and equipment of \$30,000 has been excluded for the purposes of the analysis.

### 2.2 Revenue Requirements

The Revenue and Rating Plan is a medium-term plan for how the Council will generate income to deliver on the Council Plan, program and services and capital works commitments over the next four years. In determining its revenue requirements, the Council has identified what each source of revenue is, how much will be raised in each class, and the policy rationale/assumptions for each. In doing this, the Council has given consideration to:

- How revenue will be generated through rates on properties (including differential rates [if any] on different property classes)
- Fixed service charges that might be applied on services such as waste or recycling
- Fees and charges for services and programs including cost recovery policies, user charges and means testing
- Recurrent and non-recurrent operational and capital grants from other levels of government
- Developer contributions and other revenue
- Revenue generated from the use or allocation of Council assets (including the application of discounts and waivers)



- Entrepreneurial, business, or collaborative activities established to deliver programs or services and generate income or reduce costs.

### **2.3 Revenue Balance**

The Council provides public goods and services, private goods and services and a mix of both to the community. In determining if services should be funded through rates and charges or other revenue sources such as user charges, the Council considers whether services are either entirely or partially public goods. That is, where a service provides a broad benefit to the whole community then it will be mostly funded from rates. Where individual or groups of ratepayers receive a particular benefit then the service will be mostly funded from user charges.

### 3 Community Engagement

The Revenue and Rating Plan outlines the Council's decision-making process on how revenues are calculated and collected. The following public consultation process will be followed to ensure due consideration and feedback is received from relevant stakeholders.

Revenue and Rating Plan community engagement process:

- Draft Revenue and Rating Plan prepared by officers and a number of briefings provided to Council
- Draft Revenue and Rating Plan placed on public exhibition at the 20 April 2021 Council meeting for a period of 28 days and calling for public feedback
- Community engagement through local news outlets and social media
- Draft Revenue and Rating Plan (with any revisions) to be presented to a Special Council Meeting on 29 June 2021 for adoption.

No changes are proposed to the structure and level of rates and charges for the 2021-22 year.

The following changes to the structure and level of rates and charges will be considered by Council during the 2022-23 year:

- Provide a lower concession for recreational land properties which are able to generate significant income
- Introduce a higher differential rate for residential properties that are used for short term accommodation
- Introduce a lower differential rate for residential properties used for social housing
- Introduce a higher differential rate for commercial, industrial and mixed-use properties to reflect their greater capacity to pay rates and charges
- Introduce a lower differential for farmland properties that undertake sustainable farming practises
- Introduce a higher differential rate for vacant land
- Introduce a higher differential rate for vacant properties

No changes are proposed to any other revenue policies in this Revenue and Rating Plan.

## 4 Legislative Framework

The legislative framework as it applies to the raising of revenue including the levying of rates and charges by the Council includes the *Local Government Act 2020* (including subordinate legislation, guidelines etc) and the *Valuation of Land Act 1960*. The rates and charges provisions are as per the previous *Local Government Act 1989* pending the outcome of the Local Government Rating System Review.

### 4.1 Local Government Act 2020

#### Section 8 Role of a Council

The role of a Council is to provide good governance in its municipal district for the benefit and wellbeing of the municipal community.

#### Section 9 Overarching Governance Principles

A Council must in the performance of its role give effect to the overarching governance principles. Relevant overarching governance principles include:

- Priority is to be given to achieving the best outcomes for the municipal community, including future generations
- The economic, social and environmental sustainability of the municipal district is to be promoted
- The municipal community is to be engaged in strategic planning and strategic decision making
- The ongoing financial viability of the Council is to be ensured.

In giving effect to the overarching governance principles, a Council must take into account the financial management principles.

#### Section 101 Financial Management Principles

Relevant financial management principles include:

- Revenue, expenses, assets, liabilities, investments and financial transactions must be managed in accordance with a Council's financial policies and strategic plans
- Financial policies and strategic plans, including the Revenue and Rating Plan, must seek to provide stability and predictability in the financial impact on the municipal community.

#### Section 94 The Budget

Council must adopt a budget by 30 June each year (or at another time fixed by the Minister) to include:

- The total amount that the Council intends to raise by rates and charges
- A statement as to whether the rates will be raised by the application of a uniform rate or a differential rate
- A description of any fixed component of the rates, if applicable
- If the Council proposes to declare a uniform rate, the matters specified in section 160 of the *Local Government Act 1989*
- If the Council proposes to declare a differential rate for any land, the matters specified in section 161(2) of the *Local Government Act 1989*.

Council must ensure that, if applicable, the budget also contains a statement:

- That the Council intends to apply for a special order to increase the Council's average rate cap for the financial year or any other financial year; or
- That the Council has made an application to the ESC for a special order and is waiting for the outcome of the application; or
- That a special Order has been made in respect of the Council and specifying the average rate cap that applies for the financial year or any other financial year.

## 4.2 Local Government Act 1989

### Section 155 Charges that Maybe Declared

A council may declare the following rates and charges on rateable land:

- General rates under
- Municipal charges
- Service rates and charges
- Special rates and charges.

### Section 157 System of Valuing Land

A council may use the site value, net annual value or capital improved value system of valuation. For the purposes of calculating the site value, net annual value or capital improved value of rateable land, a council must use the current valuations made in respect of the land under the *Valuation of Land Act 1960*.

## 4.3 Quantum of Rates and Charges

This plan outlines the principles and strategic framework that Council will use in calculating and distributing the rating burden to property owners, however, the quantum of rate and charges revenue will be determined in the annual Budget.

## 4.4 Local Government Rating System Review

In 2019 the Victorian State Government conducted a Local Government Rating System Review. The Local Government Rating System Review Panel presented their final report and list of recommendations to the Victorian Government in March 2020. The Victorian Government subsequently published a response to the recommendations of the Panel's report. However, at the time of publication the recommended changes have not yet been implemented, and timelines to make these changes have not been announced.

## 4.5 Taxation Principles

The Victorian Government's *Local Government Better Practice Guide: Revenue and Rating Strategy 2014* states that when developing a rating strategy, in particular with reference to differential rates, the Council should give consideration to the following key good practice taxation principles:

- Wealth Tax: The "wealth tax" principle implies that the rates paid are dependent upon the value of a ratepayer's real property and have no correlation to the individual ratepayer's consumption of services or the perceived benefits derived by individual ratepayers from the expenditures funded from rates
- Equity: Horizontal equity – ratepayers in similar situations should pay similar amounts of rates (ensured mainly by accurate property valuations, undertaken in a consistent

manner, their classification into homogenous property classes and the right of appeal against valuation). Vertical Equity – those who are better off should pay more rates than those worse off (the rationale applies for the use of progressive and proportional income taxation. It implies a “relativity” dimension to the fairness of the tax burden)

- Efficiency: Economic efficiency is measured by the extent to which production and consumption decisions by people are affected by rates
- Simplicity: How easily a rates system can be understood by ratepayers and the practicality and ease of administration
- Benefit: The extent to which there is a nexus between consumption/benefit and the rate burden
- Capacity to pay: The capacity of ratepayers or groups of ratepayers to pay rates
- Diversity: The capacity of ratepayers within a group to pay rates.

#### **4.6 Rate Capping**

The Fair Go Rates System (FGRS) sets out the maximum amount councils may increase rates in a year. For the 2020-21 year the FGRS cap was set at 2.00%. For the 2021-22 year it has been set at 1.50%. The cap applies to both general rates and municipal charges and is calculated on the basis of council’s average rates and charges.

From the 2019 year, general revaluations of all properties have been undertaken on an annual basis. As a result, the actual rate increase for an individual rateable property may differ from the rate cap percentage due to changes in its valuation. Where the change in an individual property valuation is higher than the average for all rateable properties, the rate increase for that property may be greater than the cap. Where the change in the property valuation is lower than the average for all properties, the rate increase may be lower than the cap.

Currently, Council has not applied for an increase above the State Government rate cap. Any increase will be considered in the adoption of Council’s Financial Plan (10 Year Long Term Financial Plan).

## 5 Rates and Charges

Rates and charges are property taxes that allow the Council to raise revenue to fund essential public services to cater to their municipal population. Importantly, it is a taxation system that includes flexibility for councils to use different tools in its rating structure to accommodate issues of equity and to ensure fairness in rating for all ratepayers.

Hepburn Shire has traditionally been a lower rating Council than many other councils in Victoria. As per the Victorian Government's Know Your Council website, it notes that Council's average rates per property assessment for the 2019/20 financial year was \$1,566. This compares to \$1,680.55 for similar sized Councils and \$1,774 for all Victorian Councils.

### 5.1 Valuation Method

#### Legislation

Under Section 157 of the *Local Government Act 1989* a council may use the site value, net annual value or capital improved value system of valuation. For the purposes of calculating the site value, net annual value or capital improved value of rateable land, a council must use the current valuations made in respect of the land under the *Valuation of Land Act 1960*.

Valuations occurring up to January 2018 were undertaken on a two-year basis, with supplementary valuations able to be done where there are sales in subdivisions and consolidations, as well as following the construction and demolition of buildings. Changes were made to the *Valuation of Land Act 1960* that from 2019 require property valuations to be undertaken by the Valuer General's Office on an annual basis.

#### Policy

The Council uses the capital improved value system of valuation. This means the sum that the land, might be expected to realise at the time of valuation if offered for sale on any reasonable terms and conditions which a genuine seller might in ordinary circumstances be expected to require.

### 5.2 Rates and Charges

#### Legislation

Under Section 155 of the *Local Government Act 1989*, a council may declare the following rates and charges on rateable land:

- General rates under
- Municipal charges
- Service rates and charges
- Special rates and charges.

#### Policy

The Council's current policy for rates and charges are set out in the following sections.

## 5.3 Differential Rates

### Legislation

Under Section 158 of the *Local Government Act 1989*, a Council when declaring rates and charges must declare whether the general rates will be raised by the application of a uniform rate or differential rates.

Under Section 161 of the *Local Government Act 1989*, if a Council declares a differential rate for any land, the Council must:

- Specify the objectives of the differential rate including a definition of the types or classes of land which are subject to the rate and a statement of the reasons for the use and level of that rate
- Specify the characteristics of the land which are the criteria for declaring the differential rate.

A Council must have regard to any Ministerial guidelines before declaring a differential rate for any land. The Minister issued Guidelines in April 2013. These guidelines attempt to spell out clearly what types and classes of land may be considered for differentials and also those that are not appropriate for differentials or need to be “carefully considered”.

The highest differential rate must be no more than four times the lowest differential rate.

### Policy and Charges

Council has nine differential rates. Details of the types/classes of land and the level of rate applicable to each differential is as follows:

- Residential: 100 per cent of the general rate
- Commercial: 116 per cent of the general rate
- Mixed use: 116 per cent of the general rate
- Industrial: 116 per cent of the general rate
- Farm: 65 per cent of the general rate
- Vacant land (township): 125 per cent of the general rate
- Vacant land (other): 100 per cent of the general rate
- Trust for Nature: 50 per cent of the general rate
- Recreational: 50 per cent of the general rate.

The definition of each differential rate is set out in Appendix A.

## 5.4 Municipal Charge

### Legislation

Under Section 158 of the *Local Government Act 1989*, a council may declare a municipal charge to cover some of the administrative costs of the council. A council's total revenue from a municipal charge in a financial year must not exceed 20 per cent of the sum total of the council's total revenue from a municipal charge and total revenue from general rates.

### Policy and Charges

The Council does not levy a municipal charge due to its regressive nature, in that it impacts lower value properties which are likely to have a lesser capacity to pay.

## 5.5 Service Rates and Charges

### Legislation

Under Section 162 of the *Local Government Act 1989*, a Council may declare a service rate or charge for any of the following services:

- Provision of a water supply
- Collection and disposal of refuse
- Provision of sewage services
- Any other prescribed service.

### Policy and Charges

The Council has the following service rates and charges:

- Kerbside collection (garbage weekly)
- Kerbside collection (garbage fortnightly)
- Kerbside collection (recycling)
- Commercial garbage
- Waste management (improved)
- Waste management (unimproved).

The Council's policy in regard to setting service rates and charges is full cost recovery. Council is undertaking the development of a Waste Strategy in the 2021-22 year, which will consider the services delivered and costing structures.

## 5.6 Special Rates and Charges

### Legislation

Under Section 163 of the *Local Government Act 1989*, a Council council may declare a special rate or charge for the purposes of defraying any expenses or repaying (with interest) any advance made to or debt incurred or loan raised by the Council, in relation to the performance of a function or the exercise of a power of the council, if it will be of special benefit to the persons required to pay the special rate or special charge.

### Policy

Special rates and charges schemes are raised in accordance with the requirements of the *Local Government Act 1989*.

## 5.7 Payment of Rates and Charges

### Legislation

Under Section 167 of the *Local Government Act 1989*, a Council must allow rates and charges to be paid in four instalments. A Council may also allow rates and charges to be paid in a lump sum. Under Section 168 of the *Local Government Act 1989*, a council may also provide incentives for prompt payment.



**Policy**

Rates are payable by quarterly instalments. Ratepayers can also pay over 10 equal instalments.

**5.8 Rebates and Concessions****Legislation**

Under Section 169 of the *Local Government Act 1989*, a Council may grant a rebate or concession in relation to any rate or charge to:

- Assist the proper development of the municipal district; or
- Preserve buildings or places in the municipal district which are of historical or environmental interest; or
- Restore or maintain buildings or places of historical, environmental, architectural or scientific importance in the municipal district; or
- Assist the proper development of part of the municipal district.

A Council resolution granting a rebate or concession must specify the benefit to the community as a whole resulting from the rebate or concession.

**Policy**

Ratepayers who hold eligible pensioner concession cards may be entitled to receive a State Government-funded concession on their rates and charges for their principal place of residence. The pensioner concession is set at half the rates and charges levied up to a maximum amount and is fully funded by the State Government. Eligible pensioners are also entitled to receive a concession on the Fire Services Property Levy.

Ratepayers who are eligible to receive the pensioner concession, are also eligible to receive an additional concession to accommodate the financial difficulties experienced by pensioners. The additional pensioner concession is set at \$21.00 and is fully funded by Council. It should be noted that the additional pensioner concession is offered by few Victorian Councils, has been in place at Hepburn Shire since 2013 and currently costs Council \$37,000 per annum.

**5.9 Deferments and Waivers****Legislation**

Under Section 170 of the *Local Government Act 1989*, a council may defer in whole or in part any rate or charge if the payment would cause hardship to the person. Under Section 171 of the *Local Government Act 1989*, a council may waive the whole or part of any rate or charge or interest in relation to:

- An eligible recipient
- Any other class of persons determined by the Council for the purpose of waiving rates or charges on the grounds of financial hardship.

**Policy**

The Council has a Revenue Collection and Hardship Policy for the purposes of providing financial relief in regard to rates and other debts. Ratepayers who are suffering financial hardship or would suffer financial hardship if they paid the full amount of rates and charges

for which they are liable can make an application for deferment of payment of rates and charges and interest. Consideration will also be given to the waiver of current year and future interest charges.

## 6 Fees and Charges

Fees and charges consist of statutory fees and fines and user fees. Statutory fees and fines relate mainly to those levied in accordance with legislation and include animal registrations, *Public Health and Wellbeing Act 2008* registrations and parking fines. User fees relate to the recovery of service delivery costs through the charging of fees to users of the Council's services. These use of leisure, entertainment and other community facilities, and the provision of human services such as childcare and home and community care services.

### 6.1 Pricing Policy

The Council has developed a Pricing Policy for the 2021-22 year that provides guidance for its approach in setting appropriate levels of fees and charges. This policy applies to all fees and charges that are listed in the Fees and Charges Schedule which is published in the Annual Budget. The policy seeks to ensure that the following key service performance principles under Section 106 of the Act are met:

- Services should be provided in an equitable manner and be responsive to the diverse needs of the municipal community
- Services should be accessible to the members of the municipal community for whom the services are intended
- Quality and costs standards for services set by the Council should provide good value to the municipal community.

The Council must also comply with the government's Competitive Neutrality Policy for significant business activities it provides and adjust service prices to neutralise any competitive advantages when competing with the private sector.

### 6.2 Statutory Fees and Fines

#### Policy

Statutory fees and fines are those which the Council collects under the direction of legislation or other government directives. The rates used for statutory fees and fines are advised by the state government department responsible for the corresponding services or legislation, and the Council has limited discretion in applying these fees.

#### Fees and Fines

A summary of statutory fees and fines by major service area is as follows:

- Planning
- Registrations
- Infringements
- Permits

### 6.3 User Fees

#### Policy

For user fees not regulated by statute, the Council determines the extent of cost recovery for particular services consistent with the level of both individual and collective benefit that

the services provide and in line with the community's expectations. The three types of non-statutory pricing are as follows:

- Market price: Price based on the benchmarked competitive prices of alternate suppliers. In general this represents full cost recovery plus an allowance for profit)
- Full cost recovery price: Price based on recovering all direct and indirect costs incurred by council. This pricing is used in particular where a service provided by council benefits individual customers specifically, rather than the community as a whole
- Subsidised price: Price based on less than full cost of that service and range from full subsidies (i.e. The Council provides the service free of charge) to partial subsidies, where the Council provides the service to the user with a discount.

The schedule of Fees and Charges in the Budget includes around 400 individual fees and charges which are reviewed annually as part of the Budget process. The Council is yet to apply the Pricing Policy to its non-statutory fees and charges.

#### **User Fees**

A summary of user fees by major service area is as follows:

- Waste management
- Aged and health
- Building
- Aquatic centres

## 7 Other Revenue Sources

Other revenue sources that Council uses to fund services and facilities include government grants, contributions and other revenue.

### 7.1 Government Grants

#### Policy

Grant revenue represents income usually received from other levels of government. Some grants are singular and attached to the delivery of specific projects, whilst others can be of a recurrent nature and may or may not be linked to the delivery of projects.

The Council pro-actively advocates to other levels of government for grant funding support to deliver important infrastructure and service outcomes for the community. The Council may use its own funds to leverage higher grant funding and maximise external funding opportunities.

When preparing its financial plan, the Council considers its project proposal pipeline, advocacy priorities, upcoming grant program opportunities, and co-funding options to determine what grants to apply for. The Council will only apply for and accept external funding if it is consistent with the Community Vision and does not lead to the distortion of Council Plan priorities. Grant assumptions are then clearly detailed in the Council's budget document. No project that is reliant on grant funding will proceed until a signed funding agreement is in place.

#### Government Grants

A summary of government grants by type is as follows.

##### ***Operating***

- Financial assistance grants
- Aged care
- Libraries
- Maternal and child health
- Emergency
- Information technology
- School crossings
- Recreation
- Transport
- Waste and environment
- Youth

##### ***Capital***

- Roads to recovery
- Community infrastructure
- Recreation
- Buildings
- Tourism
- Waste and environment

## 7.2 Contributions

### Policy

Contributions represent funds received by the Council, usually from non-government sources, and are usually linked to projects. Contributions can be made to the Council in the form of either cash payments or physical assets. Contributions are always linked to a planning or funding agreement and the Council will not undertake any work on a contribution-funded project until a signed agreement outlining the contribution details is in place. Contributions linked to developments can be received well before any expenditure occurs. In this situation, the funds are identified and held separately in a reserve for the specific works identified in the agreements.

### Contributions

A summary of contributions by type is as follows.

- Open space
- Community group contributions to projects.

## 7.3 Other Revenue

### Policy

The Council earns other sources of revenue from property rental, interest on investments and interest on rate arrears. The amount of revenue earned from property rental is based on rental agreements that set the rental amount at market rates. The Council receives interest on funds managed as part of its investment portfolio, where funds are held in advance of expenditure, or for special purposes. The investment portfolio is managed per the Council's investment policy, which seeks to earn the best return on funds, whilst minimising risk. The Council also earns interest from outstanding rates and charges balances.

### Other Revenue

A summary of other revenue by type is as follows:

- Rental
- Interest on investments
- Interest on rate arrears
- Reimbursements.

