



Alpine Shire

ORDINARY COUNCIL MEETING

AGENDA

M3 – 2 April 2019

Senior Citizens Centre, Smith Street Myrtleford

7:00pm



Notice is hereby given that the next **Ordinary Meeting** of the **Alpine Shire Council** will be held in the Senior Citizens Centre, Smith Street Myrtleford on **2 April 2019** commencing at **7:00pm**.

AGENDA

1	RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS.....	4
2	ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, and RECOGNITION OF ALL PEOPLE.....	4
3	CONFIRMATION OF MINUTES.....	4
3.1	ORDINARY COUNCIL MEETING – M2.....	4
4	APOLOGIES.....	4
5	OBITUARIES / CONGRATULATIONS.....	4
6	DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST.....	5
7	PUBLIC QUESTIONS	5
8	PRESENTATION OF REPORTS BY OFFICERS.....	6
8.1	CHIEF EXECUTIVE OFFICER – CHARLIE BIRD.....	6
8.1.1	Contracts approved by the CEO.....	6
8.2	DIRECTOR ASSETS – WILLIAM JEREMY.....	7
8.2.1	Municipal Heatwave Plan.....	7
8.2.2	Myrtleford Recreation Reserve Fire Hydrant Services.....	9
8.3	DIRECTOR CORPORATE – NATHALIE COOKE.....	12
8.3.1	Alpine Shire Council Plan 2017-2021 (review 2019).....	12
8.3.2	Instruments of Appointment and Authorisation - <i>Planning and Environment Act 1987</i>	15
8.3.3	Draft 2019/20 Budget Report	18
8.3.4	Dinner Plain Special Rate (2019/20) Public Notice of Proposed Declaration	21
8.3.5	Community Local Law 2019.....	25
8.3.6	Contract Bulk Waste and Comingled Recyclables Transport and disposal / acceptance	31
8.3.7	Airport Services Lease of Hangar at Porepunkah Aerodrome.....	34
9	ASSEMBLY OF COUNCILLORS.....	36
10	GENERAL BUSINESS	37
11	MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN.....	37



12	RECEPTION AND READING OF PETITIONS	37
13	DOCUMENTS FOR SEALING.....	38
14	CONFIDENTIAL REPORT	38



1 RECORDING AND LIVESTREAMING OF COUNCIL MEETINGS

The CEO will read the following statement:

All council meetings are filmed with both video and audio being recorded.

Video is focused on a specific area however audio from the entire room is captured.

By speaking during question time, or at any time during the meeting, you consent to your voice and any comments you make being recorded.

In common with all narrative during council meetings verbal responses to congratulations, obituaries and question time will not be recorded in the written minutes.

The reasoning behind recording council meetings is of course to hold us more accountable and improve transparency of council's decision making to our community.

The full meeting is being streamed live on Council's YouTube channel which is "Alpine Shire Council" and will also be available on the YouTube channel shortly after this meeting.

2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS, AND RECOGNITION OF ALL PEOPLE

The CEO will read the following statement:

The Alpine Shire Council acknowledges the traditional owners of the land we are now on.

We also acknowledge those people who have contributed to the rich fabric of our community and strive to make wise decisions that will improve the quality of life for all.

3 CONFIRMATION OF MINUTES

3.1 ORDINARY COUNCIL MEETING – M2

Cr Keeble

Cr Knappstein

That the minutes of Ordinary Council Meeting M2 held of 5 March 2019 as circulated be confirmed.

Carried

4 APOLOGIES

Nil

5 OBITUARIES / CONGRATULATIONS

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.



6 DECLARATIONS BY COUNCILLORS OF CONFLICT OF INTEREST

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.

7 PUBLIC QUESTIONS

Questions on Notice will be limited to two questions per person.

Questions on Notice can be written or from the floor.

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.