## APPENDIX A: Differential Rate Definitions

### Residential Land

<b>Definition</b>	Residential Land is land, which is used solely for residential purposes and the balance of land defined by exception to the general rate.
<b>Objectives</b>	<p>The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of the Hepburn Shire Council, including (but not limited to) the:</p> <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	<p>The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.</p> <p>The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.</p> <p>The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning</p>
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	<p>The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.</p> <p>The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land</p>
<b>Level of rate</b>	100 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year

## Commercial Land

<b>Definition</b>	Commercial land is land, which is used solely for commercial purposes. Includes rateable land which is used for short term accommodation which does not qualify as Residential under the Residential Tenancies Act 1997 characterised by stays of greater than 60 days and the existence of a tenancy agreement to which the <i>Residential Tenancy Act 1997</i> applies.
<b>Objectives</b>	The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of the Hepburn Shire Council, including (but not limited to) the: <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.  The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.  The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.  The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land
<b>Level of rate</b>	116 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year



## Industrial Land

<b>Definition</b>	Industrial Land is land, which is used solely for industrial purposes.
<b>Objectives</b>	<p>The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of the Hepburn Shire Council, including (but not limited to) the:</p> <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	<p>The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.</p> <p>The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.</p> <p>The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning</p>
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	<p>The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.</p> <p>The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land</p>
<b>Level of rate</b>	116 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year

## Mixed Use Land

<b>Definition</b>	Mixed Use Land is land, which is not used solely for residential, commercial, industrial, farm land or recreational land but is a combination of residential and at least one other category.
<b>Objectives</b>	<p>The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of the Hepburn Shire Council, including (but not limited to) the:</p> <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	<p>The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.</p> <p>The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.</p> <p>The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning</p>
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	<p>The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.</p> <p>The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land</p>
<b>Level of rate</b>	116 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year

## Farm Land

<b>Definition</b>	Farm Land is land, which is identified and defined as farmland and which is used solely for the purpose of farming as defined in section 2(1) of the <i>Valuation of Land Act 1960</i> and is deemed to be a property for primary production purposes as accepted by the Australian Taxation Office
<b>Objectives</b>	The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of the Hepburn Shire Council, including (but not limited to) the: <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.  The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.  The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.  The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land
<b>Level of rate</b>	65 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year

**Vacant Land (township)**

<b>Definition</b>	Vacant Land (township) is land within township boundaries, which does not form part of a commercial, industrial, farming enterprise or recreational purpose or upon which a residence is erected
<b>Objectives</b>	The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Hepburn Shire Council, including (but not limited to) the: <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.  The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.  The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.  The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land
<b>Level of rate</b>	125 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	Not applicable

**Vacant Land (other)**

<b>Definition</b>	Vacant Land (other) is land, which does not form part of a commercial, industrial, farming enterprise or recreational purpose or upon which a residence is erected and doesn't meet the definition of Vacant Land (township)
<b>Objectives</b>	The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of Hepburn Shire Council, including (but not limited to) the: <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul>
<b>Characteristics</b>	The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.  The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.  The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.  The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land
<b>Level of rate</b>	100 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	Not applicable

## Trust for Nature Land

<b>Definition</b>	Trust for Nature Land is land, which has a Trust for Nature Covenant applying to the land. A Trust for Nature Covenant enables the permanent protection of significant areas of natural bush land.
<b>Objectives</b>	<p>The objective of this differential rate is to ensure that all rateable land makes an equitable financial contribution to the cost of carrying out the functions of the Hepburn Shire Council, including (but not limited to) the:</p> <ul style="list-style-type: none"> <li>• Construction and maintenance of infrastructure assets.</li> <li>• Development and provision of health and community services.</li> <li>• Provision of general support services</li> </ul> <p>It is also to encourage landowners to voluntarily place conservation covenants on their land</p>
<b>Characteristics</b>	<p>The characteristics of planning scheme zoning are applicable to the determination of vacant land which will be subject to the rate applicable to residential land.</p> <p>The vacant land affected by this rate is that which is zoned residential under the Hepburn Shire Planning Scheme.</p> <p>The classification of land which is improved will be determined by the occupation of that land and have reference to the planning scheme zoning</p>
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	<p>The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.</p> <p>The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land</p>
<b>Level of rate</b>	50 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year

## Recreational Land

<b>Definition</b>	Cultural and Recreational Land is land as defined under the <i>Cultural and Recreational Lands Act 1963</i>
<b>Objectives</b>	The objective of the rate is to recognise the large contribution that these community organisations and the volunteers make to the Municipality in the provision of sporting, cultural and recreational activities
<b>Characteristics</b>	Is cultural and recreational land and: <ul style="list-style-type: none"> <li>• Occupied by a body which exists for cultural or recreational purposes and applies its profits in promoting the furthering of this purpose</li> <li>• Owned by the body, by the Crown or by Council</li> <li>• Not agricultural showgrounds</li> </ul>
<b>Types and classes</b>	The types and classes of rateable land within this rate are those having the relevant characteristics described above
<b>Use of rate</b>	The money raised by this rate will be applied to the items of expenditure described in the Budget by Council.  The level of the rate for land in this category is considered to provide for an appropriate contribution to Council's budgeted expenditure, having regard to the characteristics of the land
<b>Level of rate</b>	50 per cent of the general rate
<b>Use of land</b>	Is any use permitted under the Hepburn Shire Planning Scheme
<b>Geographic location</b>	This rate is applicable to land within the municipal district
<b>Planning scheme zoning</b>	The zoning applicable to each rateable land within this category, as determined by consulting maps referred to in the relevant Planning Scheme
<b>Types of buildings</b>	The types of buildings on the land within this rate are all buildings already constructed on the land or which will be constructed prior to the expiry of the financial year

### **13.3 ADOPTION OF POLICY 84 (C) - COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY - REQUIREMENT UNDER THE LOCAL GOVERNMENT ACT 2020 ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Councillors as the Manager Governance and Risk, I Krysten Forte have no interests to disclose in this report.*

#### **ATTACHMENTS**

1. Policy 84 (C) - Councillor Gift, Benefits and Hospitality Policy [13.3.1 - 15 pages]

#### **EXECUTIVE SUMMARY**

The *Local Government Act 2020* (2020 Act) requires Council to adopt a Councillor Gift Policy within six months of when the section came into effect on 24 October 2020.

There was no requirement for a Councillor Gift Policy in the *Local Government Act 1989* (1989 Act).

The policy is intended to support Councillors to avoid conflicts of interest and maintain high levels of integrity and public trust, and demonstrate Councillors commitment to transparency in the disclosure of receipt of gifts, benefits and hospitality.

This Policy has been developed based on the Victorian Public Sector Commission Gifts, Benefits and Hospitality Policy Guide, and advice to the sector from Local Government Victoria as the 2020 Act came into effect.

This Policy is separate to requirements on staff to declare associated requirements as the Staff Code of Conduct requires the inclusion of a gift policy as required under section 49 of the *Local Government Act 2020*. This section of the Act is yet to come into force, and officers are preparing for when this provision mandates the inclusion of the gift policy in the Staff Code of Conduct accordingly.

#### **OFFICER'S RECOMMENDATION**

*That Council:*

1. *Adopts Policy 84 (C) Councillor Gift, Benefits and Hospitality Policy as required under section 138 of the Local Government Act 2020;*
2. *Note that the Gifts, Benefits and Hospitality Policy includes procedures for the maintenance of a gift register that will be available on Council's website; and*
3. *Notes that a copy of the Councillor Gifts, Benefits and Hospitality Policy will be published on Council's website.*

#### **MOTION**



*That Council:*

- 1. Adopts Policy 84 (C) Councillor Gift, Benefits and Hospitality Policy as required under section 138 of the Local Government Act 2020;*
- 2. Note that the Gifts, Benefits and Hospitality Policy includes procedures for the maintenance of a gift register that will be available on Council's website; and*
- 3. Notes that a copy of the Councillor Gifts, Benefits and Hospitality Policy will be published on Council's website.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Tim Drylie

**Carried**

## **BACKGROUND**

Section 138 of the *Local Government Act 2020* requires Council to prepare and adopt a Councillor Gift Policy by 24 April 2021.

Specifically, the following sections in the *Local Government Act 2020*:

### ***Section 137 Anonymous gift not be accepted***

*(1) Subject to section 92), a Councillor must not accept, directly or indirectly, a gift for the benefit of the Councillor the amount or value of which is equal to or exceeds the gift disclosure threshold unless -*

*(a) the name and address of the person making the gift are known to the Councillor; or*

*(b) at the time when the gift is made -*

*(i) the councillor is given the name and address of the person making the gift; and*

*(ii) the Councillor reasonably believes that the name and address so given are true name and address of the person making the gift.*

### ***Section 138 Councillor Gift Policy***

*(1) A Council must adopt a Councillor Gift Policy within the period for 6 months after this section comes into operation*

*(2) A Councillor gift policy must include -*

*(a) procedures for the maintenance of a gift register; and*

*(b) any other matters prescribed by the regulations.*

*(3) A Council may review and update the Councillor Gift policy.*

***Gift means***

*Any disposition of property otherwise than by will made by a person to another person without consideration of money or money's worth or with inadequate consideration, including -*

*(a) the provisions of a service (other than volunteer labour); and*

*The payment of an amount in respect of a guarantee; and*

*The making of a payment or contribution at a fundraising function.*

One of the requirements as detailed in section 138 of the Act, and as detailed above, states that the Gift Policy must include provision for the maintenance of a gift register.

To comply with the Public Transparency principles, it is proposed that the register of gifts is to be uploaded on Council's website to demonstrate to the community compliance with the Policy and where gifts have been presented to individual Councillors, disclosure process undertaken and approximate value of the gift.

This draft policy has been prepared in accordance with the *Local Government Act 2020*, review of the Council's operational policy - *Acceptance of Gifts, Hospitality and Other Gratuities by Employees* and best practice examples sourced via Local Government Victoria and from Victorian Councils and state government departments.

Under section 137 of the Act it is an offence for a councillor to receive an anonymous gift that has a value of or more than the gift disclosure threshold. The gift disclosure threshold is defined to be \$500 or a higher amount or value prescribed in regulations. A breach of these provisions could result in a maximum penalty of 60 penalty units and a requirement to pay the Council an amount equal to the value of the gift. A Councillor is not in breach of this clause if the anonymous gift is disposed of to the Council within 30 days.

In their 2019 report, *Local Government Integrity Framework Review*, IBAC identified *gifts and benefits* as one of the eight Corruption risks in local government. The report highlighted good practice and identified areas for improvement as follows:

- prohibit the acceptance of gifts, benefits or hospitality from those about whom the employee is likely to make business decisions, including current or prospective suppliers.
- avoid accepting gifts, benefits and hospitality from suppliers
- Have established policies or procedures providing guidance on gifts, benefits and hospitality.
- gifts, benefits and hospitality should also be addressed in Staff and Councillor codes of conduct, procurement procedures, Fraud and Corruption Policies and procedures.
- processes for declaring gifts, benefits and hospitality be clear and appropriate.

- declare gifts, benefits and hospitality regardless of whether they are accepted and/or declined. Recording all offers of gifts, benefits and hospitality enables councils to monitor external approaches and possible attempts to inappropriately influence employees.
- maintain and publish gifts, benefits and hospitality registers that include both staff and councillors on Council's website.
- regularly monitor their registers to identify potential risks or vulnerabilities.
- provide clear guidance to suppliers (and prospective suppliers) about the ethical standards expected of them, for example, in relation to offering gifts and benefits, and reporting and managing conflicts of interest.

The Ombudsman Victoria "Conflict of Interest in the Public Sector" state that:

- public officers should never accept gifts offered in the following circumstances:
  - gifts of significant monetary value
  - a series of gifts with a significant cumulative value
  - gifts given in the context of a regulatory, inspectorial, oversight or similar relationship;
  - gifts offered selectively to individuals within a work group
  - gifts given in a secretive fashion.

The draft Councillor Gifts, Benefits and Hospitality Policy has been developed taking into consideration directions and report recommendations from VAGO, IBAC, Victorian Ombudsman and a review of current local government policies and procedures.

## KEY ISSUES

- The Policy details two types of offers of gifts detailed in section 4.4 and 4.5 of the Policy., being 'token offers' and 'non-token offers'.

### Token Offers (up to \$50)

- Is a token offer of a gift, benefit or hospitality that is inconsequential or of trivial value to both a person making the offer and the recipient.
- Token offers *may* include promotional items such as pens and note pads, and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting.
- The minimum accountabilities state that token offers cannot be worth more than \$50.
- Councillors may generally accept token offers without approval as long as the offer does not create a conflict of interest or lead to reputational damage.
- The Council's current threshold for staff disclosing similar offer is \$40.

- This will be reviewed when the Staff Code of Conduct is reviewed in line with the requirements of the *Local Government Act 2020*.
- The proposed threshold of \$50 is consistent with advice sought from the sector, model templates as presented to Local Government Victoria and as detailed as best practice, as seen in other Council's policies.

#### **Non-token offers (\$50 and over)**

- A non-token offer is a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value. All offers worth more than \$50 are non-token offers and must be recorded on the gifts, benefits and hospitality register.
- Gifts, benefits and hospitality has also been addressed in Councillor Code of Conduct and should be incorporated as per legislation into the Staff Code of Conduct.
- Acceptance of gifts and hospitality guideline is also captured in Council's Procurement Policy and procedures.
- The Election Period (Caretaker) Policy covers reporting of Gifts, benefits and hospitality during the election period.
- Councillors and delegated committee members should be made aware of the legal ramifications of accepting non approved gifts, benefits and hospitality.
- The inappropriate provision of or request for gifts, benefits and hospitality has been a regular feature of IBAC's investigations and therefore the Policy is key to provide good governance and integrity assurance.
- IBAC identified conflicts of interest, gifts and benefits as one of the eight Corruption risks in local government.
- If a gift is given in exchange for favourable consideration it may constitute a 'secret commission' under section 176 of the *Crimes Act 1958*, which is a criminal offence.
- Under section 137 of the *Local Government Act 2020* it is an offence for a councillor to receive an anonymous gift that has a value of or more than the gift disclosure threshold of \$500
- IBAC recommend reporting of all gifts no matter the value. Current practice is that staff record all gift offers.
- Public Transparency Policy commitment to publish staff and councillor registers.
- Councillor and Staff Gift Register will be presented to the Audit and Risk committee in line with their established Workplan for continued oversight and risk management.

#### **Ceremonial Gifts**

- Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government.
- They remain the property of the public sector organisation.
- Irrespective of value should be accepted by individuals on behalf of the public sector organisation.
- Receipt of the ceremonial gifts should be recorded on the register.

### **Hospitality**

- Gift offers of hospitality that exceed common courtesy must be avoided are often inconsistent with community expectations.
- Creates a high risk of creating a conflict of interest.
- Examples are a guest in a corporate box at the football or races.
- Attending a concert or theatre event.
- Attending an industry golf day at a reduced fee.

### **Conferences**

- Gift offers in relation to conferences must be declined.

### **Anonymous Gifts – Prohibited**

- Under section 137 of the Act it is an offence for a Councillor to receive an anonymous gift that has a value of more than the gift disclosure threshold.
- The gift disclosure threshold is \$500 or higher.

### **Conflicts of interest – prohibited**

- Councillor are prohibited from accepting a gift that creates a general or material conflict of interest pursuant to Division 2 – sections 126 to 131 of the Local Government Act 2020.

### **Money or equivalent – prohibited**

- This is a prohibited gift and includes gift cards and vouchers or those easily converted into money, for examples shares.

### **Regulatory Processes**

- Where a planning permit application, for example, is underway a councillor should not accept any gifts from any individual or group that may be involved with the permit application or regulatory activity.

### **Bequests/ Wills**

- Any bequests to councillors resulting from their positions with Council must not be accepted.

### **Fly buy/frequent flyer**

- Councillors must not collect rewards for personal use via rewards programs for any Council related transactions. This relates to any claims for reimbursement of expense incurred in accordance with the Council Expenses Policy.

### **Procurement and Tender Process**

- Councillors must not accept any gift, benefit and hospitality from current or prospective suppliers or any offer that is made during a procurement or tender process by a person or organisation involved in that process.

#### **Repeat offers**

- Receiving multiple offers (both token and non token) from the same person or organisation can generate a stronger perception that a person or organisation could influence a decision. Councillors should refuse repeat offers.

### **POLICY AND STATUTORY IMPLICATIONS**

#### **Council Plan 2017-2021**

High Performing Organisation

16. Deliver good governance and integrity in all our actions, and take steps to improve organisational efficiency including regular process improvements.

#### **Local Government Act 2020**

Under the 2020 Act, Section 138:

(1) A Council must adopt a Councillor gift policy within the period of 6 months after this section comes into operation.

(2) A Councillor gift policy must include—

- (a) procedures for the maintenance of a gift register; and
- (b) any other matters prescribed by the regulations.

#### **Hepburn Shire Council Public Transparency Policy**

Under Council's Public Transparency Policy and best practice principals, a register of Gifts, Benefits and Hospitality should be publicly available on Council's website and updated regularly, which is Officers commitment to good governance and the *Local Government Act 2020*.

### **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

### **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **RISK IMPLICATIONS**

Should Council not adopt and have in place a Councillor Gift Policy then Council will effectively be in breach of the *Local Government Act 2020* and Council's Public Transparency Policy.

Reputational risk to non compliance of a policy that relates Councillor's interests is a serious and real risk and should be mitigated through the development of clear guidelines as outlined in the proposed Policy and in line with legislation.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report. No community engagement is required to be undertaken in the development of this Policy and engagement with Councillors is imperative to obtain feedback and understanding of the Policy and the governance requirements relating to its development.

## **SUSPENSION OF STANDING ORDERS**

### **MOTION**

*That Council*

*Suspend standing orders of the Ordinary Council Meeting at 8.19pm due to a technical issue.*

**Moved:** Cr Brian Hood

**Seconded:** Cr Jen Bray

**Carried**

The Ordinary Council Meeting was suspended at 8.19pm.

## RESUMPTION OF STANDING ORDERS

### MOTION

*That Council*

*Resume standing orders of the ordinary Council Meeting at 8.24pm as the technical issue has been resolved.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Jen Bray

**Carried**

The meeting resumed at 8.24pm with all Councillors present.



COUNCILLOR GIFT, BENEFITS AND HOSPITALITY  
▶ POLICY

POLICY NUMBER:	84 (C)
NAME OF POLICY:	Councillor Gift, Benefits and Hospitality Policy
DATE OF NEXT REVIEW:	April 2025
DATE APPROVED:	<b>To be presented to Council meeting 20 April 2021.</b>
RESPONSIBLE OFFICER:	Chief Executive Officer
REFERENCES:	<i>Local Government Act 2020</i> <i>Fraud Prevention Policy</i> <i>Councillor Code of Conduct</i> <i>Public Transparency Policy</i> <i>Councillor Expenses and Resources Policy</i> <i>Personal Interest Disclosures Procedures</i> <i>Procurement Policy</i> <i>Governance Rules and Election Period (Caretaker) Policy</i> <i>Councillor Gifts, Benefits and Hospitality Declaration Form</i>

COUNCILLOR GIFT, BENEFITS AND HOSPITALITY  
▶ POLICY

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## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

### 1. INTRODUCTION

The aim of this policy is to provide clear guidelines to ensure Councillors are not compromised in the performance of their duties by accepting gifts or benefits or hospitality which may result in a sense of obligation or could be interpreted as an attempt to influence.

The requirement for a Gift Policy was introduced as stipulated in section 138 of the *Local Government Act 2020* to complement personal interest returns by recording gifts that may be below the threshold for disclosure in a personal interest return or that may have been received since the latest return was lodged.

#### 1.1. SCOPE

This policy applies to all gifts, benefits or hospitality offered to, or received by, Councillors from external sources and to any gifts, benefits or hospitality offered by Councillors to external entities or individuals.

This policy does not apply to:

- Donations and gifts (including benefits and hospitality) acquired during Council Election Period (Caretaker), which are covered under Campaign Donation Returns in accordance with the *Local Government (Electoral) Regulations 2020*;
- Donations and gifts (including benefits and hospitality) valued at over \$500, which are covered under the Personal Interest Return and governed by the *Local Government (Governance and Integrity) Regulations 2020*;
- Discounts that are commonly available to any individual that do not specifically relate to Council business related activities. Examples may include corporate discounts for leisure centres, bulk purchase discounts for solar panels, etc;
- Council's operational policy - Acceptance of Gifts, Hospitality and Other Gratuities by Employees applies to Council employees (including contractors, consultants, and volunteers).

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY

## ▶ POLICY

## 2. DEFINITIONS

Definition	Meaning
Benefits	<p>Benefits include preferential treatment, privileged access, favours or other advantage offered to an individual. They may include invitations to sporting, cultural or social events, access to discounts and loyalty programs and promises of a new job.</p> <p>The value of benefits may be difficult to define in dollars, but as they are valued by the individual, they may be used to influence the individual's behaviour.</p>
Bribe	To give money or some other form of consideration to a public official so as to persuade the official not to exercise his or her common law or statutory powers or to bestow some privilege or favour.
Business associate	An individual or body that the public sector organisation has, or plans to establish, some form of business relationship with, or who may seek commercial or other advantage by offering gifts, benefits or hospitality.
Conflict of Interest	<p>Conflicts of interest as defined in Division 2- Section 126 to section 131 of the <i>Local Government Act 2020</i>.</p> <p><u>General conflicts of interest:</u> A general conflict of interest in a matter can occur if an impartial, fair-minded person would consider that the person's private interest could result in that person acting in a manner that is contrary to their public duty.</p> <p><u>Material conflicts of interest:</u> A material conflict of interest in a manner can occur if an affected person could gain a benefit or suffer a loss depending on the outcome of the matter.</p> <p>Reference: <i>Local Government Act 2020</i> – Sections 126 to 131.</p>
Gift	<p>Gifts are free or discounted items or services and any item or service that would generally be seen by the public as a gift. These include items of high value (e.g. artwork, jewellery, or expensive pens), low value (e.g. small bunch of flowers), consumables (e.g. chocolates) and services (e.g. painting and repairs).</p> <p>Fundraising by public sector organisations that is consistent with relevant legislation and any government policy is not prohibited under the minimum accountabilities.</p>

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

Gift disclosure threshold	A value of under \$500. Donations and gifts (including benefits and hospitality) valued at over \$500 are covered under the Personal Interest Return and governed by the Local Government (Electoral) Regulations 2020.
Gifts, Benefits and Hospitality (GBH) Register	A register of all declarable gifts, benefits and hospitality, including those declined.
Hospitality	Hospitality is the friendly reception and entertainment of guests. Hospitality may range from light refreshments at a business meeting to expensive restaurant meals and sponsored travel and accommodation.
Legitimate business benefit	A gift, benefit or hospitality may have a legitimate business benefit if it furthers the conduct of official business or other legitimate goals of Council.
Money	Includes cash, cheques, money orders, travellers' cheques, direct deposits, shares, vouchers or items which can be easily converted to cash. This includes gift vouchers and credit notes.
Value	Is the actual value or current estimated retail value.

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

### 3. KEY PRINCIPLES

The key principles are:

- **Accountability:** Councillors are accountable for declaring all gifts, and declaring declined gifts, or where an exception applies under this policy.
- **Public interest:** Councillors have a duty to place the public interest above their private interests when carrying out their official functions.
- **Impartiality:** Councillors will not accept gifts, benefits or hospitality that could raise a reasonable perception of, or actual, bias or preferential treatment. Councillors do not accept offers from those about whom they are likely to make business decisions.
- **Integrity:** Councillors strive to earn and sustain public trust through providing or responding to offers of gifts, benefits and hospitality in a manner that is consistent with community expectations. Councillors will refuse any offer that may lead to an actual, perceived or potential conflict of interest.
- **Risk-based:** Council, through its policies, processes and audit committee, will ensure gifts, benefits and hospitality risks are appropriately assessed and managed. The Chief Executive Officer and Mayor will ensure they are aware of the risks inherent in Council's work and functions and monitor the risks to which their Council is exposed.

#### 3.1. MINIMUM ACCOUNTABILITIES

This policy is compliant with the Victorian Public Sector Commission's minimum accountabilities for the appropriate management of gifts, benefit and hospitality, and incorporates the recommendations from the IBAC Local Government Integrity Frameworks Review 2019.

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

### 4. RECEIVING OFFERS OF GIFTS, BENEFITS OR HOSPITALITY

#### 4.1. CONFLICT OF INTEREST AND REPUTATIONAL RISKS

When deciding whether to accept an offer, Councillors should first consider if the offer could be perceived as influencing them in performing their duties or lead to reputational damage. The more valuable the offer, the more likely that a conflict of interest or reputational risk exists.

The GIFT test is a good example of what to think about when deciding whether to accept or decline a gift, benefit or hospitality:

G	Giver	Who is providing the gift, benefit or hospitality and what is their relationship to me?  Does my role require me to select suppliers, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?
I	Influence	Are they seeking to gain an advantage or influence my decisions or actions?  Has the gift, benefit or hospitality been offered to me publicly or privately?  Is it a courtesy or a token of appreciation or a valuable non-token offer?  Does its timing coincide with a decision I am about to make?
F	Favour	Are they seeking a favour in return for the gift, benefit or hospitality?  Has the gift, benefit or hospitality been offered honestly?  Has the person or organisation made several offers over the last 12 months?  Would accepting it create an obligation to return a favour?
T	Trust	Would accepting the gift, benefit or hospitality diminish public trust?  How would the public view acceptance of this gift, benefit or hospitality?  What would my colleagues, family, friends or associates think?

Source: Victorian State Services Commission

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

### 4.2. REQUIREMENT FOR REFUSING OFFERS

Councillors should consider the GIFT test and the requirements below to help decide whether to refuse an offer. Councillors must:

- declare gifts, benefits and hospitality regardless of whether they are accepted and/or declined. (Recording all offers of gifts, benefits and hospitality enables Council to monitor external approaches and possible attempts to inappropriately influence Council decisions.);
- decline non-token offers of gifts, benefits and hospitality, or where an exception applies under this policy, seeking approval to accept the offer;
- decline all anonymous gifts, as required by section 137 of the Act;
- decline all offers of gifts, benefits or hospitality from those about whom they are likely to make business decisions;
- decline all gifts, benefits and hospitality from current or prospective suppliers, grant applicants, and developers;
- decline gifts, benefits and hospitality made in secret;
- decline gifts, benefits and hospitality made by a person or organisation with a primary purpose to lobby Council, Councillors or staff; and
- not request the provision of gifts, benefits or hospitality.

#### 4.2.1. ATTEMPTS TO BRIBE

A Councillor who receives a gift offer that they believe is an attempted bribe must refuse the offer. They must:

1. Immediately notify the CEO or the Manager Governance and Risk (who should report any criminal or corrupt conduct to Victoria Police or the Independent Broad-based Anti-Corruption Commission);
2. Lodge a gift declaration form, so their refusal can be properly recorded.

### 4.3. REFUSING AN OFFER

Where a Councillor has decided not to accept the offer of a gift, benefit or hospitality, it is important that the offer is declined in a way that does not cause offence to the donor or damage relationships. This can be achieved by explaining Council's policy and ensuring the donor understands that the offer is appreciated.

Where the gift would likely bring the person or the organisation into disrepute, the organisation should return the gift. If it represents a conflict of interest, the organisation should either return the gift or transfer ownership to the organisation to mitigate this risk.



## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY ▶ POLICY

### 4.4. TOKEN OFFERS (UP TO \$50)

A token offer is an offer of a gift, benefit or hospitality that is of inconsequential or trivial value to both the person making the offer and the individual recipient. It may include promotional items such as pens and note pads, and modest hospitality that would be considered a basic courtesy, such as light refreshments during a meeting. The minimum accountabilities state that token offers cannot be worth more than \$50.

Councillors may generally accept token offers without approval as long as the offer does not create a conflict of interest or lead to reputational damage.

### 4.5. NON-TOKEN OFFERS (\$50 AND OVER)

A non-token offer is a gift, benefit or hospitality that is, or may be perceived to be by the recipient, the person making the offer or by the wider community, of more than inconsequential value. All offers worth more than \$50 are non-token offers and must be recorded on the gifts, benefits and hospitality register.

Councillors can only accept non-token offers if they have a legitimate business benefit.

Councillors may be offered a gift or hospitality where there is no opportunity to seek approval prior to accepting. For example, they may be offered a wrapped gift that they later identify as being a non-token gift. In these cases, they must complete the Gifts, Benefits and Hospitality Declaration Form (Appendix 1) within five business days.

Where the gift would likely bring you or the organisation into disrepute, the organisation should return the gift. If it represents a conflict of interest for you, the organisation should either return the gift or transfer ownership to the organisation to mitigate this risk.

Non-token gifts with a legitimate business benefit that have been accepted by a Councillor or committee member for their work or contribution may be retained by them where the gift is not likely to bring them or Council into disrepute, and where the Mayor or Chief Executive Officer has provided written approval (that is an approved Gifts, Benefits and Hospitality Declaration Form).

### 4.6. CEREMONIAL GIFTS

Ceremonial gifts are official gifts provided as part of the culture and practices of communities and government. Ceremonial gifts are usually provided when conducting business with official delegates or representatives from another organisation, community or foreign government.

Ceremonial gifts are the property of the public sector organisation, irrespective of value, and should be accepted by individuals on behalf of the public sector organisation. The receipt of ceremonial gifts should be recorded on the register.

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

### 4.7. HOSPITALITY

Gift offers of hospitality that exceed common courtesy must be avoided are often inconsistent with community expectations and have a high risk of creating a conflict of interest. Examples of gift offers of hospitality that exceed common courtesy include:

- Attending as a guest in a corporate box at the football or races;
- Attending a concert or theatre event;
- Attending an industry golf day at a reduced fee;
- Being 'shouted' a meal at a restaurant;
- Accepting discounted or complimentary tickets for a family member to attend the tennis.

Reasonable hospitality does not need to be declared. See the definitions of Hospitality.

### 4.8. CONFERENCES

Gift offers in relation to conferences (sponsored attendance, participation, travel or accommodation) must be declined unless there is:

- Clear justification, such as where the invitation is issued by a government department or the offeror is a peak body, and
- Prior written approval granted by the CEO (Mayor for Councillors, CEO for Mayor). The signed and dated approval must be attached to the gift offer declaration and noted in the gifts register.

### 4.9. PROHIBITED GIFTS

#### 4.9.1. ANONYMOUS GIFTS

Under section 137 of the *Local Government Act 2020* (the Act) it is an offence for a Councillor to receive an anonymous gift that has a value of or more than the gift disclosure threshold. The gift disclosure threshold is defined to be \$500 or a higher amount or value prescribed in Section 3 of the Act. A breach of these provisions could result in a maximum penalty of 60 penalty units and a requirement to pay the Council an amount equal to the value of the gift. A Councillor is not in breach of this clause if the anonymous gift is disposed of to the Council within 30 days.

#### 4.9.2. CONFLICT OF INTEREST

Councillors are prohibited from accepting a gift that creates a general or material conflict of interest pursuant to section Division 2 – sections 126 to 131 of the *Local Government Act*.

#### 4.9.3. MONEY OR EQUIVALENT

This includes gif cards (eg. gift vouchers) or those easily converted into money (eg. shares).

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

### 4.9.4. REGULATORY PROCESSES

Where a Council regulatory process is underway (eg a planning permit application; infringement appeal) a Councillor should not accept any gifts from any individual or group that may be involved with the permit application or regulatory activity.

### 4.9.5. BEQUESTS/WILLS

Any bequests to Councillors resulting from their position with Council must not be accepted. Arrangements may be made to donate the bequest to a charitable institution in the name of the donor or returned to the immediate family.

### 4.9.6. FLY BUY/FREQUENT FLYER

Councillors must not collect rewards for personal use via rewards programs for any Council related transactions (i.e.: fly buys or frequent flyers). This relates to any claims for reimbursement of expenses incurred in accordance with the Council Expense Policy.

### 4.9.7. PROCUREMENT AND TENDER PROCESS

Councillors must not accept any gifts, benefits and hospitality from a current or prospective supplier or any offer that is made during a procurement or tender process by a person or organisation involved in the process.

Where gifts are received or there are irregular approaches from suppliers, the Councillors must notify the Mayor and CEO and lodge a gift declaration form, so their refusal/action can be properly recorded.

### 4.9.8. REPEAT OFFERS

Receiving multiple offers (token or non-token) from the same person or organisation can generate a stronger perception that the person or organisation could influence decisions. Councillors should refuse repeat offers from the same source if they create a conflict of interest or may lead to reputational damage.

### 4.10. DISPOSAL OF GIFTS

The Chief Executive Officer may dispose of gifts by any of the following methods:

- Return to the original recipient;
- Return to giver;
- Disposal by resolution of Council;
- Transfer as a gift to a recognised charitable, aid or non-profit organisation;
- Archival action by a local historical society or museum, Victorian Museum or State Library;

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY ▶ POLICY

- Reduction to scrap; or
- Destruction.

### 5. PROVIDING GIFTS, BENEFITS OR HOSPITALITY

Gifts, Benefits or Hospitality may be provided when welcoming guests, to facilitate the development of business relationships, further Council business outcomes, and to celebrate achievements. When deciding whether to provide hospitality, Councillors must ensure:

- The hospitality is provided for a business reason that furthers the conduct of official business or other legitimate organisational goals, or promotes and supports Council policy objectives and priorities;
- That any costs are proportionate to the benefits obtained for the Council, and would be considered reasonable in terms of community expectations; and
- The Hospitality does not raise an actual, potential or perceived conflict of interest.

### 6. DISCLOSING GIFTS, BENEFITS OR HOSPITALITY

Councillors are required to declare all offers of gifts, benefits or hospitality provided by externally, whether accepted or declined, on the Gifts, Benefits and Hospitality Declaration Form.

Gifts, benefits or hospitality offers must be declared in the following manner:

1. The Councillor completes the Councillor Gifts, Benefits and Hospitality Declaration Form (Appendix 1);
  - a. If the gift, benefit or hospitality is a token gift (under \$50), submit the completed form directly via email to [governance@hepburn.vic.gov.au](mailto:governance@hepburn.vic.gov.au) within five business days of the offer being made;
  - b. If the gift, benefit or hospitality is non-token (\$50+) submit the completed form Mayor or Chief Executive officer within five business days of the offer being made.
2. The form will be assessed, and the Councillor will be advised of the outcome;
3. If the gift, benefit or hospitality is non-token (\$50+), the Mayor or the Chief Executive Officer must forward the approved form to [governance@hepburn.vic.gov.au](mailto:governance@hepburn.vic.gov.au) for inclusion on the register.

### 7. BREACHES

Accepting a prohibited gift may constitute misuse of a Councillor's position, a breach of this policy may result in serious misconduct allegations for Councillors. In addition, if the gift was offered with the expectation of something in return, such as preferential treatment, accepting it may constitute a bribe or other form of corruption and lead to criminal prosecution.

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY POLICY

Breaches of this policy will be investigated by the Chief Executive Officer or the Manager Governance and Risk, and managed in accordance with the Councillor Code of Conduct or relevant legislation.

If a Councillor believes gifts, benefits and hospitality may not have been declared, are not being appropriately managed, or that a conflict of interest has occurred, they have a duty to notify the Chief Executive Officer of their concerns.

Anyone who believe they have observed corrupt conduct may also make a Public Interest Disclosure, in accordance with the [Public Interest Disclosure Procedures](#). (For further information refer to <https://www.hepburn.vic.gov.au/public-interest-disclosure-whistleblower/>)

### 8. MONITORING AND REPORTING

The Chief Executive Officer and the Mayor are responsible for overseeing management of the acceptance or refusal of non-token gifts, benefits and hospitality, modelling good practice and promoting awareness of gifts, benefits and hospitality policies and processes.

The Gifts, Benefits and Hospitality register will be maintained by the Governance and Risk team.

The register will include:

Gifts accepted or declined over \$50 will be included in the register. The Register contains:

- Who the gift was offered to or received by;
- A description of the gift and its estimated value;
- The name of the gift giver; and
- What was done with the gift (was it retained by the Councillor, handed to the council, etc.);
- Who approved the Councillor Gifts, Benefits and Hospitality Declaration Form (Mayor, Chief Executive Officer, or Manager Governance and Risk)

The GBH register will be published on Councils' website in accordance with the *Local Government (General Management) Regulations 2020*.

All completed Gifts, Benefits and Hospitality Declaration Forms will be kept in Council's electronic records management system.

The Manager Governance and Risk will provide a report to the Audit and Risk Management Committee twice a year at the end of the second and fourth quarter of the financial year. The report will include a copy of the register, notification of any breaches and how they were managed and/or reported.

Date adopted: < date >

ATTACHMENT 13.3.1



## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY

### ▶ POLICY

Consideration will be given to maintaining reasonable confidentiality in situations where public disclosure will prejudice a proposed development or business venture, legal advice or legal proceedings.

## COUNCILLOR GIFT, BENEFITS AND HOSPITALITY

## ▶ POLICY

 9. APPENDIX 1: COUNCILLOR GIFTS, BENEFITS AND HOSPITALITY  
DECLARATION FORM

To be completed by Councillors upon an offer of or receipt of a gift, benefit or hospitality from individuals or organisations external to Council.					
Date of declaration					
Name					
Did you (tick the box):		<input type="checkbox"/> Donated the gift to charity: _____			
<input type="checkbox"/> Retain the gift for personal use		<input type="checkbox"/> Declined the offer			
<input type="checkbox"/> Transfer ownership of the gift to Council		<input type="checkbox"/> Returned the gift			
Date offered or received		Estimated or actual value	\$		
Describe the gift, benefit or hospitality ( <i>be specific</i> )					
Name of person or organisation making the offer (anonymous gifts must be surrendered to Council)					
Why is the offer being made?					
Would accepting the offer create an actual, potential or perceived conflict of interest? <i>If yes, the offer must be declined or returned.</i>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Would accepting the offer bring you or Council into disrepute? <i>If yes, the offer must be declined or returned.</i>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Is there a legitimate business benefit to the organisation for accepting the offer? <i>If no, the offer must be declined or returned.</i> <i>If yes, provide details of the business benefit below: (e.g. was it offered during the course of your official duties? Does it relate to your official responsibilities? Does it have a benefit to Council? Is it a ceremonial gift?)</i>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
Approved by	<input type="checkbox"/> Mayor <input type="checkbox"/> CEO	Date		Signature	

#### **13.4 REVISION OF INSTRUMENTS OF DELEGATION FROM COUNCIL TO THE CEO (S5) AND COUNCIL STAFF (S6) ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Governance Specialist, I Rebecca Smith have no interests to disclose in this report.*

##### **ATTACHMENTS**

1. S5 Instrument of Delegation - Council to CEO [13.4.1 - 4 pages]
2. S6 Instrument of Delegation - Council to Council Staff [13.4.2 - 101 pages]

##### **EXECUTIVE SUMMARY**

Instruments of Delegation represent the formal delegation of powers by Council under the *Local Government Act 2020* (the Act) and enable the business of Council to be carried out efficiently and in line with Council approved policies.

The previous versions of the Instrument of Delegation to the CEO and the Instrument of Delegation to Members of Council Staff were executed on 25 August 2020.

The revised instruments reflect staffing changes in the organisation along with legislative changes and amendments suggested by Maddocks as part of their continual review processes.

There are no legislative changes for the Instrument of Delegation to the Chief Executive Officer (S5), however officers are proposing an increase to the CEO financial delegation.

##### **OFFICER'S RECOMMENDATION**

1. *In the exercise of the power conferred by s 11(1)(b) of the Local Government Act 2020 (the Act), Council resolves that:*
  - a. *There be delegated to the person holding the position, or acting in or performing the duties, of Chief Executive Officer the powers, duties and functions set out in the attached Instrument of Delegation to the Chief Executive Officer, subject to the conditions and limitations specified in that Instrument;*
  - b. *The instrument comes into force immediately upon this resolution being made and is to signed by the Council's Chief Executive Officer and the Mayor;*
  - c. *On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and*





*d) On the coming into force of the instrument all previous delegations to the Chief Executive Officer are revoked; and*

*e) The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

*2. In the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves that:*

*a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached Instrument of Delegation to members of Council staff, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;*

*b. The instrument comes into force immediately upon resolution of Council;*

*c. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and*

*d. The duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.*

**Moved:** Cr Juliet Simpson

**Seconded:** Cr Don Henderson

**Carried**

## **BACKGROUND**

Instruments of Delegation represent the formal delegation of powers by Council. Section 11(1)(b) of the Act provides for a Council to delegate powers, duties and functions to its CEO under the Act or any other Act, other than certain specified powers.

Delegations enable the business of Council to be carried out effectively, in line with Council approved policies and are assigned to positions within Council, rather than to staff individually.

Section 11 of the Act specifies a number of powers, duties and functions that must be specified through Instruments of Delegation, along with a number of exclusions to what can be delegated to the CEO:

- (1) A Council may by instrument of delegation delegate to—
- (a) the members of a delegated committee; or
  - (b) the Chief Executive Officer— any power, duty or function of a Council under this Act or any other Act other than a power, duty or function specified in subsection (2).
- (2) The following are specified for the purposes of subsection (1)—
- (a) the power of delegation;
  - (b) the power to elect a Mayor or Deputy Mayor;
  - (c) the power to grant a reasonable request for leave under section 35;
  - (d) subject to subsection (3), the power to appoint the Chief Executive Officer, whether on a permanent or acting basis;
  - (e) the power to make any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - (f) the power to approve or amend the Council Plan;
  - (g) the power to adopt or amend any policy that the Council is required to adopt under this Act;
  - (h) the power to adopt or amend the Governance Rules;
  - (i) the power to appoint the chair or the members to a delegated committee;
  - (j) the power to make, amend or revoke a local law;
  - (k) the power to approve the budget or revised budget;
  - (l) the power to borrow money;
  - (m) subject to section 181H(1)(b) of the Local Government Act 1989, the power to declare general rates, municipal charges, service rates and charges and special rates and charges;
  - (n) any power, duty or function prescribed by the regulations for the purposes of this subsection.
- (3) A Council may delegate to the Chief Executive Officer the power to appoint an Acting Chief Executive Officer for a period not exceeding 28 days.
- (4) A delegation may be made subject to any conditions or limitations specified in the instrument of delegation.
- (5) A delegation that includes the power to enter into a contract or make any expenditure must specify a maximum monetary limit that cannot be exceeded.
- (6) A member of a delegated committee to whom a delegation is given under subsection (1)(a) can only exercise the delegation while acting as a member of the delegated committee at a meeting of the delegated committee.

*(7) A Council must review, within the period of 12 months after a general election, all delegations which have been made under this section and are still in force.*

*(8) A Council must keep a public register of delegations made under this section*

The current Instrument of Delegation to the Chief Executive Officer and Instrument of Delegation to Members of Council Staff were executed on 25 August 2020.

Council subscribes to the Maddocks Authorisations and Delegations Service, which provides advice regarding legislative amendments and template instruments which are then tailored to organisational requirements. Maddocks have informed Council about the legislative changes that affect the powers, duties and functions of Council.

On advice received from Maddocks, the requirement to apply the Common Seal has been removed from the revised instruments. They will instead be signed by the Mayor and CEO once adopted by Council.

The following table provides an overview of Council's Instruments of Delegation, what powers are delegated, and what approval is required:

#### **Delegation from Council**

*Require resolution of Council*

**Schedule 5** – Delegation from Council to the CEO under the *Local Government Act 2020*

*Includes delegations required and excluded under the Local Government Act 2020*

**Schedule 6** – Delegation from Council to Council Staff under various Acts

*Powers are delegated direct to officers under the following Acts:*

- *Cemeteries and Crematoria Act 2003*
- *Domestic Animals Act 1994*
- *Environment Protection Act 1970*
- *Food Act 1984*
- *Heritage Act 2017*
- *Local Government Act 1989*
- *Planning and Environment Act 1987*
- *Residential Tenancies Act 1997*
- *Road Management Act 2004*
- *Cemeteries and Crematoria Regulations 2015*
- *Planning and Environment Regulations 2015*
- *Planning and Environment (Fees) Regulations 2016*
- *Residential Tenancies (Caravan Parks and Movable Dwellings Registration and Standards) Regulations 2020*
- *Road Management (General) Regulations 2016*
- *Road Management (Works and Infrastructure) Regulations 2015*

## **Delegation from the CEO**

*To be determined by the CEO*

**Schedule 7** – Sub-delegation from the CEO to Council Staff under various Acts Powers, as delegated to the CEO by Council or under various Acts, are sub-delegated to Council Staff under various Acts and through administrative powers.