8 PRESENTATION OF REPORTS BY OFFICERS

8.1 CHIEF EXECUTIVE OFFICER – CHARLIE BIRD

8.1.1 Contracts approved by the CEO

Cr Pearce

Cr Keeble

That the Contracts approved by the CEO be noted.

Contract No:	CQ18092	Process:	Request for Quotation
Title:	Playground Equipment Renewal 2018/19 across four playgrounds within the Alpine Shire		
Tenderer:	Adventure Plus		
\$ (excl. GST):	\$61,250 for		
Playgrounds:	North Mount Beauty and Dederang Recreation Reserve		

Contract No:	CQ18092	Process:	Request for Quotation
Title:	Playground Equipment Renewal 2018/19 across four playgrounds within the Alpine Shire		
Tenderer:	Safeplay		
\$ (excl. GST):	\$49,903		
Playgrounds:	Tavare Park Harrietville and Pioneer Memorial Park Tawonga		

Contract No:	CQ18109	Process:	Request for Quotation
Title:	Porepunkah Riverside Amenities Renewal		
Tenderer:	Owen Douglas Lewis		
\$ (excl. GST):	\$90,566		

Contract No:	CQ18081	Process:	Request for Quotation
Title:	Buckland Bridge Design		
Tenderer:	Chris O'Brien & Co.		
\$ (excl. GST):	\$56,500		

Carried



8.2 DIRECTOR ASSETS – WILLIAM JEREMY

8.2.1 Municipal Heatwave Plan

File Number: 508.02

INTRODUCTION

Council is required to prepare and maintain a Municipal Heatwave Plan as a sub-plan to the Municipal Emergency Management Plan (MEMP) to comply with the *Victorian Emergency Management Act 1986 and 2013*. Council's updated Heatwave Plan has been prepared in consultation with the Municipal Emergency Management Planning Committee, with their last opportunity for review being 2012.

The updated Heatwave Plan was adopted by the Municipal Emergency Management Planning Committee in February 2019 and has been recommended to Council for noting.

Cr Pearce

Cr Nicholas

That Council:

- 1. Note the Alpine Shire Council Heatwave Plan Version 2.0 (2019) as adopted by the Alpine Municipal Emergency Management Planning Committee; and*
- 2. Authorise the Chief Executive Officer to endorse the Municipal Heatwave Plan on behalf of Council.*

Carried

BACKGROUND

Council is required to prepare and maintain a Municipal Heatwave Plan as a sub-plan to the Municipal Emergency Management Plan (MEMP) to comply with the *Victorian Emergency Management Act 1986 and 2013*.

Council's Municipal Heatwave Plan has been updated in consultation with the Municipal Emergency Management Planning Committee (MEMPC), and was adopted by the committee in February 2019.

The key changes made to the document are:

- Explanation of heatwave threshold, heatwave and heat health alert.
- Documenting a clear communication strategy to initiate alert, response and recovery phases of the plan.
- Inclusion of content relating to promoting community awareness and education.

ISSUES

Nil.



POLICY IMPLICATIONS

The recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Infrastructure and open space that our community is proud of.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONSULTATION

The Municipal Heatwave Plan has been updated with input from the Municipal Emergency Management Planning Committee and key Alpine Shire Council staff holding identified Emergency Management roles.

CONCLUSION

The updated Municipal Heatwave Plan has been adopted by the Alpine Municipal Emergency Planning Committee and is presented to Council for noting.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Manager Asset Maintenance
- Emergency Management Coordinator

ATTACHMENT(S)

8.2.1 Municipal Heatwave Plan Version 2.0 (2019)



8.2.2 Myrtleford Recreation Reserve Fire Hydrant Services

File Number: 01546.01

INTRODUCTION

This report relates to the award of the Myrtleford Recreation Reserve Fire Hydrant Services works tender.