**Schedule 13** – delegation directly from the CEO to Council Staff under various Acts

**Schedule 14** – delegation from the CEO to Council Staff related to VicSmart applications

**Schedule 16** – delegation from the CEO to Council Staff related to bushfire reconstruction

## **KEY ISSUES**

### **Instrument of Delegation to Chief Executive Officer (S5) – to be adopted by Council**

There are no legislative changes advised by Maddocks for this instrument. The Instrument is based upon the Maddocks template, and continues the delegations approved in August 2020, with a proposed change to increase the delegation of the CEO to award a contract or approve expenditure to the value of \$500,000, increased from \$150,000 for goods or services, and \$200,000 for works under contract.

This increase is proposed to reduce the administrative burden of numerous contracts being brought to Council for awarding. All expenditure will be managed in line with Council's Procurement Policy and, to maintain transparency, Officers will report contracts awarded under delegations as part of the quarterly corporate reporting process.

For comparison, officers have undertaken a benchmarking process to compare the CEO's financial delegation at other councils in the region. Current delegations across the region are as follows:

<b>Local Government Area</b>	<b>CEO Delegation</b>
<b>Central Goldfields Council</b>	Up to \$500,000
<b>City of Ballarat</b>	Up to \$250,000 Up to \$1,000,000 when Contracts Delegated Committee is unable to meet and approve

Up to \$5,000,000 when Council is unable to meet and approve

<b>City of Greater Bendigo</b>	Up to \$1.65m Required to report to Council within 2 meeting cycles Contract variations of up to 30% or \$495,000, whichever is lesser
<b>Loddon Shire Council</b>	Up to \$150,000 for goods, services and works Up to \$200,000 for building and construction works
<b>Macedon Ranges Shire Council</b>	Up to \$1,000,000
<b>Moorabool Shire Council</b>	Up to \$500,000 Automatic increase to \$3,000,000 when state of emergency declared
<b>Mount Alexander Shire Council</b>	Up to \$1,000,000
<b>Pyrenees Shire Council</b>	Up to \$150,000 for goods and services Up to \$200,000 for design and construction Automatic increase to \$5,000,000 when state of emergency declared

The following table provides a list of contracts brought to Council for awarding during 2020, that would have been managed under delegation with the elevated financial limit in place:

<b>Contract Number</b>	<b>Title</b>	<b>Work area</b>	<b>Amount</b>
<b>HEPBU.RFT2020.081</b>	Supply Ex-Bin of Quarry Materials, Gravel and Recycled Construction materials	Environment & Waste	Schedule of Rates
<b>HEPBU.RFT2020.084</b>	Angus Street Community Liveability Project Clunes	Engineering	\$167,618.37
<b>HEPBU.RFT2020.088</b>	Supply, Cartage and Disposal - Bulk Bins	Environment & Waste	Schedule of Rates

<b>HEPBU.RFT2020.107</b>	Footpath Expansion and Renewal in Clunes	Engineering	\$185,363.25
<b>HEPBU.RFT2020.144</b>	Supply of CRS 170/60 Emulsion Bulk Supply	Works	Schedule of Rates

### **Instrument of Delegation to Members of Staff (S6) – to be adopted by Council**

The revised Instrument of Delegation to Members of Council staff is based upon the previous Instrument considered by Council in August 2020. This revision has also been updated to include new staff changes since the last instrument was adopted.

The Instrument has been revised to take into account recent legislative changes and to provide further clarity on officer powers.

Amendments to the delegated powers, duties and functions in the revised Instrument of Delegation to Members of Council Staff are largely administrative in nature and will not result in any significant changes to current practices.

The revised instrument is attached. In summary, the legislative changes to the revised Instrument of Delegation are:

1. Provisions of the Food Act 1984 have been inserted. Pursuant to the Food Amendment Act 2020, these provisions will commence on 1 July 2021 unless proclaimed earlier.
2. s 181H of the Local Government Act 1989 (LGA 1989) has been removed. With the repeal of s 181H(2) of the LGA 1989, the CEO may now sub-delegate the power to enter into an environmental upgrade agreement and declare and levy an environmental upgrade charge to a member of Council staff pursuant to s 181H of the LGA 1989 and s 47 of the Local Government Act 2020 (LGA 2020)
3. updated the commencement date of the new provisions of the Residential Tenancies Act 1997 to 27 April 2021 unless proclaimed earlier.
4. s 42A of the Road Management Act 2004 has been updated. References to VicRoads have been removed and replaced it with Head, Transport of Victoria.

### **Instruments of Delegation to be authorised by the CEO**

The following instruments will be authorised by the CEO once Council has considered the Instrument of Delegation to the CEO.

#### *Instrument of Sub-Delegation by CEO (S7)*

Section 47 of the 2020 Act provides the CEO the power to sub-delegate any powers, duties or functions that has been delegated to them to members of Council staff. These powers, duties or functions may be delegated to a named person or to the holder of a specified position.

The revised Instrument of Sub-Delegation provided refers to both the 2020 Act and the 1989 Act. This is because:

- Not all provisions of the 2020 Act are yet in force;
- The 1989 Act is intended to continue in force, with some provisions surviving until the 2020 Act is, or other Acts are, amended.

The Instrument sets out the commencement date of the new provisions of the 2020 Act and the date by which the provisions of the 1989 Act will be repealed. Where no date is specified against provisions of the 1989 Act, this means no current repeal date is set and the provisions continue.

#### *Instrument of Delegation by CEO of CEO powers, duties and functions to Members of Council Staff (S13)*

This instrument allows the CEO to delegate powers, duties and functions existing under all Victorian legislation. This differs to the Instrument of Sub-Delegation by CEO (S7) in that it does not relate to *Council* powers, duties and functions, but those vested in the CEO personally.

#### *Instrument of Delegation by CEO for VicSmart Applications (S14)*

The revised Instrument of Delegation by CEO for VicSmart Applications (S14) is based upon the previous Instrument considered by Council in September 2020. The S14 Instrument has been updated to reflect staffing changes and there are no legislated changes required to this instrument at this time.

#### *Instrument of Delegation by CEO for Bushfire Reconstruction (S16)*

This provides for the CEO to delegate their powers as a responsible authority under the *Planning and Environment Act 1987* in relation to bushfire reconstruction applications in light of Amendment VC179.

The Instrument has been updated to reflect staffing changes. There are no legislated changes required to this instrument at this time.

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

High Performing Organisation

16. Deliver good governance and integrity in all our actions, and take steps to improve organisational efficiency including regular process improvements.

Amendments to the delegated powers, duties and functions in the revised Instrument of Delegation to Members of Council Staff are largely administrative in nature and will not result in any significant changes to current practices.

It is noted that the instruments provide that a power, duty or function may only be exercised in accordance with adopted policies of Council.



## **GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## **SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

## **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

## **RISK IMPLICATIONS**

Reviewing Council's delegations ensures Council continues to comply with its obligations under various Acts and Regulations, and enables the business of Council to be carried out efficiently.

If the Council did not delegate duties, powers and functions to members of Council staff and enable the CEO to do the same, Council would not be able to manage the volume of work and decisions that are effectively carried out by officers every day.

Appropriate conferring of powers to positions within Council also enables decisions that are made on a day to day basis to be compliant and reduce the opportunity to be challenged from an authorising environment perspective.

## **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The revised Instruments of Delegation have been prepared based on current advice provided by Council's solicitor Maddocks.

Consultation has occurred with relevant staff during the preparation of the revised Instruments of Delegation to ensure that appropriate staff delegates have been nominated.

Appropriate communications with the Leadership Group will occur to ensure all staff are made aware of the changes to the Instruments if adopted by Council.

***S5 Instrument of Delegation to Chief Executive Officer***

**Hepburn Shire Council**

**Instrument of Delegation**

**to**

**The Chief Executive Officer**

## Instrument of Delegation

In exercise of the power conferred by s 11(1) of the *Local Government Act 2020 (the Act)* and all other powers enabling it, the Hepburn Shire Council (**Council**) delegates to the member of Council staff holding, acting in or performing the position of Chief Executive Officer, the powers, duties and functions set out in the Schedule to this Instrument of Delegation,

AND declares that

1. this Instrument of Delegation is authorised by a Resolution of Council passed on ## Month 2021;
2. the delegation
  - 2.1 comes into force immediately upon this resolution being made and is to signed by the Council's Chief Executive Officer and the Mayor
  - 2.2 is subject to any conditions and limitations set out in the Schedule;
  - 2.3 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
  - 2.4 remains in force until Council resolves to vary or revoke it.

Signed by:

.....  
Mayor Lesley Hewitt

.....  
Interim Chief Executive Officer Bradley Thomas

## SCHEDULE

The power to

1. determine any issue;
2. take any action; or
3. do any act or thing

arising out of or connected with any duty imposed, or function or power conferred on Council by or under any Act.

### Conditions and Limitations

The delegate must not determine the issue, take the action or do the act or thing

1. if the issue, action, act or thing is an issue, action, act or thing which involves
  - 1.1 awarding a contract or making an expenditure exceeding the value of \$500,000, excluding GST, within approved budget;
  - 1.2 appointing an Acting Chief Executive Officer for a period exceeding 28 days;
  - 1.3 electing a Mayor or Deputy Mayor
  - 1.4 granting a reasonable request for leave under s35 of the Act;
  - 1.5 making any decision in relation to the employment, dismissal or removal of the Chief Executive Officer;
  - 1.6 approving or amending to the Council Plan;
  - 1.7 adopting or amending of any policy that Council is required to adopt under the Act;
  - 1.8 adopting or amending of the Governance Rules
  - 1.9 appointing the chair or the members to a delegated committee;
  - 1.10 making, amending or revoking a local law;
  - 1.11 approving the budget or revised budget;
  - 1.12 approving the borrowing of money;
  - 1.13 subject to section 181H(1)(b) of the Local Government Act 1989, declaring general rates, municipal charges, service rates and charges and specified rates and charges
2. if the issue, action, act or thing is an issue, action, act or thing which is required by law to be done by Council resolution;
3. if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council;

4. if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - 4.1 policy; or
  - 4.2 strategy  
adopted by Council
5. if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 11(2)(a)-(n) (inclusive) of the Act or otherwise; or
6. the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

***S6 Instrument of Delegation – Members of Staff***

**Hepburn Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

**April 2021**

## Instrument of Delegation

In exercise of the powers conferred by the legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

<b>Not Delegated</b>	<b>means not delegated below Chief Executive Officer</b>
<b>CEO</b>	<b>means Chief Executive Officer (Including Interim or Acting)</b>
<b>DCCS</b>	<b>means Director Community and Corporate Services</b>
<b>DIDS</b>	<b>means Director Infrastructure and Development Services</b>
<b>All D</b>	<b>means All Directors</b>
<b>All M</b>	<b>means All Managers</b>
<b>All S</b>	<b>means All Supervisors with reports</b>
<b>All</b>	<b>means All Staff</b>
<b>ACC</b>	<b>means Accountant</b>
<b>BCSA</b>	<b>means Building and Community Safety Administration</b>
<b>BUI</b>	<b>means Building Inspector</b>
<b>BAS</b>	<b>means Building Administrator Support</b>
<b>AMS</b>	<b>means Assessment Management Specialist</b>
<b>CCC</b>	<b>means Coordinator Community Care</b>
<b>CCE</b>	<b>means Coordinator Customer Experience</b>
<b>CCP</b>	<b>means Coordinator Community Partnerships</b>
<b>CCS</b>	<b>means Coordinator Community Safety</b>
<b>CENG</b>	<b>means Coordinator Engineering</b>
<b>CED</b>	<b>means Coordinator Economic Development</b>
<b>CEYHC</b>	<b>means Coordinator Early Years and Healthy Communities</b>
<b>CEH</b>	<b>means Coordinator Environmental Health</b>
<b>CF</b>	<b>means Coordinator Facilities</b>

<b>CFS</b>	<b>means Coordinator Financial Services</b>
<b>CIMO</b>	<b>Corporate Information Management Officer</b>
<b>CO</b>	<b>means Communications Officer</b>
<b>CP</b>	<b>means Coordinator Planning</b>
<b>CPAC</b>	<b>means Coordinator People and Culture</b>
<b>CPOS</b>	<b>means Coordinator Parks and Open Space</b>
<b>CSAR</b>	<b>means Coordinator Sport and Active Recreation</b>
<b>CSDE</b>	<b>means Civil and Survey Design Engineer</b>
<b>CSO</b>	<b>means Customer Service Officer</b>
<b>CSS</b>	<b>means Coordinator Social Support</b>
<b>CSTL</b>	<b>means Customer Service Team Leader</b>
<b>CSY</b>	<b>means Community Safety Officer</b>
<b>CW</b>	<b>means Coordinator Waste</b>
<b>CWK</b>	<b>means Coordinator Works</b>
<b>DSEO</b>	<b>means Development Services Enforcement Officer</b>
<b>EHO</b>	<b>means Environment Health Officer</b>
<b>EHTO</b>	<b>means Environment Health Technical Officer</b>
<b>EMO</b>	<b>means Emergency Management Officer</b>
<b>ENGO</b>	<b>mean Engineering Officer</b>
<b>GS</b>	<b>means Governance Specialist</b>
<b>GPDO</b>	<b>means Grants and Projects Development Officer</b>
<b>HO</b>	<b>means Heritage Officer</b>
<b>IFO</b>	<b>means Information Officers</b>
<b>MBS</b>	<b>means Municipal Building Surveyor</b>
<b>MCC</b>	<b>means Manager Community Care</b>
<b>MCED</b>	<b>means Manager Community and Economic Development</b>
<b>MDCS</b>	<b>means Manager Development and Community Safety</b>
<b>MERO</b>	<b>means Municipal Emergency Resources Officer</b>
<b>MERR</b>	<b>means Manager Emergency Response and Recovery</b>



<b>MEW</b>	means <b>Manager Environment and Waste</b>
<b>MFPO</b>	means <b>Municipal Fire Prevention Officer</b>
<b>MFS</b>	means <b>Manager Financial Services</b>
<b>MGR</b>	means <b>Manager Governance and Risk</b>
<b>MICT</b>	means <b>Manager ICT</b>
<b>MOPS</b>	means <b>Manager Operations</b>
<b>MMP</b>	means <b>Manager Major Projects</b>
<b>MPC</b>	means <b>Manager People and Culture</b>
<b>MRM</b>	means <b>Municipal Recovery Manager</b>
<b>MTL</b>	means <b>Maintenance Team Leaders</b>
<b>PAO</b>	means <b>Planning Administration Officer</b>
<b>PIRS</b>	means <b>Procurement, Insurance and Risk Specialist</b>
<b>PIRO</b>	means <b>Procurement Insurance and Risk Officer</b>
<b>RO</b>	means <b>Revenue Officer</b>
<b>SARO</b>	means <b>Sport and Active Recreation Officer</b>
<b>SARDO</b>	means <b>Sport and Active Recreation Development Officer</b>
<b>SUO</b>	means <b>Subdivision Officer</b>
<b>SAP</b>	means <b>Statutory Planner</b>
<b>SRP</b>	means <b>Strategic Planner</b>
<b>SRO</b>	means <b>Senior Rates Officer</b>
<b>SSF</b>	means <b>Safety Systems Facilitator</b>
<b>TLCC</b>	means <b>Team Leader Community Care</b>

3. declares that:
  - 3.1 this Instrument of Delegation is authorised by “**a resolution**” or “**resolutions**” of Council passed on **## Month 2021** and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked;

- 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategyadopted by Council
  - 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation; or
  - 3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff or delegated committee.

Signed by:

.....  
Mayor Lesley Hewitt

.....  
Interim Chief Executive Officer Bradley Thomas

# SCHEDULE

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<b>CEMETERIES AND CREMATORIA ACT 2003</b>			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	All D	
s 12(1)	Function to properly and efficiently manage and maintain each public cemetery for which responsible and carry out any other function conferred under this Act	All D	Where Council is a Class B cemetery trust
s 12(2)	Duty to have regard to the matters set out in paragraphs (a) – (c) in exercising its functions	All D	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	Not applicable	Where Council is a Class A cemetery trust
s 12A(2)	Duty to have regard to matters set out in paragraphs (a) – (e) in exercising its functions	Not applicable	Where Council is a Class A cemetery trust
s 13	Duty to do anything necessary or convenient to enable it to carry out its functions	All D	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	All D	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	Not delegated	
s 15(4)	Duty to keep records of delegations	All D, MGR	
s 17(1)	Power to employ any persons necessary	Not delegated	

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s 17(2)	Power to engage any professional, technical or other assistance considered necessary	All D, MGR	
s 17(3)	Power to determine the terms and conditions of employment or engagement	All D, MGR	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	All D, MGR	
s 18B(1) & (2)	Duty to establish governance committees within 12 months of becoming a Class A cemetery trust and power to establish other governance committees from time to time	Not applicable	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	Not applicable	Where Council is a Class A cemetery trust
s 18D	Power to determine procedure of governance committee	Not applicable	Where Council is a Class A cemetery trust
s 18D(1)(a)	Duty to appoint community advisory committee for the purpose of liaising with communities	Not applicable	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	Not applicable	Where Council is a Class A cemetery trust
s 18D(2)	Duty to establish a community advisory committee under s 18D(1)(a) within 12 months of becoming a Class A cemetery trust.	Not applicable	Where Council is a Class A cemetery trust

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s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	Not applicable	Where Council is a Class A cemetery trust
s 18F(2)	Duty to give preference to a person who is not a funeral director of a stonemason (or a similar position) when appointing a person to a community advisory committee	Not applicable	Where Council is a Class A cemetery trust
s 18H(1)	Duty to hold an annual meeting before 30 December in each calendar year	Not applicable	Where Council is a Class A cemetery trust
s 18I	Duty to publish a public notice of annual meeting in a newspaper, a reasonable time before the date of the annual meeting	Not applicable	Where Council is a Class A cemetery trust
s 18J	Duty to provide leadership, assistance and advice in relation to operational and governance matters relating to cemeteries (including the matters set out in s 18J(2))	Not applicable	Where Council is a Class A cemetery trust
s 18L(1)	Duty to employ a person as the chief executive officer (by whatever title called) of the Class A cemetery trust	Not applicable	Where Council is a Class A cemetery trust
s 18N(1)	Duty to prepare an annual plan for each financial year that specifies the items set out in paragraphs (a)-(d)	Not applicable	Where Council is a Class A cemetery trust
s 18N(3)	Duty to give a copy of the proposed annual plan to the Secretary on or before 30 September each year for the Secretary's approval	Not applicable	Where Council is a Class A cemetery trust

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s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	Not applicable	Where Council is a Class A cemetery trust
s 18N(7)	Duty to ensure that an approved annual plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	Not applicable	Where Council is a Class A cemetery trust
s 18O(4)	Duty to advise the Secretary if the trust wishes to exercise its functions in a manner inconsistent with its approved strategic plan	Not applicable	Where Council is a Class A cemetery trust
s 18O(5)	Duty to ensure that an approved strategic plan is available to members of the public on request	Not applicable	Where Council is a Class A cemetery trust
s 18Q(1)	Duty to pay an annual levy on gross earnings as reported in the annual financial statements for the previous financial year	Not applicable	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	All D, MCGR	
s 20(1)	Duty to set aside areas for the interment of human remains	All D	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	All D	



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s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	All D	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	All D	
s 36	Power to grant licences to enter and use part of the land or building in a public cemetery in accordance with s 36	Not delegated	Subject to the approval of the Minister
s 37	Power to grant leases over land in a public cemetery in accordance with s 37	Not delegated	Subject to the Minister approving the purpose
s 40	Duty to notify Secretary of fees and charges fixed under s 39	All D, MGR	
ds 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	Not applicable	Provided the street was constructed pursuant to the <i>Local Government Act 2020</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	All D, MGR	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	All D, MGR	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	All D, MGR	
s 60(2)	Power to charge fees for providing information	All D, MGR	

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s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	All D	
s 64B(d)	Power to permit interments at a reopened cemetery	All D	
Fs 66(1)	Power to apply to the Minister for approval to convert the cemetery, or part of it, to a historic cemetery park	Not delegated	The application must include the requirements listed in s 66(2)(a)–(d)
s 69	Duty to take reasonable steps to notify of conversion to historic cemetery park	All D	
s 70(1)	Duty to prepare plan of existing places of interment and make a record of any inscriptions on memorials which are to be removed	All D	
s 70(2)	Duty to make plans of existing place of interment available to the public	All D	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	All D	
s 71(2)	Power to dispose of any memorial or other structure removed	All D	
s 72(2)	Duty to comply with request received under s 72	All D	
s 73(1)	Power to grant a right of interment	All D, MGR	

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s 73(2)	Power to impose conditions on the right of interment	All D, MGR	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	All D, MGR	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	All D	
s 77(4)	Power to authorise and impose terms and conditions on the removal of cremated human remains or body parts from the place of interment on application	Not delegated	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	All D, MGR	
s 80(2)	Function of recording transfer of right of interment	All D, MGR	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	All D, MGR	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	All D, MGR	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	All D, MGR	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	All D, MGR	

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s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	All D, MGR	The notice must be in writing and contain the requirements listed in s 85(2)
s 85(2)(b)	Duty to notify holder of 25 year right of interment of expiration of right at least 12 months before expiry	All D, MGR	Does not apply where right of internment relates to remains of a deceased veteran.
85(2)(c)	Power to leave interred cremated remains undistributed in perpetuity and convert right of interment to perpetual right of interment or;  Remove interred remains and re-inter at another location within cemetery grounds and remove any memorial at that place and re-establish at new or equivalent location	Not delegated	May only be exercised where right of interment relates to cremated human remains of a deceased identified veteran, if right of interment is not extended or converted to a perpetual right of interment
s 86	Power to remove and dispose of cremated human remains and remove any memorial if no action taken by right holder within time specified	Not delegated	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	Not delegated	
s 86(3)(a)	Power to leave interred cremated human remains undisturbed in perpetuity and convert the right of interment to a perpetual right of interment	Not delegated	

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s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	Not delegated	
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	Not delegated	
s 86(5)	Duty to provide notification before taking action under s 86(4)	All D	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	All D	
s 87(3)	Duty, if requested, to extend the right for a further 25 years or convert the right to a perpetual right of interment	All D	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	All D	
s 91(1)	Power to cancel a right of interment in accordance with s 91	All D	
s 91(3)	Duty to publish notice of intention to cancel right of interment	All D	
s 92	Power to pay refund or grant a right of interment in respect of another place of interment to the previous holder of the cancelled right of interment	All D	

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s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	All D, MGR	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	All D	
s 99(4)	Duty to make a decision on an application under s 98 within 45 days after receipt of the application or within 45 days of receiving further information where requested	All D	
s 100(1)	Power to require a person to remove memorials or places of interment	All D, MGR	
s 100(2)	Power to remove and dispose a memorial or place of interment or remedy a person's failure to comply with s 100(1)	All D	
s 100(3)	Power to recover costs of taking action under s 100(2)	All D	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	All D	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	Not delegated	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	Not delegated	

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s 103(1)	Power to require a person to remove a building for ceremonies	Not delegated	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	All D	
s 103(3)	Power to recover costs of taking action under s 103(2)	All D	
s 106(1)	Power to require the holder of the right of interment of the requirement to make the memorial or place of interment safe and proper or carry out specified repairs	All D, MGR	
s 106(2)	Power to require the holder of the right of interment to provide for an examination	All D, MGR	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	All D, MGR	
s 106(4)	Power to repair or – with the approval of the Secretary - take down, remove and dispose any memorial or place of interment if notice under s 106(1) is not complied with	All D, MGR	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	All D, MGR	
s 107(2)	Power to repair or take down, remove and dispose any building for ceremonies if notice under s 107(1) is not complied with	All D, MGR	

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s 108	Power to recover costs and expenses	All D, MGR	
s 109(1)(a)	Power to open, examine and repair a place of interment	All D, MGR	Where the holder of right of interment or responsible person cannot be found
s 109(1)(b)	Power to repair a memorial or, with the Secretary's consent, take down, remove and dispose of a memorial	All D, MGR	Where the holder of right of interment or responsible person cannot be found
s 109(2)	Power to repair the building for ceremonies or, with the consent of the Secretary, take down, remove and dispose of a building for ceremonies	All D, MGR	Where the holder of right of interment or responsible person cannot be found
s 110(1)	Power to maintain, repair or restore a memorial or place of interment from other funds if unable to find right of interment holder with consent of the Secretary	All D, MGR	
s 110(2)	Power to maintain, repair or restore any building for ceremonies from other funds if unable to find responsible person and with consent of the Secretary	All D, MGR	
s 110A	Power to use cemetery trust funds or other funds for the purposes of establishing, maintaining, repairing or restoring any memorial or place of interment of any deceased identified veteran	All D, MGR	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	All D, MGR	
s 112	Power to sell and supply memorials	Not delegated	



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s 116(4)	Duty to notify the Secretary of an interment authorisation granted	All D, MGR	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	All D, MGR	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	All D, MGR	
s 119	Power to set terms and conditions for interment authorisations	All D, MGR	
s 131	Function of receiving an application for cremation authorisation	Not applicable	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	Not applicable	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	All D, MGR	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	Not delegated	Subject to the approval of the Secretary
s 147	Power to apply to the Secretary for approval to dispose of bodily remains by a method other than interment or cremation	Not delegated	

<b>CEMETERIES AND CREMATORIA ACT 2003</b>			
The provisions of this Act apply to Council appointed as a cemetery trust under s 5 of this Act, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	All D, MGR	
s 150 & 152(1)	Power to authorise the interment or cremation of body parts if the requirements of Division 1 of Part 11 are met	All D, MGR	
s 151	Function of receiving applications to inter or cremate body parts	All D, MGR	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	All D, MGR	
sch 1 cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not delegated	
sch 1 cl 8(8)	Power to regulate own proceedings	Not delegated	Subject to cl 8
sch 1A cl 8(3)	Power to permit members to participate in a particular meeting by telephone, closed-circuit television or any other means of communication	Not applicable	Where Council is a Class A cemetery trust
sch 1A cl 8(8)	Power to regulate own proceedings	Not applicable	Where Council is a Class A cemetery trust Subject to cl 8

<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s 41A(1)	Power to declare a dog to be a menacing dog	DIDS, MDCS, CCS, CEO, DCCS	Council may delegate this power to a Council authorised officer

<b>ENVIRONMENT PROTECTION ACT 1970</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 53M(3)	Power to require further information	CEO, DIDS, MDCS, CEH, EHO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	CEO, DIDS, MDCS, CEH, EHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	CEO, DIDS, MDCS, CEH, EHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	CEO, DIDS, MDCS, CEH, EHO	Refusal must be ratified by Council or it is of no effect
s 53M(7)	Duty to refuse to issue a permit in circumstances in (a)-(c)	CEO, DIDS, MDCS, CEH, EHO	Refusal must be ratified by Council or it is of no effect

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	CEO, DIDS, MDCS, CEH, EHO	If s 19(1) applies
s 19(2)(b)	Power to direct by written order that specified steps be taken to ensure that food prepared, sold or handled is safe and suitable	CEO, DIDS, MDCS, CEH, EHO	If s 19(1) applies
s 19(3)	Power to direct by written order that the food premises not be kept or used for the sale, or handling for sale, of any food, or for the preparation of any food, or for any other specified purpose, or for the use of any specified equipment or a specified process	CEO, DIDS, MDCS, CEH	If s 19(1) applies Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	CEO, DIDS, MDCS, CEH, EHO	If s 19(1) applies
s 19(6)(a)	Duty to revoke any order under s 19 if satisfied that an order has been complied with	CEO, DIDS, MDCS, CEH, EHO	If s 19(1) applies
s 19(6)(b)	Duty to give written notice of revocation under s 19(6)(a) if satisfied that an order has been complied with	CEO, DIDS, MDCS, CEH, EHO	If s 19(1) applies
s 19AA(2)	Power to direct, by written order, that a person must take any of the actions described in (a)-(c).	DIDS, MDCS, CEH, EHO	Where Council is the registration authority

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	DIDS, MDCS, CEH, EHO	Note: the power to direct the matters under s 19AA(4)(a) and (b) not capable of delegation and so such directions must be made by a Council resolution
s 19AA(7)	Duty to revoke order issued under s 19AA and give written notice of revocation, if satisfied that that order has been complied with	DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 19NA(1)	Power to request food safety audit reports	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DIDS, MDCS, CEH	

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	CEO, DIDS, MDCS, CEH, EHO	Except for an assessment required by a declaration under s 19C or an inspection under ss 38B(1)(c) or 39
s 19W	Power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
---	Power to register, renew or transfer registration	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 36A	Power to accept an application for registration or notification using online portal	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
s 36B	Duty to pay the charge for use of online portal	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority



<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 38D(3)	Power to request copies of any audit reports	CEO, DIDS, MDCS, CEH, EHO, EHTO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority; not exceeding the prescribed time limit defined under s 38E(5)
s 38E(4)	Duty to register the food premises when conditions are satisfied	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 38G(1)	Power to require notification of change of the food safety program type used for the food premises	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
s 38G(2)	Power to require the proprietor of the food premises to comply with any requirement of the Act	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
s 39A	Power to register, renew or transfer food premises despite minor defects	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Only if satisfied of matters in s 39A(2)(a)-(c)

<b>FOOD ACT 1984</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	CEO, DIDS, MDCS, CEH, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 40F	Power to cancel registration of food premises	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority Note: This provision commences on 1 July 2021, unless proclaimed earlier
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 43F(7)	Power to register the components of the food business that meet requirements in Division 3 and power to refuse to register the components that do not meet the requirements	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority
s 46(5)	Power to institute proceedings against another person where the offence was due to an act or default by that other person and where the first person charged could successfully defend a prosecution, without proceedings first being instituted against the person first charged	CEO, DIDS, MDCS, CEH, EHO	Where Council is the registration authority

<b>HERITAGE ACT 2017</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 116	Power to sub-delegate Executive Director's functions, duties or powers	CEO, DIDS, MDCS	Must first obtain Executive Director's written consent Council can only sub-delegate if the Instrument of Delegation from the Executive Director authorises sub-delegation

<b>LOCAL GOVERNMENT ACT 1989</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 185L(4)	Power to declare and levy a cladding rectification charge	<b>CEO<sup>1</sup></b>	

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<sup>1</sup> The only member of staff who can be a delegate in Column 3 is the CEO.

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	CEO, DIDS, MDCS, CP, SRP, SAP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	CEO, DIDS, MDCS, CP, SRP, SAP	
s 4H	Duty to make amendment to Victorian Planning Provisions available	CEO, DIDS, MDCS, CP, SRP, SAP	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	CEO, DIDS, MDCS, CP, SRP, SAP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	CEO, DIDS, MDCS, CP, SRP, SAP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	CEO, DIDS, MDCS, CP, SRP, SAP	
s 8A(5)	Function of receiving notice of the Minister's decision	CEO, DIDS, MDCS, CP, SRP, SAP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 8A(7)	Power to prepare the amendment specified in the application without the Minister's authorisation if no response received after 10 business days	CEO, DIDS, MDCS, CP, SRP, SAP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	CEO, DIDS, MDCS, CP, SRP, SAP	
s 12(3)	Power to carry out studies and do things to ensure proper use of land and consult with other persons to ensure co-ordination of planning scheme with these persons	CEO, DIDS, MDCS, CP, SRP, SAP	
s 12A(1)	Duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under s 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	CEO, DIDS, MDCS, CP, SRP, SAP	
s 12B(1)	Duty to review planning scheme	CEO, DIDS, MDCS, SRP	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DIDS, MDCS, SRP	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	CEO, DIDS, MDCS, SRP	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	CEO, DIDS, MDCS, CP, SRP, SAP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 17(1)	Duty of giving copy amendment to the planning scheme	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 17(2)	Duty of giving copy s 173 agreement	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 18	Duty to make amendment etc. available	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 19	Power to give notice, to decide not to give notice, to publish notice of amendment to a planning scheme and to exercise any other power under s 19 to a planning scheme	CEO, DIDS, MDCS, SRP, CP	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	CEO, DIDS, MDCS, SRP, CP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority
s 20(1)	Power to apply to Minister for exemption from the requirements of s 19	CEO, DIDS, MDCS, CP SRP,	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 21(2)	Duty to make submissions available	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 21A(4)	Duty to publish notice	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 22	Duty to consider all submissions	CEO, DIDS, MDCS, CP, SRP, SAP	Except submissions which request a change to the items in s 22(5)(a) and (b)
s 23(1)(b)	Duty to refer submissions which request a change to the amendment to a panel	CEO, DIDS, MDCS, CP, SRP, SAP	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	CEO, DIDS, MDCS, CP, SRP, SAP	
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	CEO, DIDS, MDCS, CP, SRP, SAP	
s 26(1)	Power to make report available for inspection	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 26(2)	Duty to keep report of panel available for inspection	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 27(2)	Power to apply for exemption if panel's report not received	CEO, DIDS, MDCS, SRP	
s 28	Duty to notify the Minister if abandoning an amendment	CEO, DIDS, MDCS, SRP	Note: the power to make a decision to abandon an amendment cannot be delegated
s 30(4)(a)	Duty to say if amendment has lapsed	CEO, DIDS, MDCS, CP SRP,	
s 30(4)(b)	Duty to provide information in writing upon request	CEO, DIDS, MDCS, CP SRP,	
s 32(2)	Duty to give more notice if required	CEO, DIDS, MDCS, CP SRP,	
s 33(1)	Duty to give more notice of changes to an amendment	CEO, DIDS, MDCS, CP SRP,	
s 36(2)	Duty to give notice of approval of amendment	CEO, DIDS, MDCS, CP SRP,	
s 38(5)	Duty to give notice of revocation of an amendment	CEO, DIDS, MDCS, CP SRP,	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	CEO, DIDS, MDCS, CP SRP,	
s 40(1)	Function of lodging copy of approved amendment	CEO, DIDS, MDCS, CP, SRP, SAP	
s 41	Duty to make approved amendment available	CEO, DIDS, MDCS, CP, SRP, SAP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 42	Duty to make copy of planning scheme available	CEO, DIDS, MDCS, CP, SRP, SAP	
s 46AAA	Duty to prepare an amendment to a planning scheme that relates to Yarra River land that is not inconsistent with anything in a Yarra Strategic Plan which is expressed to be binding on the responsible public entity	Not delegated	Where Council is a responsible public entity and is a planning authority  Note: this provision is not yet in force, and will commence on the day on which the initial Yarra Strategic Plan comes into operation. It will affect a limited number of councils
s 46AW	Function of being consulted by the Minister	Not delegated	Where Council is a responsible public entity
s 46AX	Function of receiving a draft Statement of Planning Policy and written direction in relation to the endorsement of the draft Statement of Planning Policy  Power to endorse the draft Statement of Planning Policy	Not delegated	Where Council is a responsible public entity
s 46AZC(2)	Duty not to prepare an amendment to a declared area planning scheme that is inconsistent with a Statement of Planning Policy for the declared area that is expressed to be binding on the responsible public entity	Not delegated	Where Council is a responsible public entity
s 46AZK	Duty not to act inconsistently with any provision of the Statement of Planning Policy that is expressed to be binding on the public entity when performing a function or duty or exercising a power in relation to the declared area	Not delegated	Where Council is a responsible public entity

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GI(2)(b)(i)	Power to agree to a lower rate of standard levy for a class of development of a particular type of land than the rate specified in a Minister's direction	Not delegated	Where Council is the planning authority, the municipal Council of the municipal district in which the land is located and/or the development agency
s 46GJ(1)	Function of receiving written directions from the Minister in relation to the preparation and content of infrastructure contributions plans	Not delegated	
s 46GK	Duty to comply with a Minister's direction that applies to Council as the planning authority	Not delegated	
s 46GN(1)	Duty to arrange for estimates of values of inner public purpose land	Not delegated	
s 46GO(1)	Duty to give notice to owners of certain inner public purpose land	Not delegated	
s 46GP	Function of receiving a notice under s 46GO	Not delegated	Where Council is the collecting agency
s 46GQ	Function of receiving a submission from an affected owner who objects to the estimated value per hectare (or other appropriate unit of measurement) of the inner public purpose land	Not delegated	
s 46GR(1)	Duty to consider every submission that is made by the closing date for submissions included in the notice under s 46GO	Not delegated	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GR(2)	Power to consider a late submission Duty to consider a late submission if directed to do so by the Minister	Not delegated	
s 46GS(1)	Power to accept or reject the estimate of the value of the inner public purpose land in a submission made under s 46GQ	Not delegated	
s 46GS(2)	Duty, if Council rejects the estimate of the value of the inner public purpose land in the submission, to refer the matter to the valuer-general, and notify the affected owner of the rejection and that the matter has been referred to the valuer-general	Not delegated	
s 46GT(2)	Duty to pay half of the fee fixed by the valuer-general for arranging and attending the conference	Not delegated	
s 46GT(4)	Function of receiving, from the valuer-general, written confirmation of the agreement between the planning authority's valuer and the affected owner's valuer as to the estimated value of the inner public purpose land	Not delegated	
s 46GT(6)	Function of receiving, from the valuer-general, written notice of a determination under s 46GT(5)	Not delegated	
s 46GU	Duty not to adopt an amendment under s 29 to an infrastructure contributions plan that specifies a land credit amount or a land equalisation amount that relates to a parcel of land in the ICP plan area of the plan unless the criteria in s 46GU(1)(a) and (b) are met	Not delegated	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution  Power to specify the manner in which the payment is to be made	Not delegated	Where Council is the collecting agency
s 46GV(3)(b)	Power to enter into an agreement with the applicant	Not delegated	Where Council is the collecting agency
s 46GV(4)(a)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Not delegated	Where Council is the development agency
s 46GV(4)(b)	Function of receiving the inner public purpose land in accordance with s 46GV(5) and (6)	Not delegated	Where Council is the collecting agency
s 46GV(7)	Duty to impose the requirements set out in s 46GV(3) and (4) as conditions on the permit applied for by the applicant to develop the land in the ICP plan area	Not delegated	
s 46GV(9)	Power to require the payment of a monetary component or the provision of the land component of an infrastructure contribution to be secured to Council's satisfaction	Not delegated	Where Council is the collecting agency
s 46GX(1)	Power to accept works, services or facilities in part or full satisfaction of the monetary component of an infrastructure contribution payable	Not delegated	Where Council is the collecting agency

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	Not delegated	Where Council is the collecting agency
s 46GY(1)	Duty to keep proper and separate accounts and records	Not delegated	Where Council is the collecting agency
s 46GY(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not delegated	Where Council is the collecting agency
s 46GZ(2)(a)	Duty to forward any part of the monetary component that is imposed for plan preparation costs to the planning authority that incurred those costs	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is that planning authority
s 46GZ(2)(a)	Function of receiving the monetary component	Not delegated	Where the Council is the planning authority  This duty does not apply where Council is also the collecting agency
s 46GZ(2)(b)	Duty to forward any part of the monetary component that is imposed for the provision of works, services or facilities to the development agency that is specified in the plan as responsible for those works, services or facilities	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZ(2)(b)	Function of receiving the monetary component	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(4)	Duty to use any land equalisation amounts to pay land credit amounts under s 46GZ(7), except any part of those amounts that are to be forwarded to a development agency under s 46GZ(5)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZ(5)	Duty to forward any part of a land equalisation amount required for the acquisition of outer public purpose land by a development agency specified in the approved infrastructure contributions plan to that development agency	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the relevant development agency
s 46GZ(5)	Function of receiving any part of a land equalisation amount required for the acquisition of outer public purpose land	Not delegated	Where Council is the development agency specified in the approved infrastructure contributions plan  This provision does not apply where Council is also the collecting agency
s 46GZ(7)	Duty to pay to each person who must provide an infrastructure contribution under the approved infrastructure contributions plan any land credit amount to which the person is entitled under s 46GW	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZ(9)	Duty to transfer the estate in fee simple in the land to the development agency specified in the approved infrastructure contributions plan as responsible for the use and development of that land	Not delegated	<p>If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4)</p> <p>Where Council is the collecting agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the development agency</p>
s 46GZ(9)	Function of receiving the fee simple in the land	Not delegated	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>
s 46GZA(1)	Duty to keep proper and separate accounts and records	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 2020</i>	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan
s 46GZB(3)	Duty to follow the steps set out in s 46GZB(3)(a) – (c)	Not delegated	Where Council is a development agency under an approved infrastructure contributions plan



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZB(4)	Duty, in accordance with requirements of the VPA, to report on the use of the infrastructure contribution in the development agency's annual report and provide reports on the use of the infrastructure contribution to the VPA	Not delegated	<p>If the VPA is the collecting agency under an approved infrastructure contributions plan</p> <p>Where Council is a development agency under an approved infrastructure contributions plan</p>
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZD(3)	Duty to follow the steps set out in s 46GZD(3)(a) and (b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZD(5)	Duty to make payments under s 46GZD(3) in accordance with ss 46GZD(5)(a) and 46GZD(5)(b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZE(2)	Duty to forward the land equalisation amount back to the collecting agency within 6 months after the expiry date if any part of a land equalisation amount paid or forwarded to a development agency for acquiring outer public purpose land has not been expended by the development agency to acquire that land at the date on which the approved infrastructure contributions plan expires	Not delegated	<p>Where Council is the development agency under an approved infrastructure contributions plan</p> <p>This duty does not apply where Council is also the collecting agency</p>