Cr Roper

Cr Forsyth

That Council:

- 1. Awards Contract No. 1900501 for Myrtleford Recreation Reserve Fire Hydrant Services to James Civil Group for the Lump Sum price of \$212,626 +GST; and*
- 2. Continues to pursue a funding contribution to the cost of the works through the Public Safety on Public Lands grant scheme administered by the Department of Environment, Land, Water and Planning.*

Carried

BACKGROUND

Prompted by the need to establish a compliant fire hydrant service at the Myrtleford Indoor Sport Stadium as part of the stadium expansion project, a review was carried out of Myrtleford Recreation Reserve's existing fire hydrant system. This review established that the existing fire hydrant system is non-compliant. A hydraulic engineering consultant was engaged to design a new fire hydrant system which is compliant with the relevant engineering standards, and this design has now been endorsed by the Country Fire Authority (CFA).

In February 2019, Council tendered for the engagement of suitable hydraulic and civil contractors to supply and install a new fire hydrant main, backflow and meter assembly, associated hydrants and infrastructure, pumping station, buffer tank and electrical supply.

The Invitation to Tender was advertised in the Border Mail on 6 February 2019 and on the tenders.net and the Alpine Shire Council websites on 1 February 2019. Tenders closed on Friday 22 February 2019.

The Tender documents were downloaded by 14 prospective tenderers and four tender submissions were received.

EVALUATION

The evaluation panel consisted of the Director Assets and the Project Manager.



The Tenders were evaluated according to the key selection criteria listed in the Invitation to Tender:

- Price
- Delivery
- Qualification & Previous Performance
- Social

A review of the tender submission against the evaluation criteria determined that the James Civil Group offered the best value.

James Civil Group has considerable experience undertaking hydraulic works on North East Water infrastructure, has successfully delivered significant civil projects for Alpine Shire Council in the past, and offered the most competitive price for the proposed works.

ISSUES

In order to obtain a Certificate of Occupancy for the Myrtleford Indoor Sports Stadium on completion of the stadium expansion project, it is necessary to have in place a fire hydrant system which complies with the relevant engineering standards and is endorsed by the CFA. The existing fire hydrant system is non-compliant and cannot therefore be extended to provide coverage of the new stadium.

POLICY IMPLICATIONS

The Tender was advertised and evaluated in accordance with Council's Procurement Policy.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Incredible places for our community and visitors.

FINANCIAL AND RESOURCE IMPLICATIONS

The works to be delivered under the proposed contract are unbudgeted. Council has sought funding assistance from the Department of Environment, Land, Water and Planning (DELWP) under the Public Safety on Public Land grant scheme. DELWP is assessing this application, but has not yet provided feedback.

CONSULTATION

Specialist hydraulic engineers were engaged to prepare the design of a new fire hydrant system.

Council officers consulted with reserve user groups through the Myrtleford Showgrounds Committee and the Myrtleford Recreation Reserve Committee. Approval for the proposed works has been obtained from the CFA, DELWP and North East Water.

**CONCLUSION**

Following a comprehensive assessment process, the submission from James Civil Group is considered to represent the best value.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Assets
- Project Manager

ATTACHMENT(S)

- Nil



8.3 DIRECTOR CORPORATE – NATHALIE COOKE

8.3.1 Alpine Shire Council Plan 2017-2021 (review 2019)

File Number: 600.03

INTRODUCTION

An annual review of the Council Plan is a requirement of the *Local Government Act 1989*. This report provides an outline of the 2019 review process and recommendations for changes to this document.

Cr Roper

Cr Nicholas

That Council note:

1. *A review of the Alpine Shire Council Plan 2017-2021 (incorporating the Municipal Public Health and Wellbeing Plan) has been undertaken in accordance with s125(7) of the Local Government Act 1989 and s26(4) and s27(2)(b) of the Municipal Public Health and Wellbeing Act 2008.*
2. *The review proposes the following changes to the Alpine Shire Council Plan 2017-2021:*
 - a. *Update the Strategic Resource Plan to be consistent with the Long Term Financial Plan identified in the 2019/20 Budget (as adopted in June 2019); and*
 - b. *No other changes are currently proposed to the document.*
3. *Section 125(9) of the Local Government Act 1989 requires a Section 223 public submission process only where there are proposed adjustments in the Council Plan to the:*
 - a. *Strategic objectives of the Council;*
 - b. *Strategies for achieving the objectives; or*
 - c. *Strategic indicators for monitoring the achievement of the objectives.*
4. *No formal public submission process is required under Section 125(9) of the Local Government Act 1989 as there are no proposed adjustments to the strategic objectives, strategies or strategic indicators.*
5. *The Alpine Shire Council Plan 2017-2021 (review 2019) will be presented for adoption in June 2019.*

Carried

BACKGROUND

The Council Plan is a key document required under Local Government legislation, and includes the strategic objectives of the Council; strategies for achieving the objectives; strategic indicators for monitoring achievement; a Strategic Resource Plan; and projects / services intended to span the lifetime of the Plan.



The 2017-2021 Alpine Shire Council Plan was developed following the 2016 Election, and was adopted in June 2017. This was the first time that Council elected to incorporate the Municipal Public Health and Wellbeing Plan (MPHWP) as part of the Council Plan. This change means that Council must be mindful of both s125(7) of the *Local Government Act 1989* (LG Act) and s26(4) and s27(2)(b) of the *Public Health and Wellbeing Act 2008* (PHW Act) when undertaking any reviews of the Council Plan.

Conducting an annual review of these plans is a requirement of each Act. Council traditionally undertakes a review in the early part of the calendar year, and when required releases proposed adjustments for public comment, and adopts the final plan in June each year.

ISSUES

Council Plan

Proposed Changes

The Council Plan has been reviewed and there are no changes proposed to any content other than the Strategic Resource Plan (SRP) 2019-2022. The SRP will be updated to align to the annual Budget in line with legislative requirements.

Requirement for Public Submissions

Section 125(9) of the Act only requires a public submission process to occur where there are proposed changes to the strategic objectives, strategies or strategic indicators within the Council Plan.

As there are no proposed changes to these items, the Council Plan will not need to be re-released for public submissions this year.

Although the SRP will be updated, it is open to submissions as part of the Budget process, and does not need to be additionally open to public submissions as part of the Council Plan review process. The resolution to adopt the Council Plan in June will contain a resolution to insert the SRP as adopted with the Budget.

Municipal Public Health and Wellbeing Plan

The MPHWP has been reviewed and there have not been any significant changes to the 'health' measures of the community which would require Council to change the strategic direction of the plan.

POLICY IMPLICATIONS

The Council Plan is a key strategic document, required under Section 125 of the *Local Government Act 1989*.

The MPHWP (as part of the Council Plan) is required under Sections 26 and 27 of the *Public Health and Wellbeing Act 2008*.



FINANCIAL AND RESOURCE IMPLICATIONS

A small cost will be required to update the Strategic Resource Plan and the front page of the designed Council Plan document, which has been budgeted for.

CONSULTATION

Consultation has occurred with Council officers and councillors. No consultation with the community is required, as there are no intended modifications to the strategic objectives, strategies or strategic indicators within the Council Plan.

CONCLUSION

Council should note that public exhibition is not required for the proposed updates to the Council Plan. A report will be presented in June to adopt the 2019 review of the Council Plan, and incorporate the updated Strategic Resource Plan in line with the adopted Budget.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

- Nil



8.3.2 Instruments of Appointment and Authorisation - *Planning and Environment Act 1987*

File Number: Delegations register

INTRODUCTION

Instruments of appointment and authorisation are an important means of Council ensuring that its officers are appropriately authorised under the relevant Acts that Council administers. This report provides for a change in staffing for staff with planning responsibilities.