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan  This duty does not apply where Council is also the development agency
s 46GZE(3)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZE(3)(a) and (b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZF(2)	Duty, within 12 months after the date on which the approved infrastructure contributions plan expires, to use the public purpose land for a public purpose approved by the Minister or sell the public purpose land	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	Duty, if land is sold under s 46GZF(2)(b), to follow the steps in s 46GZF(3)(a) and (b)	Not delegated	Where Council is the development agency under an approved infrastructure contributions plan
s 46GZF(3)	s 46GZF(3)(a) function of receiving proceeds of sale	Not delegated	Where Council is the collection agency under an approved infrastructure contributions plan  This provision does not apply where Council is also the development agency
s 46GZF(4)	Duty to divide the proceeds of the public purpose land among the current owners of each parcel of land in the ICP plan area and pay each current owner a portion of the proceeds in accordance with s 46GZF(5)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46GZF(6)	Duty to make the payments under s 46GZF(4) in accordance with s 46GZF(6)(a) and (b)	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZH	Power to recover the monetary component, or any land equalisation amount of the land component, payable under Part 3AB as a debt in any court of competent jurisdiction	Not delegated	Where Council is the collecting agency under an approved infrastructure contributions plan
s 46GZI	Duty to prepare and give a report to the Minister at the times required by the Minister	Not delegated	Where Council is a collecting agency or development agency
s 46GZK	Power to deal with public purpose land which has vested in, been acquired by, or transferred to, Council	Not delegated	Where Council is a collecting agency or development agency
s 46LB(3)	Duty to publish, on Council's Internet site, the payable dwelling amount for a financial year on or before 1 July of each financial year for which the amount is adjusted under s 46LB (2)	Not delegated	
s 46N(1)	Duty to include condition in permit regarding payment of development infrastructure levy	DIDS, MDCS, CP, SAP	
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	CEO, DIDS, MDCS, CP, SAP	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	CEO, DIDS, MDCS, CP	
s 46O(1)(a) & (2)(a)	Power to ensure that community infrastructure levy is paid, or agreement is in place, prior to issuing building permit	CEO, DIDS, MDCS, CP, SAP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	CEO, DIDS, MDCS, CP	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	CEO, DIDS, MDCS, CP	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	CEO, DIDS, MDCS, CP	
s 46Q(1)	Duty to keep proper accounts of levies paid	CEO, DIDS, DCCS, MFS, MDCS	
s 46Q(1A)	Duty to forward to development agency part of levy imposed for carrying out works, services, or facilities on behalf of development agency or plan preparation costs incurred by a development agency	CEO, DIDS, DCCS, MFS, MDCS	
s 46Q(2)	Duty to apply levy only for a purpose relating to the provision of plan preparation costs or the works, services and facilities in respect of which the levy was paid etc	CEO, DIDS, MFS, MDCS, CP, SAP	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	CEO, All D, MFS, MDCS	Only applies when levy is paid to Council as a 'development agency'

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	CEO, All D, MFS, MDCS	Must be done within six months of the end of the period required by the development contributions plan and with the consent of, and in the manner approved by, the Minister
s 46Q(4)(d)	Duty to submit to the Minister an amendment to the approved development contributions plan	CEO, DIDS, MDCS	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	CEO, All D, MFS, MDCS	With the consent of, and in the manner approved by, the Minister
s 46QC	Power to recover any amount of levy payable under Part 3B	CEO, All D, MDCS	
s 46QD	Duty to prepare report and give a report to the Minister	CEO	Where Council is a collecting agency or development agency
s 46V(3)	Duty to make a copy of the approved strategy plan (being the Melbourne Airport Environs Strategy Plan) and any documents lodged with it available	Not delegated	
s 46Y	Duty to carry out works in conformity with the approved strategy plan	CEO, All D, MDCS	
s 47	Power to decide that an application for a planning permit does not comply with that Act	CEO, DIDS, MDCS, CP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	
s 49(2)	Duty to make register available for inspection	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	
s 50(4)	Duty to amend application	CEO, DIDS, MDCS, CP, SAP	
s 50(5)	Power to refuse to amend application	CEO, DIDS, MDCS, CP	
s 50(6)	Duty to make note of amendment to application in register	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	
s 50A(1)	Power to make amendment to application	CEO, DIDS, MDCS, CP, SAP	
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	CEO, DIDS, MDCS, CP, SAP	
s 50A(4)	Duty to note amendment to application in register	CEO, DIDS, MDCS, CP, SAP, PAO	
s 51	Duty to make copy of application available for inspection	CEO, DIDS, MDCS, CP, SAP, SUO,	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 52(1)(a)	Duty to give notice of the application to owners/occupiers of adjoining allotments unless satisfied that the grant of permit would not cause material detriment to any person	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(1)(b)	Duty to give notice of the application to other municipal council where appropriate	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(1)(ca)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if may result in breach of covenant	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(1)(cb)	Duty to give notice of the application to owners and occupiers of land benefited by a registered restrictive covenant if application is to remove or vary the covenant	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	CEO, DIDS, MDCS, CP, SAP, PAO	
s 52(3)	Power to give any further notice of an application where appropriate	CEO, DIDS, MDCS, CP, SAP, PAO	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	CEO, DIDS, MDCS, CP, SAP, PAO	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	CEO	
s 54(1)	Power to require the applicant to provide more information	CEO, DIDS, MDCS, CP, SAP, PAO	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	CEO, DIDS, MDCS, CP, SAP, PAO	
s 54(1B)	Duty to specify the lapse date for an application	CEO, DIDS, MDCS, CP, SAP, PAO	
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	CEO, DIDS, MDCS, CP, SAP	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time under s 54A(3)	CEO, DIDS, MDCS, CP, SAP	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	CEO, DIDS, MDCS, CP, SAP, PAO	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	CEO, DIDS, MDCS, CPSAP	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	CEO, DIDS, MDCS, CP, SAP, PAO	
s 57(5)	Duty to make available for inspection copy of all objections	CEO, DIDS, MDCS, CP, SAP, PAO	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	CEO, DIDS, MDCS, CP, SAP	
s 57A(5)	Power to refuse to amend application	CEO, DIDS, MDCS, CP	
s 57A(6)	Duty to note amendments to application in register	CEO, DIDS, MDCS, CP, SAP, PAO	
s 57B(1)	Duty to determine whether and to whom notice should be given	CEO, DIDS, MDCS, CP, SAP, PAO	
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	CEO, DIDS, MDCS, CP, SAP, PAO	
s 57C(1)	Duty to give copy of amended application to referral authority	CEO, DIDS, MDCS, CP, SAP, PAO	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 58	Duty to consider every application for a permit	CEO, DIDS, MDCS, CP, SAP, PAO	
s 58A	Power to request advice from the Planning Application Committee	CEO, DIDS, MDCS, CP	
s 60	Duty to consider certain matters	CEO, DIDS, MDCS, CP, SAP, PAO	
s 60(1A)	Duty to consider certain matters	CEO, DIDS, MDCS, CP, SAP	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	CEO, DIDS, MDCS, CP, SAP	
s 61(1)	Power to determine permit application, either to decide to grant a permit, to decide to grant a permit with conditions or to refuse a permit application	CEO, DIDS, MDCS, CP, SAP, PAO	<p>The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i> or a conservation management plan under the <i>Flora and Fauna Guarantee Act</i></p> <p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	CEO, DIDS, MDCS, CP, SAP	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	CEO, DIDS, MDCS, CP, SAP	
s 61(3)(a)	Duty not to decide to grant a permit to use coastal Crown land without Minister's consent	Not delegated	
s 61(3)(b)	Duty to refuse to grant the permit without the Minister's consent	CEO, DIDS, MDCS, CP, SAP	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	CEO, DIDS, MDCS, CP, SAP	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	CEO, DIDS, MDCS, CP, SAP	
s 62(2)	Power to include other conditions	CEO, DIDS, MDCS, CP, SAP	
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	CEO, DIDS, MDCS, CP, SAP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	CEO	

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 62(5)(b)	Power to include a permit condition that specified works be provided on or to the land or paid for in accordance with s 173 agreement	CEO	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	CEO, DIDS, MDCS, CP, SAP	
s 62(6)(a)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except in accordance with ss 46N(1), 46GV(7) or 62(5)	CEO, DIDS, MDCS	
s 62(6)(b)	Duty not to include a permit condition requiring a person to pay an amount for or provide works except a condition that a planning scheme requires to be included as referred to in s 62(1)(a)	CEO, DIDS, MDCS	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	CEO, DIDS, MDCS, CP, SAP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	CEO, DIDS, MDCS, CP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(3)	Duty not to issue a permit until after the specified period	CEO, DIDS, MDCS, CP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75
s 64(5)	Duty to give each objector a copy of an exempt decision	CEO, DIDS, MDCS, CP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	CEO, DIDS, MDCS, CP, SAP	This provision applies also to a decision to grant an amendment to a permit – see s 75A
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	CEO, DIDS, MDCS, CP, SAP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	CEO, DIDS, MDCS, CP, SAP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	CEO, DIDS, MDCS, CP, SAP	If the recommending referral authority objected to the grant of the permit or the responsible authority decided not to include a condition on the permit recommended by the recommending referral authority
s 66(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, DIDS, MDCS, CP, SAP, PAO	If the recommending referral authority objected to the grant of the permit or the recommending referral authority recommended that a permit condition be included on the permit
s 66(6)	Duty to give a recommending referral authority a copy of any permit which Council decides to grant and a copy of any notice given under s 64 or 65	CEO, DIDS, MDCS, CP, SAP, PAO	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit

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<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 69(1)	Function of receiving application for extension of time of permit	CEO, DIDS, MDCS, CP, SAP, PAO	
s 69(1A)	Function of receiving application for extension of time to complete development	CEO, DIDS, MDCS, CP, SAP, PAO	
s 69(2)	Power to extend time	CEO, DIDS, MDCS, CP, SAP, PAO	
s 70	Duty to make copy permit available for inspection	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	
s 71(1)	Power to correct certain mistakes	CEO, DIDS, MDCS, CP, SAP	
s 71(2)	Duty to note corrections in register	CEO, DIDS, MDCS, CP, SAP, PAO	
s 73	Power to decide to grant amendment subject to conditions	CEO, DIDS, MDCS, CP, SAP	<p>More than 5 objections must be referred to Council</p> <p>Development applications in excess of \$2m must be referred to Council</p> <p>Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme</p>

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 74	Duty to issue amended permit to applicant if no objectors	CEO, DIDS, MDCS, CP, SAP	More than 5 objections must be referred to Council Development applications in excess of \$2m must be referred to Council  Refusals must be referred to Council unless a Council officer determines that insufficient information has been provided with the application or the application is prohibited under the Hepburn Planning Scheme
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	CEO, DIDS, MDCS, CP, SAP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	CEO, DIDS, MDCS, CP, SAP, PAO	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	CEO, DIDS, MDCS, CP, SAP, PAO	If the recommending referral authority objected to the amendment of the permit or the responsible authority decided not to include a condition on the amended permit recommended by the recommending referral authority
s 76A(4)	Duty to give a recommending referral authority notice of its decision to refuse a permit	CEO, DIDS, MDCS, CP, SAP, PAO	If the recommending referral authority objected to the amendment of the permit or the recommending referral authority recommended that a permit condition be included on the amended permit
s 76A(6)	Duty to give a recommending referral authority a copy of any amended permit which Council decides to grant and a copy of any notice given under s 64 or 76	CEO, DIDS, MDCS, CP, SAP, PAO	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 76D	Duty to comply with direction of Minister to issue amended permit	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	
s 83	Function of being respondent to an appeal	CEO, DIDS, MDCS, CP, SAP, SUO	
s 83B	Duty to give or publish notice of application for review	CEO, DIDS, MDCS, CP, SAP	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	CEO, DIDS, MDCS	
s 84(2)	Duty not to issue a permit or notice of decision or refusal after an application is made for review of a failure to grant a permit	CEO, DIDS, MDCS	
s 84(3)	Duty to tell principal registrar if decide to grant a permit after an application is made for review of its failure to grant a permit	CEO, DIDS, MDCS, CP, SAP	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	
s 84AB	Power to agree to confining a review by the Tribunal	CEO, DIDS, MDCS,	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	CEO, DIDS, MDCS, CP, SAP, SUO, PAO	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	CEO, DIDS, MDCS, CP	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	CEO, DIDS, MDCS, CP, SAP, DSEO	
s 91(2)	Duty to comply with the directions of VCAT	CEO, DIDS, MDCS, CP, SAP, DSEO	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	CEO, DIDS, MDCS, CP, SAP	
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	CEO, DIDS, MDCS, CP, SAP, DSEO	
s 93(2)	Duty to give notice of VCAT order to stop development	CEO, DIDS, MDCS, CP, SAP, DSEO	
s 95(3)	Function of referring certain applications to the Minister	CEO, DIDS, MDCS, CP, DSEO	
s 95(4)	Duty to comply with an order or direction	CEO, DIDS, MDCS	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	CEO, DIDS, MDCS, CP, SRP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 96(2)	Function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	CEO, DIDS, MDCS, CP, SRP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	CEO, DIDS, MDCS, CP, SRP	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	CEO, DIDS, MDCS, CP, SAP, SRP	
s 96F	Duty to consider the panel's report under s 96E	CEO, DIDS, MDCS, CP, SAP, SRP	
s 96G(1)	Power to determine to recommend that a permit be granted or to refuse to recommend that a permit be granted and power to notify applicant of the determination (including power to give notice under s 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	CEO, DIDS, MDCS, CP, SAP, SRP	
s 96H(3)	Power to give notice in compliance with Minister's direction	CEO, DIDS, MDCS, CP, SAP, SRP	
s 96J	Power to issue permit as directed by the Minister	CEO, DIDS, MDCS, CP, SAP, SRP	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	CEO, DIDS, MDCS, CP, SAP, SRP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 96Z	Duty to keep levy certificates given to it under ss 47 or 96A for no less than 5 years from receipt of the certificate	CEO, DIDS, MDCS, CP, SAP, SRP, SUO	
s 97C	Power to request Minister to decide the application	CEO, DIDS, MDCS	
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	CEO, DIDS, MDCS, CP, SRP, SAP	
s 97G(3)	Function of receiving from Minister copy of notice of refusal to grant permit or copy of any permit granted by the Minister	CEO, DIDS, MDCS, CP, SRP, SAP	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	CEO, DIDS, MDCS, CP, SRP, SAP, PAO	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	CEO, DIDS, MDCS, CP, SRP, SAP	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	CEO, DIDS, MDCS	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	CEO, DIDS, MDCS	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	CEO, DIDS, MDCS, CP, SRP, SAP	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	CEO, DIDS, MDCS, CP, SRP, SAP	
s 97Q(4)	Duty to comply with directions of VCAT	CEO, DIDS, MDCS, CP, SRP, SAP	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	CEO, DIDS, MDCS, CP, SRP, SAP	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	CEO, DIDS, MDCS	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	CEO, DIDS, MDCS	
s 101	Function of receiving claim for expenses in conjunction with claim	CEO, DIDS, MDCS	
s 103	Power to reject a claim for compensation in certain circumstances	CEO, DIDS, MDCS	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 107(1)	Function of receiving claim for compensation	CEO, DIDS, MDCS, CP, SRP, SAP, SUO	
s 107(3)	Power to agree to extend time for making claim	CEO, DIDS, MDCS	
s 114(1)	Power to apply to the VCAT for an enforcement order	CEO, DIDS, MDCS, CP, DSEO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	CEO, DIDS, MDCS, CP, , DSEO SAP	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	CEO, DIDS, MDCS, CP, DSEO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	CEO, DIDS, MDCS	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	CEO, DIDS, MDCS	Except Crown Land
s 129	Function of recovering penalties	CEO, DIDS, MDCS	
s 130(5)	Power to allow person served with an infringement notice further time	CEO, DIDS, MDCS, CP, DSEO	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 149A(1)	Power to refer a matter to the VCAT for determination	CEO, DIDS, MDCS, CP, DSEO, SAP	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	CEO, DIDS, MDCS, CP, DSEO	
s 156	Duty to pay fees and allowances (including a payment to the Crown under s 156(2A)), and payment or reimbursement for reasonable costs and expenses incurred by the panel in carrying out its functions unless the Minister directs otherwise under s 156(2B) power to ask for contribution under s 156(3) and power to abandon amendment or part of it under s 156(4)	CEO, DIDS, MDCS	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DIDS, MDCS, CP, SAP	
s 171(2)(g)	Power to grant and reserve easements	CEO, DIDS, MDCS, MOPS, CP	
s 172C	Power to compulsorily acquire any outer public purpose land that is specified in the approved infrastructure contributions plan	Not delegated	Where Council is a development agency specified in an approved infrastructure contributions plan
s 172D(1)	Power to compulsorily acquire any inner public purpose land that is specified in the plan before the time that the land is required to be provided to Council under s 46GV(4)	Not delegated	Where Council is a collecting agency specified in an approved infrastructure contributions plan

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 172D(2)	Power to compulsorily acquire any inner public purpose land, the use and development of which is to be the responsibility of Council under the plan, before the time that the land is required to be provided under s 46GV(4)	Not delegated	Where Council is the development agency specified in an approved infrastructure contributions plan
s 173(1)	Power to enter into agreement covering matters set out in s 174	CEO, DIDS, MDCS, CP	
s 173(1A)	Power to enter into an agreement with an owner of land for the development or provision of land in relation to affordable housing	CEO, DIDS, MDCS, CP	Where Council is the relevant responsible authority
---	Power to decide whether something is to the satisfaction of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	CEO, DIDS, MDCS, CP	Where Council is the relevant responsible authority
---	Power to give consent on behalf of Council, where an agreement made under s 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DIDS, MDCS, CP	Where Council is the relevant responsible authority
s 177(2)	Power to end a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DIDS, MDCS, CP	Where Council is the relevant responsible authority
s 178	Power to amend a s 173 agreement with the agreement of all those bound by any covenant in the agreement or otherwise in accordance with Division 2 of Part 9	CEO, DIDS, MDCS, CP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 178A(1)	Function of receiving application to amend or end an agreement	CEO, DIDS, MDCS, CP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	CEO, DIDS, MDCS, CP	
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO, DIDS, MDCS, CP	
s 178A(5)	Power to propose to amend or end an agreement	CEO, DIDS, MDCS, CP	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	CEO, DIDS, MDCS, CP	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	CEO, DIDS, MDCS, CP	
s 178C(2)	Duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO, DIDS, MDCS, CP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	CEO, DIDS, MDCS, CP	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	CEO, DIDS, MDCS, CP	



<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DIDS, MDCS, CP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DIDS, MDCS, CP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(2)(c)	Power to refuse to amend or end the agreement	CEO, DIDS, MDCS, CP	If no objections are made under s 178D Must consider matters in s 178B
s 178E(3)(a)	Power to amend or end the agreement in accordance with the proposal	CEO, DIDS, MDCS, CP	After considering objections, submissions and matters in s 178B
s 178E(3)(b)	Power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO, DIDS, MDCS, CP	After considering objections, submissions and matters in s 178B

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	CEO, DIDS, MDCS, CP	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	CEO, DIDS, MDCS, CP	After considering objections, submissions and matters in s 178B
s 178F(1)	Duty to give notice of its decision under s 178E(3)(a) or (b)	CEO, DIDS, MDCS, CP	
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	CEO, DIDS, MDCS, CP	
s 178F(4)	Duty not to proceed to amend or end an agreement under s 178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	CEO, DIDS, MDCS, CP	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	CEO, DIDS, MDCS, CP	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO, DIDS, MDCS, CP	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	CEO, DIDS, MDCS, CP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 179(2)	Duty to make available for inspection copy agreement	CEO, DIDS, MDCS, CP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	CEO, DIDS, MDCS, CP	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	CEO, DIDS, MDCS, CP	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	CEO, DIDS, MDCS, CP	
s 182	Power to enforce an agreement	CEO, DIDS, MDCS, CP	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	CEO, DIDS, MDCS, CP	
s 184F(1)	Power to decide to amend or end an agreement at any time after an application for review of the failure of Council to make a decision	CEO, DIDS, MDCS, CP	
s 184F(2)	Duty not to amend or end the agreement or give notice of the decision after an application is made to VCAT for review of a failure to amend or end an agreement	CEO, DIDS, MDCS, CP	
s 184F(3)	Duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	CEO, DIDS, MDCS, CP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 184F(5)	Function of receiving advice from the principal registrar that the agreement may be amended or ended in accordance with Council's decision	CEO	
s 184G(2)	Duty to comply with a direction of the Tribunal	CEO, DIDS, MDCS, CP	
s 184G(3)	Duty to give notice as directed by the Tribunal	CEO, DIDS, MDCS, CP	
s 198(1)	Function to receive application for planning certificate	CEO, DIDS, MDCS, CP, SAP, PAO	
s 199(1)	Duty to give planning certificate to applicant	CEO, DIDS, MDCS, CP, SAP, PAO	
s 201(1)	Function of receiving application for declaration of underlying zoning	CEO, DIDS, MDCS, CP, SAP	
s 201(3)	Duty to make declaration	CEO, DIDS, MDCS, CP	
-	Power to decide, in relation to any planning scheme or permit, that a specified thing has or has not been done to the satisfaction of Council	CEO, DIDS, MDCS, CP	
	Power, in relation to any planning scheme or permit, to consent or refuse to consent to any matter which requires the consent or approval of Council	CEO, DIDS, MDCS, CP	

<b>PLANNING AND ENVIRONMENT ACT 1987</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	Power to approve any plan or any amendment to a plan or other document in accordance with a provision of a planning scheme or condition in a permit	CEO, DIDS, MDCS, CP	
-	Power to give written authorisation in accordance with a provision of a planning scheme	CEO, DIDS, MDCS, CP	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	CEO, DIDS, MDCS, CP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	CEO, DIDS, MDCS, CP	

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 91ZU(1)	Power to give a renter a notice to vacate rented premises	CEO, All D	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
s 91ZZC(1)	Power to give a renter a notice to vacate rented premises	CEO, All D	Where Council is a public statutory authority authorised to acquire land compulsorily for its purposes  Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
s 91ZZE(1)	Power to give a renter a notice to vacate rented premises	CEO, All D	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
s 91ZZE(3)	Power to publish Council's criteria for eligibility for the provision of housing	CEO, All D	Where Council is a public statutory authority engaged in the provision of housing  Note: this power is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
s 142D	Function of receiving notice regarding an unregistered rooming house	DIDS, MDCS, CEH, EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	DIDS, MDCS, CEH, EHO	

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 142G(2)	Power to enter certain information in the Rooming House Register	DIDS, MDCS, CEH, EHO	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	DIDS, MDCS, CEH, EHO	
s 206AZA(2)	Function of receiving written notification	CEO All D	Note: this function is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
s 207ZE(2)	Function of receiving written notification	CEO All D	Note: this function is not yet in force and will commence on 27 April 2021, unless proclaimed earlier
s 311A(2)	Function of receiving written notification	CEO, All D	
s 317ZDA(2)	Function of receiving written notification	CEO	
s 518F	Power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	CEO, DIDS, MDCS, CEH, EHO	
s 522(1)	Power to give a compliance notice to a person	CEO, DIDS, MDCS, CEH, EHO	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO, DIDS, MDCS	

<b>RESIDENTIAL TENANCIES ACT 1997</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 525(4)	Duty to issue identity card to authorised officers	DIDS, MDCS	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	DIDS, MDCS, CEH, EHO	
s 526A(3)	Function of receiving report of inspection	DIDS, MDCS, CEH	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	DIDS, MDCS, CEH	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO, All D, MGR, MOPS	Obtain consent in circumstances specified in s 11(2)
s 11(8)	Power to name a road or change the name of a road by publishing notice in Government Gazette	CEO, All D,	
s 11(9)(b)	Duty to advise Registrar	CEO, All D, MOPS	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	CEO, All D, MOPS	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	CEO, All D, MOPS	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, All D, MOPS	Where Council is the coordinating road authority
s 12(4)	Duty to publish, and provide copy, notice of proposed discontinuance	CEO, All D, MOPS	Power of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(5)	Duty to consider written submissions received within 28 days of notice	CEO, All D, MOPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 12(6)	Function of hearing a person in support of their written submission	CEO, All D, MOPS	Function of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(7)	Duty to fix day, time and place of meeting under s 12(6) and to give notice	CEO, All D, MOPS	Duty of coordinating road authority where it is the discontinuing body Unless s 12(11) applies
s 12(10)	Duty to notify of decision made	CEO, All D, MOPS	Duty of coordinating road authority where it is the discontinuing body Does not apply where an exemption is specified by the regulations or given by the Minister
s 13(1)	Power to fix a boundary of a road by publishing notice in Government Gazette	CEO, All D, MOPS	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate
s 14(4)	Function of receiving notice from the Head, Transport for Victoria	CEO, All D	
s 14(7)	Power to appeal against decision of the Head, Transport for Victoria	CEO, All D	
s 15(1)	Power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	CEO, All D	
s 15(1A)	Power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	CEO, All D	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 15(2)	Duty to include details of arrangement in public roads register	CEO, DIDS, MOPS	
s 16(7)	Power to enter into an arrangement under s 15	CEO, All D	
s 16(8)	Duty to enter details of determination in public roads register	CEO, DIDS, MOPS	
s 17(2)	Duty to register public road in public roads register	CEO, DIDS, MOPS	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DIDS, MOPS	Where Council is the coordinating road authority
s 17(3)	Duty to register a road reasonably required for general public use in public roads register	CEO, DIDS, MOPS	Where Council is the coordinating road authority
s 17(4)	Power to decide that a road is no longer reasonably required for general public use	CEO, DIDS, MOPS	Where Council is the coordinating road authority
s 17(4)	Duty to remove road no longer reasonably required for general public use from public roads register	CEO, DIDS, MOPS	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DIDS	Where Council is the coordinating road authority, and obtain consent in circumstances specified in s 18(2)
s 18(3)	Duty to record designation in public roads register	CEO, DIDS, MOPS, CENG, CA	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	CEO, DIDS, MOPS, CENG, CA	
s 19(4)	Duty to specify details of discontinuance in public roads register	CEO, DIDS, MOPS, CENG, CA	
s 19(5)	Duty to ensure public roads register is available for public inspection	CEO, DIDS, MOPS, CENG, CA	
s 21	Function of replying to request for information or advice	CEO, DIDS, MOPS	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DIDS, MOPS	
s 22(4)	Duty to publish a copy or summary of any direction made under s 22 by the Minister in its annual report.	CEO, All D, MOPS	
s 22(5)	Duty to give effect to a direction under s 22	CEO, All D, MOPS	
s 40(1)	Duty to inspect, maintain and repair a public road.	CEO, All D, MOPS	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	CEO, All D, MOPS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	CEO, All D, MOPS	
s 42(1)	Power to declare a public road as a controlled access road	CEO, All D, MOPS	Power of coordinating road authority and sch 2 also applies
s 42(2)	Power to amend or revoke declaration by notice published in Government Gazette	CEO, All D	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with Head, Transport for Victoria and Minister for Local Government before road is specified	CEO, All D, MOPS	Where Council is the coordinating road authority If road is a municipal road or part thereof
s 42A(4)	Power to approve Minister's decision to specify a road as a specified freight road	CEO, All D	Where Council is the coordinating road authority If road is a municipal road or part thereof and where road is to be specified a freight road
s 48EA	Duty to notify the owner or occupier of land and provider of public transport on which rail infrastructure or rolling stock is located (and any relevant provider of public transport)	CEO, All D, MOPS	Where Council is the responsible road authority, infrastructure manager or works manager
s 48M(3)	Function of consulting with the relevant authority for purposes of developing guidelines under s 48M	CEO, All D, MOPS	
s 49	Power to develop and publish a road management plan	CEO, All D, MOPS	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, All D, MOPS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, All D, MOPS	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, All D, MOPS	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO	
s 54(6)	Power to amend road management plan	CEO, All D, MOPS	
s 54(7)	Duty to incorporate the amendments into the road management plan	CEO, All D, MOPS	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	CEO, All D, MOPS	
s 63(1)	Power to consent to conduct of works on road	CEO, All D, MOPS	Where Council is the coordinating road authority
s 63(2)(e)	Power to conduct or to authorise the conduct of works in, on, under or over a road in an emergency	CEO, All D, MOPS	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	CEO, All D	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	CEO, All D	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	CEO, DIDS, MOPS	Where Council is the coordinating road authority
s 67(3)	Power to request information	CEO, DIDS, MOPS, CCS	Where Council is the coordinating road authority
s 68(2)	Power to request information	CEO, DIDS, MOPS, CCS	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO, All D	
s 72	Duty to issue an identity card to each authorised officer	CEO, All D	
s 85	Function of receiving report from authorised officer	CEO, DIDS, CCS, MOPS	
s 86	Duty to keep register re s 85 matters	CEO, DIDS, CCS, MOPS	
s 87(1)	Function of receiving complaints	CEO, DIDS, MOPS, CCS	
s 87(2)	Duty to investigate complaint and provide report	CEO, DIDS, MOPS, CCS	
s 112(2)	Power to recover damages in court	CEO, DIDS, MOPS, CCS	
s 116	Power to cause or carry out inspection	CEO, DIDS, MOPS, CCS	

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s 119(2)	Function of consulting with the Head, Transport for Victoria	CEO, DIDS, MOPS	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of the Head, Transport for Victoria)	CEO, DIDS, MOPS	
s 120(2)	Duty to seek consent of the Head, Transport for Victoria to exercise road management functions before exercising power in s 120(1)	CEO, DIDS, MOPS	
s 121(1)	Power to enter into an agreement in respect of works	CEO, DIDS, MOPS	
s 122(1)	Power to charge and recover fees	CEO DIDS, MOPS	
s 123(1)	Power to charge for any service	CEO DIDS, MOPS	
sch 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO All D	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, All D	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, All D	
sch 2 cl 4	Function of receiving details of proposal from the Head, Transport for Victoria	CEO, DIDS, MOPS	



<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 5	Duty to publish notice of declaration	CEO, All D	
sch 7 cl 7(1)	Duty to give notice to relevant coordinating road authority of proposed installation of non-road infrastructure or related works on a road reserve	CEO, DIDS, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 8(1)	Duty to give notice to any other infrastructure manager or works manager responsible for any non-road infrastructure in the area, that could be affected by any proposed installation of infrastructure or related works on a road or road reserve of any road	CEO, DIDS, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 9(1)	Duty to comply with request for information from a coordinating road authority, an infrastructure manager or a works manager responsible for existing or proposed infrastructure in relation to the location of any non-road infrastructure and technical advice or assistance in conduct of works	CEO, DIDS, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager responsible for non-road infrastructure
sch 7 cl 9(2)	Duty to give information to another infrastructure manager or works manager where becomes aware any infrastructure or works are not in the location shown on records, appear to be in an unsafe condition or appear to need maintenance	CEO, DIDS, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 10(2)	Where Sch 7 cl 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	CEO, DIDS, MOPS, CWK, CENG	Where Council is the infrastructure manager or works manager
sch 7 cl 12(2)	Power to direct infrastructure manager or works manager to conduct reinstatement works	CEO, DIDS, MOPS	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	CEO, DIDS, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	CEO, DIDS, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	CEO, DIDS, MOPS	Where Council is the coordinating road authority
sch 7 cl 13(1)	Duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to sch 7 cl 13(2)	CEO, DIDS, MOPS, CWK, CENG	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, DIDS, MOPS	Where Council is the coordinating road authority
sch 7 cl 13(3)	Duty to ensure works manager has complied with obligation to give notice under sch 7 cl 13(1)	CEO, DIDS, MOPS	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	CEO, DIDS, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	CEO, DIDS, MOPS, CWK, CENG	Where Council is the coordinating road authority, responsible authority or infrastructure manager

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7 cl 16(5)	Power to consent to proposed works	CEO, DIDS, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	CEO, DIDS, MOPS, CWK, CENG	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	CEO, DIDS, MOPS, CKW, CENG	Where Council is the coordinating road authority
sch 7 cl 17(2)	Power to refuse to give consent and duty to give reasons for refusal	CEO, DIDS, MOPS, CKW, CENG	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	CEO, DIDS, MOPS,	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	CEO, DIDS, MOPS,	Where Council is the coordinating road authority
sch 7 cl 19(2) & (3)	Power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	CEO, All D	Where Council is the coordinating road authority
sch 7 cl 20(1)	Power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	CEO, DIDS, MOPS	Where Council is the coordinating road authority

<b>ROAD MANAGEMENT ACT 2004</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 7A cl 2	Power to cause street lights to be installed on roads	CEO, DIDS, MOPS	Power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
sch 7A cl 3(1)(d)	Duty to pay installation and operation costs of street lighting - where road is not an arterial road	CEO, DIDS, MOPS, CENG	Where Council is the responsible road authority
sch 7A cl 3(1)(e)	Duty to pay installation and operation costs of street lighting – where road is a service road on an arterial road and adjacent areas	CEO, DIDS, MOPS, CENG	Where Council is the responsible road authority
sch 7A cl (3)(1)(f)	Duty to pay installation and percentage of operation costs of street lighting – for arterial roads in accordance with cls 3(2) and 4	CEO, DIDS, MOPS, CENG	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b>			
[##These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 24	Duty to ensure that cemetery complies with depth of burial requirements	CEO, All D, MGR	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	CEO, DIDS, MOPS	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	CEO, All D, MGR	
r 28(1)	Power to remove any fittings on any coffin, container or other receptacle if the fittings may impede the cremation process or damage the cremator	Not applicable	
r 28(2)	Duty to ensure any fittings removed of are disposed in an appropriate manner	Not applicable	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	Not applicable	
r 30(2)	Power to release cremated human remains to certain persons	Not applicable	Subject to any order of a court
r 31(1)	Duty to make cremated human remains available for collection within 2 working days after the cremation	Not applicable	

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b>			
[##These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	Not applicable	
r 31(3)	Power to dispose of cremated human remains if no person gives a direction within 12 months of the date of cremation	Not applicable	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	Not applicable	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	Not applicable	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	Not applicable	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	Not applicable	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	Not applicable	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	CEO All D, MGR	

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b>			
[##These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 40	Power to approve a person to play sport within a public cemetery	CEO, All D	
r 41(1)	Power to approve fishing and bathing within a public cemetery	Not applicable	
r 42(1)	Power to approve hunting within a public cemetery	CEO, All D	
r 43	power to approve camping within a public cemetery	CEO, All D	
r 45(1)	Power to approve the removal of plants within a public cemetery	CEO, DIDS, MOPS, CPOS	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	CEO, All D	
r 47(3)	Power to approve the use of fire in a public cemetery	CEO, All D	
r 48(2)	Power to approve a person to drive, ride or use a vehicle on any surface other than a road, track or parking area	CEO, All D	
Note: sch 2 contains Model Rules – only applicable if the cemetery trust has not made its own cemetery trust rules			
sch 2 cl 4	Power to approve the carrying out of an activity referred to in rules 8, 16, 17 and 18 of sch 2	CEO All D, MGR	See note above regarding model rules

<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b>			
[##These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 5(2)	Duty to notify the Secretary of, (a) the hours during which pedestrian access is available to the cemetery; and (b) any changes to those hours	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 6(1)	Power to give directions regarding the manner in which a funeral is to be conducted	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 7(1)	power to give directions regarding the dressing of places of interment and memorials	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 11(2)	duty to ensure objects removed under sub rule (1) are disposed of in an appropriate manner	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 12	Power to inspect any work being carried out on memorials, places of interment and buildings for ceremonies	CEO, All D, MGR,	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	CEO, All D, MGR	See note above regarding model rules



<b>CEMETERIES AND CREMATORIA REGULATIONS 2015</b>			
[##These provisions apply to Council appointed as a cemetery trust under s 5 of the <i>Cemeteries and Crematoria Act</i> 2003, and also apply to Council appointed to manage a public cemetery under s 8(1)(a)(ii) as though it were a cemetery trust (see s 53).]			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	CEO, All D, MGR	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	CEO, All D, MGR	See note above regarding model rules

<b>PLANNING AND ENVIRONMENT REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	CEO DIDS, MDCS, CP	Where Council is not the planning authority and the amendment affects land within its municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.
r 21	Power of responsible authority to require a permit applicant to verify information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in an application for a permit or to amend a permit or any information provided under s 54 of the Act	CEO DIDS, MDCS, CP, SAP, SUO	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	CEO DIDS, MDCS, CP, SAP, SUO, PAO	Where Council is the responsible authority
r 25(b)	Function of receiving a copy of any document considered under s 60(1A)(g) by the responsible authority and duty to make the document available for inspection free of charge	CEO DIDS, MDCS, CP, SAP, SUO, PAO	Where Council is not the responsible authority but the relevant land is within Council's municipal district
r 42	Function of receiving notice under s 96C(1)(c) of the Act from a planning authority of its preparation of a combined application for an amendment to a planning scheme and notice of a permit application	CEO DIDS, MDCS, CP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or  Where the amendment will amend the planning scheme to designate Council as an acquiring authority.

<b>PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	Not delegated	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	Not delegated	
r 21	Duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r19 or 20	CEO DIDS, MDCS, CP	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 7	Power to enter into a written agreement with a caravan park owner	CEO, DIDS, MDCS, CEH, EHO	
r 10	Function of receiving application for registration	CEO, DIDS, MDCS, CEH, EHO	
r 11	Function of receiving application for renewal of registration	CEO, DIDS, MDCS, CEH, EHO	
r 12(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	CEO, DIDS, MDCS, CEH, EHO	
r 12(1)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DIDS, MDCS, CEH, EHO	
r 12(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	CEO, DIDS, MDCS, CEH, EHO	
r 12(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	CEO, DIDS, MDCS, CEH, EHO	
r 12(3)	Duty to have regard to matters in determining an application	CEO DIDS,	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	for registration or an application for renewal of registration	MDCS, CEH, EHO	
r 12(4) & (5)	Duty to issue certificate of registration	CEO, DIDS, MDCS, CEH, EHO	
r 14(1)	Function of receiving notice of transfer of ownership	CEO, DIDS, MDCS, CEH, EHO	
r 14(3)	Power to determine where notice of transfer is displayed	CEO, DIDS, MDCS, CEH, EHO	
r 15(1)	Duty to transfer registration to new caravan park owner	CEO, DIDS, MDCS, CEH, EHO	
r 15(2)	Duty to issue a certificate of transfer of registration	CEO, DIDS, MDCS, CEH, EHO	
r 15(3)	Power to determine where certificate of transfer of registration is displayed	CEO, DIDS, MDCS, CEH, EHO	
r 16(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	CEO, DIDS, MDCS, CEH, EHO	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 17	Duty to keep register of caravan parks	CEO, DIDS, MDCS, CEH, EHO	
r 18(4)	Power to determine where the emergency contact person's details are displayed	CEO, DIDS, MDCS, CEH, EHO	
r 18(6)	Power to determine where certain information is displayed	CEO, DIDS, MDCS, CEH, EHO	
r 22(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	CEO, DIDS, MDCS, CEH, EHO	
r 22(2)	Duty to consult with relevant emergency services agencies	CEO, DIDS, MDCS, CEH, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	CEO, DIDS, MDCS, CEH, EHO	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	CEO, DIDS, MDCS, CEH, EHO	
r 25(3)	Duty to consult with relevant floodplain management authority	CEO, DIDS, MDCS, CEH, EHO	

<b>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2020</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 26	Duty to have regard to any report of the relevant fire authority	CEO, DIDS, MDCS, CEH, EHO	
r 28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	CEO, DIDS, MDCS, CEH, EHO	
r 40	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	CEO, DIDS, MDCS, CEH, EHO	
r 40(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	CEO, DIDS, MDCS, CEH, EHO	
r 41(4)	Function of receiving installation certificate	CEO, DIDS, MDCS, CEH, EHO	
r 43	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	CEO, DIDS, MDCS, CEH, EHO	
Sch 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	CEO, DIDS, MDCS, CEH, EHO	

<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 8(1)	Duty to conduct reviews of road management plan	CEO, DIDS, MOPS	
r 9(2)	Duty to produce written report of review of road management plan and make report available	CEO, DIDS, MOPS	
r 9(3)	Duty to give notice where road management review is completed and no amendments will be made (or no amendments for which notice is required)	CEO, DIDS, MOPS	Where Council is the coordinating road authority
r 10	Duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under s 41 of the Act	CEO, DIDS, MOPS	
r 13(1)	Duty to publish notice of amendments to road management plan	CEO, DIDS, MOPS	Where Council is the coordinating road authority
r 13(3)	Duty to record on road management plan the substance and date of effect of amendment	CEO, DIDS, MOPS	
r 16(3)	Power to issue permit	CEO, DIDS, MOPS, CENG, ENGO	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	CEO, DIDS, MOPS, CENG, ENGO	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DIDS, MOPS, CCS	Where Council is the coordinating road authority



<b>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 23(4)	Power to charge a fee for application under s 66(1) Road Management Act	CEO, DIDS	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	CEO, DIDS, MOPS, CWK, CCS, CSY, CENG, ENGO	Where Council is the responsible road authority
r 25(2)	Power to sell or dispose of things removed from road or part of road (after first complying with regulation 25(3))	CEO, DIDS, MDCS, CCS	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	CEO, DIDS, MDCS, CCS	

<b>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	CEO, All D	Where Council is the coordinating road authority and where consent given under s 63(1) of the Act
r 22(2)	Power to waive whole or part of fee in certain circumstances	CEO, All D	Where Council is the coordinating road authority

**13.5 AWARDING OF AN EXTENSION FOR CONTRACT NO. 2003-0107 - ANNUAL SUPPLY OF BULK DIESEL  
DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

*In providing this advice to Council as the Manager Operations, I Tristan May have no interests to disclose in this report.*

**ATTACHMENTS**

1. CONFIDENTIAL - Contract No.2003-0107 Evaluation Report - Annual Supply of Bulk Diesel [**13.5.1** - 44 pages]
2. CONFIDENTIAL - Contract No. 2003-0107 Individual Member Recommendations - Annual Supply of Bulk Diesel [**13.5.2** - 1 page]

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider an additional and final one year extension to Procurement Australia's contract for Annual Supply of Bulk Diesel Contract No. 2003-0107.

Council resolved at the August 2018 Ordinary Meeting of Council to enter into this contract for 2 years with an optional extra year. The Procurement Australia Contract was actually for 2 years with an additional 1 + 1 year options.

Due to an administration error, the second 1 year option was not included in the original Council report and subsequent resolution, therefore officers are requesting Council approve the additional one-year option.

Council officers are not experiencing any issues with the current contract and therefore have no reason not to sign up to the additional final year of the contract.

**OFFICER'S RECOMMENDATION**

*That Council:*

1. *Authorises the additional (one) 1 year extension of Procurement Australia's contract for 'Annual Supply of Bulk Diesel' Contract No.2003-0107; and*
2. *Authorises the Interim Chief Executive Officer to sign the contract extension documents.*

## **MOTION**

*That Council:*

- 1. Authorises the additional (one) 1 year extension of Procurement Australia's contract for 'Annual Supply of Bulk Diesel' Contract No.2003-0107; and*
- 2. Authorises the Interim Chief Executive Officer to sign the contract extension documents.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Tessa Halliday

**Carried**

## **BACKGROUND**

Council has many plant items that operate on diesel fuel and has storage capacity for this located at the Daylesford depot. The depot operates an above ground tank that stores 12,000 litres of fuel which is filled generally on a two-week cycle by bulk delivery.