Cr Keeble

Cr Nicholas

That Council exercise the powers conferred by Section 224 of the Local Government Act 1989, and by Section 147 of the Planning and Environment Act 1987, so that:

- 1. The following members of Council staff referred to in attachments 8.3.2(a)-(b) "S11A – Instrument s of Appointment and Authorisation – Planning & Environment Act 1987" (the instruments) be appointed and authorised as set out in the instruments;*
 - a. Strategic Planner*
 - b. Development Engineer*
- 2. The instruments come into force immediately the common seal of Council is affixed to the instruments, and remain in force until Council determines to vary or revoke them;*
- 3. On the coming into force of the instruments the previous "S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987" for the Planning Officer signed on 1 May 2018 be revoked; and*
- 4. The instruments be signed and sealed at the appropriate stage of this meeting.*

Carried

BACKGROUND

Authorised Officers

Section 224(1) of the *Local Government Act 1989* (the Act) provides that "a Council may, appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of any Act, regulations or local laws which relate to the functions and powers of Council". Legislation other than the *Local Government Act 1989* also empowers a Council to delegate certain powers, duties or functions, and appoint authorised officers.

Authorised officers have statutory powers under relevant legislation. In the case of Council's staff in the Planning department, the attached Instruments of Appointment



and Authorisation under the *Planning and Environment Act 1987* mean that they are authorised officers for the purposes of that Act.

While Council may delegate its powers, duties or functions to staff, so that a delegate acts on behalf of the Council, staff appointed as authorised officers have their own statutory powers under the relevant Act.

Planning and Environment Act 1987

Section 188(1)(b) of the *Planning and Environment Act 1987* specifies that “a planning authority ... may by instrument delegate any of its powers, discretions or functions under this Act to an officer of the authority”. However Section 188(2)(c) specifically prevents an officer from further sub-delegating any duty, function or power.

Therefore, as the responsible authority, Council must authorise staff directly using the “S11A – Instrument of Appointment and Authorisation – Planning and Environment Act 1987”, rather than via the Chief Executive Officer.

Maddocks Delegations and Authorisations Service

Council utilises the delegations and authorisations service provided by law firm Maddocks. This is a template system used by many councils and provides a detailed way of ensuring that appropriate delegations and authorisations are given to Council staff. All of the relevant legislation affecting local government, including Acts and regulations and the sections that relate to the powers, duties and functions of Council are outlined within the template and the relevant officer is allocated accordingly.

ISSUES

Council staff involved in planning roles require current and accurate authorisations to fulfil their duties. A change in staffing means that the Instruments of Appointment and Authorisation (IoAA) must be updated, with new staff added, and staff no longer needing authorisation being revoked.

POLICY IMPLICATIONS

Ensuring authorisations are kept up to date ensures that Council's planning staff can undertake their statutory roles.

This report is consistent with the following strategic objective in the Council Plan 2017-2021:

- A well planned and safe community.

FINANCIAL AND RESOURCE IMPLICATIONS

Council has an annual subscription to the Maddocks delegation and authorisation service that is allowed for in Council's annual budget. There are no other financial implications associated with these instruments of appointment and authorisation.

Appropriate authorisations allow Council and Council staff to operate effectively and within legislative frameworks.



CONSULTATION

The relevant staff and director have been consulted during the preparation of the IoAAs. There is no requirement to consult the community in the preparation of these instruments.

CONCLUSION

The appropriate appointment of authorised officers to enforce the *Planning and Environment Act 1987* is required to ensure that Council officers can undertake their statutory roles.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Governance Officer

ATTACHMENT(S)

8.3.2 (a) S11A - Instrument of Appointment and Authorisation (*Planning & Environment Act 1987*) - Strategic Planner

8.3.2 (b) S11A - Instrument of Appointment and Authorisation (*Planning & Environment Act 1987*) - Development Engineer



8.3.3 Draft 2019/20 Budget Report

INTRODUCTION

The purpose of this report is to present the draft 2019/20 Budget Report for the Alpine Shire Council, for Council's consideration and exhibition.