Council has annually spent in the order of \$140,000 on diesel supply over the period of the current contract and in order to continue our operations it is expected to be similar in the final year of the contract ending March 2022.

## **KEY ISSUES**

This contract gives Council competitive buying capabilities for bulk diesel as the tender provides several supplier options to support cost effective operation of machinery for continued service delivery.

Procurement Australia are expecting to commence preparing for a new panel contract for Bulk Diesel supply in the coming months which will enable Council to consider being a signatory again for the future, post March 2022.

## **POLICY AND STATUTORY IMPLICATIONS**

Council Plan 2017-2021

Quality Community Infrastructure

1. Responsibly manage our assets portfolio including roads and transport infrastructure, buildings, recreation and sporting facilities and public toilets by inspecting and monitoring maintenance and renewal needs. This is achieved through planning for and implementing asset renewal and upgrade programs or new facilities that meet community expectations such as hubs, streetscapes, roads and building assets.

**GOVERNANCE ISSUES**

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

**SUSTAINABILITY IMPLICATIONS**

There are no sustainability implications associated with this report.

**FINANCIAL IMPLICATIONS**

Diesel expenditure throughout the life of this contract has grown at a minor rate which is proportionate to the growth in our resources and services. All expenditure has been within nominated budgets which is expected to continue with the additional year of the contract.

**RISK IMPLICATIONS**

There are no risk implications associated with this report.

**COMMUNITY AND STAKEHOLDER ENGAGEMENT**

There are no community or stakeholder engagement implications associated with this report.

## **13.6 RECORDS OF COUNCILLOR ATTENDANCE ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

*In providing this advice to Council as the Governance Specialist, I Rebecca Smith have no interests to disclose in this report.*

### **ATTACHMENTS**

1. Record of Councillor Attendance - Reconciliation Action Plan Advisory Committee - 17 February 2021 [**13.6.1** - 4 pages]
2. Record of Councillor Attendance - Councillor Briefing - 9 March 2021 [**13.6.2** - 4 pages]
3. Record of Councillor Attendance - Pre Council Meeting Briefing - 16 March 2021 [**13.6.3** - 1 page]
4. Record of Councillor Attendance - Councillor Briefing - 23 March 2021 [**13.6.4** - 4 pages]

### **EXECUTIVE SUMMARY**

The purpose of this report is for Council to receive and note Records of Councillor Attendance, formerly known as Assemblies of Councillors records required to be presented under provisions of the *Local Government Act 1989*.

### **OFFICER'S RECOMMENDATION**

*That Council receives and notes the Records of Councillor Attendance as detailed in the report.*

### **MOTION**

*That Council receives and notes the Records of Councillor Attendance as detailed in the report.*

**Moved:** Cr Don Henderson

**Seconded:** Cr Tessa Halliday

**Carried**

### **BACKGROUND**

Under the *Local Government Act 1989 (1989 Act)*, Council was required to keep records of assemblies of Councillors as defined under the Act:

*...a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:*

- *the subject of a decision of the Council; or*

- *subject to the exercise of a function, duty of power of the Council that has been delegated to a person or committee – but does not include a meeting of the Council, a special committee of the Council, as audit committee established under Section 139, a club, association, peak body, political party of other organisation.*

With this section of the 1989 Act now repealed, Council’s Governance Rules, chapter 6 section 1, requires that:

*If there is a meeting of Councillors that:*

- 1. is scheduled or planned for the purpose of discussing the business of Council or briefing Councillors;*
- 2. is attended by at least one member of Council staff; and*
- 3. is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting*

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

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

To full-fill this requirement and promote transparency, records of councillor attendance are kept where the above definition is met and brought to Council for noting, as attached.

## KEY ISSUES

The following records of Councillor attendance are reported:

<b>Date</b>	<b>Committee Name</b>	<b>Location</b>
<b>17 February 2021</b>	Reconciliation Action Plan Advisory Committee	Virtual
<b>9 March 2021</b>	Councillor Briefing	Council Chamber
<b>16 March 2021</b>	Pre-Council Meeting Briefing	Council Chamber
<b>23 March 2021</b>	Councillor Briefing	Council Chamber

## POLICY AND STATUTORY IMPLICATIONS

The report full fills Council’s requirements under the Governance Rules.

## GOVERNANCE ISSUES

The implications of this report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

## SUSTAINABILITY IMPLICATIONS

The inclusion of the attached records of Councillor attendance in the Council Agenda and their availability to the public will increase awareness of the activities of Council and promote community involvement in decision making at Council level.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

#### **RISK IMPLICATIONS**

If records of Councillor attendance are not included in the Public Agenda at a Council Meeting, Council would be in breach of its Governance Rules as adopted on the 25 August 2020.

#### **COMMUNITY AND STAKEHOLDER ENGAGEMENT**

Using Council's adopted Community Engagement Framework, International Public Participation Consultation, this report presents information via the Council Agenda.



▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	RAP Advisory Committee	<b>DATE</b>	Wednesday, February 17, 2021
<b>LOCATION</b>	<input type="checkbox"/> Council Chamber <input checked="" type="checkbox"/> Video Conference <input type="checkbox"/> Other: <a href="#">Click or tap here to enter text.</a>	<b>TIME</b>	
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input type="checkbox"/> Cr Tim Drylie <input type="checkbox"/> Cr Tessa Halliday <input type="checkbox"/> Cr Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input type="checkbox"/> Cr Brian Hood <input type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input type="checkbox"/> CEO - Evan King <input type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input type="checkbox"/> Director Community and Corporate Services – Bradley Thomas Others (Position Title and Name): Arts, Culture and Reconciliation Officer – Donna Spiller Coordinator Community Partnerships – Michelle Whyte		

MATTERS CONSIDERED

Agenda attached – CM Reference: [Click or tap here to enter text.](#)

OR

List matters considered:

[Click or tap here to enter text.](#)

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>
Choose an item.	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>	<a href="#">Click or tap here to enter text.</a>

NOTES:

<Record late arrivals or early departures>

RECORD COMPLETED BY

- CEO – Evan King
- Director Infrastructure and Development Services – Bruce Lucas
- Director Community and Corporate Services – Bradley Thomas

Other:

Arts Culture and Reconciliation Officer – Donna Spiller

▶ RECORD OF COUNCILLOR ATTENDANCE

Signed:

## Reconciliation Action Plan (RAP)

### Advisory Committee (AC)

Wednesday 17 February 2021

Zoom Meeting – 10.45am

Invitees: Mayor Lesley Hewitt (Chair), Rod Poxon, Peter O’Mara, Gary Lawrence, Warren Maloney, Erica Higgins, Barry Golding, Michelle Whyte (Coordinator Community Partnerships), Donna Spiller (Arts, Culture and Reconciliation; Minutes), Cr Jen Bray (Alternate Chair).

Item	Time	Agenda Item	Presenter RAP Action
1	10.45	<ul style="list-style-type: none"> <li>Acknowledgement of Country</li> <li>Welcome, apologies and introductions</li> <li>Acceptance of minutes from previous meeting.</li> </ul>	Chair
2 Actions and Outcomes from Previous Minutes	10.50	<ul style="list-style-type: none"> <li><b>Black Lives Matter:</b></li> <li>Racism It Stops With Me Campaign: <a href="http://itstopswithme.humanrights.gov.au/">http://itstopswithme.humanrights.gov.au/</a></li> <li>Collingwood Football Club “Do Better” Review</li> </ul> <p>Warren tabled link to article on Collingwood Football Club Review            Recommendations in Collingwood report have a tenure as a base for all sporting/recreation clubs within HSC (expectations of Council subsidised sport and recreation)  <a href="https://www.abc.net.au/news/2021-02-01/collingwood-is-guilty-of-systemic-racism-review-finds/13055816">https://www.abc.net.au/news/2021-02-01/collingwood-is-guilty-of-systemic-racism-review-finds/13055816</a></p>	Peter and Erica/Donna  Action 15

▶ MEETING AGENDA

		Budget Bids: Cultural Heritage and Tree Works on memorial avenue	Action 6 and 15
3 Project status update	11:10	<u>Jim Crow Creek Renaming Project – Larni Barramal Yaluk</u>  <u>Aboriginal Peoples Memorial Avenue</u>	Donna Action 7  Action 15
4 Agenda Item from Committee	-	As per Item 2	
5 Communication with DDWCAC	11.15	Harley Dunolly Lee appointed Language Repatriation Project Officer at DDWCAC  Confirmed language for the Glenlyon Public Art Commission HSC have requested Language for the Memorial Avenue.	Action 7 Donna
6. Internal Working Group	11.20	First Meeting for 2021 Held. <ul style="list-style-type: none"> <li>- Black Lives Matter</li> <li>- <b>EOI, TOR and payments</b></li> <li>- Signage and project responsibility within RAP</li> <li>- Budgets</li> <li>- Proposed Rename of Creek: Governance and Councillors</li> <li>- Communicating Reconciliation (internal and external).</li> </ul>	Action 1 Donna
7. January 26	11.45	Activities attended by RAP AC Mayors Address Council Flags Future Statement by Councillors	Action 15 RAP AC Mayor
8 Central Victorian Local Govt. Reconciliation Network	11.55	Bendigo advertised Identified position for an Aboriginal Place Names Officer and First Nations Arts Officer	Donna
9 Other Business	11.45	NAIDOC Week theme announced – <b>Heal Country</b> 4-11 July 2021 Reconciliation Week 27 may – 3 June	
10. <b>Review of Recommendations</b> From Meeting -Next meeting -Close Meeting	11.55  12pm	April TBC	

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, March 09, 2021
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	<b>TIME</b>	9:30am to 5:00pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Strategic Planner - Glenn Musto Manager Development & Community Safety – Bronwyn Southee Acting Manager Community Partnerships & Economic Development - Rebecca Pedretti Manager Operations - Tristan May Coordinator Engineering – Tim Powell Asset Specialist – Manoj Bhattarai		

**MATTERS CONSIDERED**

Agenda attached – CM Reference: DOC/21/12234

OR

List matters considered:

As per Councillor Briefing for 9 March 2021

**CONFLICT OF INTEREST DISCLOSURES**

Declared by	Item being considered	Time left meeting	Time Returned
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Nil

**NOTES:**

Councillor Henderson – Apology

Councillor Hood – absent for DMT presentation. Joined meeting during Planning Briefing.

External Presentation – CEO DMT Steve Wroe

External Presentation – Peter Moloney, Roads Condition Consultant

Attended Hepburn Bath House – External Presentation Karen Golding

**RECORD COMPLETED BY**

Interim CEO – Bradley Thomas

▶ RECORD OF COUNCILLOR ATTENDANCE

- Director Infrastructure and Development Services – Bruce Lucas
  - Acting Director Community and Corporate Services – Andrew Burgess
- Other:

Signed:



Tuesday 9 March 2021  
Daylesford Town Hall 76 Vincent Street Daylesford  
9:30am – 5:00pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

*The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).*

**MR BRADLEY THOMAS**

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Interim Chief Executive Officer Andrew Burgess – Acting Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services
CHAIR:		Councillor Lesley Hewitt - Mayor Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:30am	Presentation	Daylesford Macedon Regional Tourism Presentation	Daylesford Macedon Regional Tourism	3
1.2	10:15am	Briefing Only	C80 Hepburn Planning Scheme Review	Strategic Planner Manager Development and Community Safety	47
	11:15am	<b>Break</b>			
1.3	11:30am	Presentation	Mid Year 2020/2021 Budget Review	Acting Manager Financial Services	216
	1:00pm	<b>Lunch</b>			
1.4	1:30pm	Discussion Presentation External Presentation	Asset Management & Road Infrastructure Policy	Manager Operations Coordinator Engineering Moloney Asset Management Systems	217
	3:30pm	<b>Break</b>			
	3:45pm	<b>Travel</b>			
1.5	4:00pm	Report	Offsite Presentation - Belgravia Leisure - Hepburn Bathhouse Renovation	Interim Chief Executive Officer	330
2	5:00pm	<b>Close of Meeting</b>			331



▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Pre-Council Meeting Briefing	<b>DATE</b>	Tuesday, March 16, 2021
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	<b>TIME</b>	3:00pm to 4:50pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input checked="" type="checkbox"/> Interim CEO – Bradley Thomas <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Manager Governance and Risk – Krysten Forte Manager ICT – Chris Whyte		

MATTERS CONSIDERED

Agenda attached –

OR

List matters considered:

As per Council Meeting Agenda for 16 March 2021.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
Cr Drylie	11.1 – Solar Savers	4:40pm	4:42pm

NOTES:

4.40 pm Councillor Simpson left briefing and did not return.

RECORD COMPLETED BY

- Interim CEO – Bradley Thomas  
 Director Infrastructure and Development Services – Bruce Lucas  
 Acting Director Community and Corporate Services – Andrew Burgess

Other:



Signed:

▶ RECORD OF COUNCILLOR ATTENDANCE

<b>MEETING</b>	Councillor Briefing	<b>DATE</b>	Tuesday, March 23, 2021
<b>LOCATION</b>	<input checked="" type="checkbox"/> Council Chamber <input type="checkbox"/> Video Conference <input type="checkbox"/> Other:	<b>TIME</b>	9:30am to 2:31pm
<b>COUNCILLORS PRESENT</b>	<input checked="" type="checkbox"/> Cr Jen Bray <input checked="" type="checkbox"/> Cr Tim Drylie <input checked="" type="checkbox"/> Cr Tessa Halliday <input checked="" type="checkbox"/> Don Henderson <input checked="" type="checkbox"/> Cr Lesley Hewitt <input checked="" type="checkbox"/> Cr Brian Hood <input checked="" type="checkbox"/> Cr Juliet Simpson		
<b>OFFICERS PRESENT</b>	<input type="checkbox"/> Interim CEO – Bradley Thomas (apology) <input checked="" type="checkbox"/> Director Infrastructure and Development Services – Bruce Lucas <input checked="" type="checkbox"/> Acting Director Community and Corporate Services – Andrew Burgess Others (Position Title and Name): Strategic Planner – Glenn Musto Acting Manager – David George Coordinator Planning – Nathan Aikman Statutory Planner – Anita Smith Statutory Planner – Callum Murphy		

MATTERS CONSIDERED

Agenda attached – CM Reference: DOC/21/15836

OR

List matters considered:

Click or tap here to enter text.

CONFLICT OF INTEREST DISCLOSURES

Declared by	Item being considered	Time left meeting	Time Returned
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NOTES:

0930 Consultant Kate McRae – Projectura presented by Zoom

0935 Cr Simpson joined the briefing

0944 Cr Henderson joined the briefing

Planning Briefing items presented by Plan2Place Consultants

2.20 pm Councillor Simpson left meeting and did not return.

RECORD COMPLETED BY

Interim CEO – Bradley Thomas

Director Infrastructure and Development Services – Bruce Lucas

▶ RECORD OF COUNCILLOR ATTENDANCE

Acting Director Community and Corporate Services – Andrew Burgess  
Other:

Signed:



Tuesday 23 March 2021  
Daylesford Town Hall, 76 Vincent Street Daylesford  
9:30am – 2:15pm

*Councillors, I advise that I have assessed the following information in the briefing papers and associated attachments as being confidential information.*

*The information is considered to be confidential information under section 3(1) of the Local Government Act 2020 because it is Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (Section 3(1)(a)).*

**MR BRADLEY THOMAS**

INTERIM CHIEF EXECUTIVE OFFICER

INVITED:	Councillors	Councillor Jen Bray, Birch Ward Councillor Tim Drylie, Creswick Ward Councillor Tessa Halliday, Cameron Ward Councillor Don Henderson, Creswick Ward Councillor Lesley Hewitt, Birch Ward Councillor Brian Hood, Coliban Ward Councillor Juliet Simpson, Holcombe Ward
	Officers	Bradley Thomas – Interim Chief Executive Officer Andrew Burgess – Acting Director Community and Corporate Services Bruce Lucas – Director Infrastructure and Development Services
CHAIR:		Councillor Lesley Hewitt - Mayor Bradley Thomas – Interim Chief Executive Officer

APOLOGIES:

No	Time	Type	Agenda Item	Presenter	Page No
1.1	9:30am	Presentation	Update for Councillors - Community Vision and Council Plan	Projectura	3
	10:30am		Break		
1.2	10:45am	Report	Planning Application 2969 – Demolition of Existing Buildings, use and development of land for accommodation and a function centre and waiver of on-site parking	Statutory Planner	4
1.3	11:45am	Report	Planning Application 2988 - Two lot subdivision (re-subdivision) at 319 Daylesford-Malmsbury Road Coomoora	Statutory Planner	64
	12:45pm		Lunch		
1.4	1:15pm	Discussion	Open discussion - Planning Matters of Interest	Coordinator Planning Strategic Planner	94
2	2:15pm		Close of Meeting		95

## 14 CONFIDENTIAL ITEMS

### 14.1 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Pursuant to section 66(1) of the *Local Government Act 2020* (the Act) Council or delegated committee must keep a meeting open to the public unless the Council or delegated committee considers it necessary to close the meeting to the public because a circumstance specified in subsection (2) applies.

The circumstances detailed in section 66(2) of the Act are:

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

#### RECOMMENDATION

That in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting to be closed to members of the public for the consideration of the following confidential items:

- *Awarding of Contract HEPBU RFT2021.33 Kerbside Collection*
- *Awarding of contract HEPBU.RFT2020.202 - Banking and Bill Payment Service Contract*

*These agenda items are determined to be confidential information for the purposes of section 3(1) of the Local Government 2020:*

- *Because they are Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and*
- *This ground applies because the agenda concerns the details of a contractual and commercial negotiations and would, if prematurely released, diminish the strength of Council's position in those negotiations and unreasonably expose the business, commercial or financial undertaking to disadvantage.*

#### MOTION

That in accordance with sections 66(1) and 66(2)(a) of the *Local Government Act 2020*, the meeting to be closed to members of the public for the consideration of the following confidential items:

- *Awarding of Contract HEPBU RFT2021.33 Kerbside Collection*
- *Awarding of contract HEPBU.RFT2020.202 - Banking and Bill Payment Service Contract*

*These agenda items are determined to be confidential information for the purposes of section 3(1) of the Local Government 2020:*

- *Because they are Council business information, being information that would prejudice Council's position in commercial negotiations if prematurely released (section 3(1)(a)); and*
- *This ground applies because the agenda concerns the details of a contractual and commercial negotiations and would, if prematurely released, diminish the strength of Council's position in those negotiations and unreasonably expose the business, commercial or financial undertaking to disadvantage.*

**Moved:** Cr Brian Hood

**Seconded:** Cr Tim Drylie

**Carried**

The Ordinary Council Meeting was closed to the public at 8.41pm.

The Confidential Council meeting commenced at 8.41pm.

The decisions relating to the release of information to the public on items 1.1 Awarding of Contract HEPBU RFT2021.33 - Kerbside Collection and 1.2 Awarding of contract HEPBU.RFT2020.202 - Banking and Bill Payment Service Contract are as below:

### **1.1 AWARDING OF CONTRACT HEPBU RFT2021.33 - KERBSIDE COLLECTION DIRECTOR INFRASTRUCTURE AND DEVELOPMENT SERVICES**

The report has been determined to remain confidential as per the Council resolution and the successful tenders will be released to the public when all successful and unsuccessful tenderers have been notified of the outcome.

The determination that this information is confidential is that the information is deemed to be confidential information for the purposes of section 3 (1) of the *Local Government Act 2020* because it is Council business information and if released at this time it could prejudice Councils position in commercial negotiations (section 3(1)).

**1.2 AWARDING OF CONTRACT HEPBU.RFT2020.202 - BANKING AND BILL PAYMENT SERVICE CONTRACT  
ACTING DIRECTOR COMMUNITY AND CORPORATE SERVICES**

**OFFICER'S RECOMMENDATION**

*That Council:*

- 1. Awards Contract Number HEPBU.RFT2020.202 for the schedule of rates contract to Commonwealth Bank Australia for an initial period of three years;*
  - 2. Authorises the Chief Executive Officer or an authorised Council Officer to extend the contract by a further period of three years on the condition of there having been satisfactory overall performance in the initial period of the contract as assessed against the Key Performance Indicators;*
  - 3. Authorises the Interim Chief Executive Officer and the Mayor to sign and seal the contract documents on behalf of Council;*
  - 4. Authorises the Interim Chief Executive Officer or a council officer delegate to communicate the outcome of this decision to the Commonwealth Bank Australia; and*
  - 5. Keeps this report confidential and releases the successful tenderer and notes that this will be recorded in the meeting minutes and released to the public.*
- {recommendation-end}

**MOTION**

*That Council:*

- 1. Awards Contract Number HEPBU.RFT2020.202 for the schedule of rates contract to Commonwealth Bank Australia for an initial period of three years;*
- 2. Authorises the Chief Executive Officer or an authorised Council Officer to extend the contract by a further period of three years on the condition of there having been satisfactory overall performance in the initial period of the contract as assessed against the Key Performance Indicators;*
- 3. Authorises the Interim Chief Executive Officer and the Mayor to sign and seal the contract documents on behalf of Council;*
- 4. Authorises the Interim Chief Executive Officer or a council officer delegate to communicate the outcome of this decision to the Commonwealth Bank Australia; and*
- 5. Keeps this report confidential and releases the successful tenderer and notes that this will be recorded in the meeting minutes and released to the public.*

**Moved:** Cr Jen Bray

**Seconded:** Cr Brian Hood

**Carried**



**15 CLOSE OF MEETING**

The Meeting closed at 08:58 pm.