Cr Roper

Cr Keeble

That:

1. *The proposed Alpine Shire Council 2019/20 Budget Report annexed to this resolution and featuring a 2.5% rate increase, be the draft budget prepared by the Alpine Shire Council for the purposes of Section 127(1) of the local Government Act 1989.*
2. *The Chief Executive Officer be authorised to:*
 - a. *Give public notice of the preparation of the Alpine Shire Council 2019/20 Budget Report in accordance with Section 129(1) of the Local Government Act 1989; and*
 - b. *Make available for public inspection the information required to be made available in accordance with the Local Government (Planning and Reporting) Regulations 2014.*
3. *Consideration be given to any submission on any proposal contained in the budget made under sections 129 and 223 of the Act, with submissions closing 3pm, 9 May 2019.*
4. *A committee is formed according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the Alpine Shire Council 2019/20 Budget Report.*
5. *A recommendation to adopt the 2019/20 Budget Report be presented to a Special Meeting of Council on 18 June 2019.*

Carried

ISSUES

Based on ongoing community consultation, Council has prepared a draft Annual Budget for 2019/20 which is aligned to the vision in the Council Plan 2017-21. The Budget continues to deliver on Council's commitment to prudently manage costs while delivering the projects and services that support our community's resilience and vibrancy.

This Budget projects a surplus of \$3.5m which is influenced by:

- a) A Rate increase of 2.5%, in line with the Fair Go Rates System which caps Victorian Council rate increases in line with inflation;



- b) A capital works program totalling \$6.3m in FY19/20, reflecting a steady pipeline of asset renewal and development activity following FY18/19's exceptionally strong program which is forecast to complete at \$13.6m;
- c) A flat materials and services budget, due to continued diligent cost management and strong procurement practises which obtain the best supplier deals for our ratepayers;
- d) A wage increase at the greater of the Wages Price Index and the Consumer Price Index, as committed in Council's Enterprise Agreement three following consecutive years of wage freeze.

Council has also updated its pipeline of initiatives to align budgeted activities to the Strategic Objectives outlined in the Council Plan 2017-21.

In addition a full review of Council fees has been conducted. Selected fees are proposed to be waived including library overdue fees for junior items; e-waste and battery disposal charges; and Dinner Plain dog permit fees. The majority of other fees are proposed to increase in line with inflation.

Further detail on the operating result, strategic objectives, initiatives, services, cash and investments, capital works, financial sustainability, and rates, charges and fees can be found within the annexed report.

The annexed report represents the 'proposed' budget as prepared in accordance with the *Local Government Act 1989* and it is submitted to Council for approval 'in principle'. Following this, Council seeks feedback from the community through the formal submission process.

POLICY IMPLICATIONS

The draft Annual Budget is prepared in accordance with the *Local Government Act 1989* and the *Local Government (Planning and Reporting) Regulations 2014*.

FINANCIAL AND RESOURCE IMPLICATIONS

Council prepares its draft Budgets with the objective of balancing long term financial sustainability and prioritised delivery against community needs. The 2019/20 draft Annual Budget forecasts an operating surplus of \$3.5 million dollars, a working capital ratio of 3.6 with no reduction in the volume or standard of services delivered to the Alpine Shire.

Materials and services expenditure has remained flat. Departmental budgets have largely been managed to remain flat or reduced, offsetting increased waste processing costs and investments in technology to enable continual improvement to customer service.

CONSULTATION

Council is required to give public notice that it intends to adopt the Budget Report. It must give 28 days' notice of its intention to adopt the proposed Budget Report and make the Budget Report available for inspection at its offices and on its website.



Under Section 223 of the *Local Government Act 1989* a person has a right to make a submission on any proposal contained in the budget and any submission must be considered before adoption of the budget by Council. Council must allow a minimum 28 days after the public notice to receive submissions.

A person has the right to have their submission heard at a committee be formed according to Section 223 (1)(b) of the *Local Government Act 1989*, if required, consisting of Councillors for the purpose of hearing submissions.

Council officers undertake community engagement processes throughout the year to assist with the development of the budget. The final step is for Council to adopt the budget after receiving and considering any submissions from interested parties. The budget is required to be adopted by 30 June and a copy submitted to the Minister for Local Government within 28 days of adoption.

CONCLUSION

The draft Annual Budget has been prepared in accordance with Alpine Shire Council's Council Plan 2017-21 strategic objectives and the *Local Government Act 1989*. The draft Budget Report is presented for Council's consideration and public exhibition.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Accountant

ATTACHMENT(S)

8.3.3 Alpine Shire Council draft Budget Report 2019/20



8.3.4 Dinner Plain Special Rate (2019/20) Public Notice of Proposed Declaration

INTRODUCTION

A Council may declare a special rate for the purpose of defraying the expenses of performing a function that is of special benefit to the persons required to pay the special rate. The declaration of a special rate is a requirement of the *Local Government Act 1989*, Section 163.

The purpose of this report is to recommend that public notice is given of a proposed declaration of a Special Rate for the Dinner Plain village applicable to Commercial/Industrial land only in 2019/20.

Cr Roper

Cr Forsyth

That Council:

1. *Give public notice in accordance with s163 of the Local Government Act 1989 of the intention to declare a special rate for the period 1 July 2019 to 30 June 2020 as follows:*
 - a. *A special rate (the Dinner Plain Special Rate) be declared for the purpose of defraying any expenses in relation to the provision of services of special benefit to the owners of Commercial / Industrial land within the Dinner Plain village;*
 - b. *The total cost of the performance of this function is estimated to be \$581,000 over one year, based on inclusion of the following services:*
 - i. *The Dinner Plain to Hotham winter bus service*
 - ii. *Roadways snow clearing*
 - iii. *Cross country snow grooming*
 - iv. *Marketing and events support specific to Dinner Plain*
 - v. *Cable Television Maintenance;*
 - c. *The Dinner Plain Special Rate will apply to Commercial / Industrial land within the Dinner Plain village as defined in the attached map;*
 - d. *The definition of Commercial / Industrial land is the definition provided in the Alpine Shire Council draft Budget Report 2019/20;*
 - e. *The amount of the Dinner Plain Special Rate to be levied is determined as 43% of the general rate as provided in the Alpine Shire Council draft Budget Report 2019/20;*
 - f. *The amount of the Dinner Plain Special Rate to be levied is estimated to be \$175,774 over one year, or such other amount as is lawfully raised as a consequence of this Resolution;*



- g. The amount of the Special Rate will be the amount shown as due and payable in any notice sent to a person required to pay the Dinner Plain Special Rate; and*
 - h. Each person liable to pay the Dinner Plain Special Rate is to pay by instalments in line with Council's general rate payment requirements each year.*
- 2. Invite public submissions in relation to the proposed declaration of the Dinner Plain Special Rate in accordance with s163A and s223 of the Local Government Act 1989.*
 - 3. Form a committee according to Section 223 (1)(b) of the Local Government Act 1989, if required, consisting of Councillors for the purpose of hearing submissions in relation to the proposed declaration of the Dinner Plain Special Rate.*
 - 4. Consider the Dinner Plain Special Rate for 2019/20 declaration at a Special Council Meeting on 18 June 2019.*

Carried

BACKGROUND

The Dinner Plain village has for some time been subject to a Special Rate to defray the expenses associated with services of special benefit to Dinner Plain ratepayers. Within Alpine Shire Council's draft Council Budget Report 2019/20, this includes the Dinner Plain to Hotham winter bus service (\$162,000, an increase from \$129,000 based on increased demand in 2018/19); roadways snow clearing (\$160,000); cross country snow grooming (\$66,000); marketing and events support specific to Dinner Plain (\$191,000); and Cable Television Maintenance (\$2,000).

ISSUES

A declared Special Rate for Dinner Plain reduced from 80.7% in 2015/16, to 65% in 2016/17, to 43% in 2017/18. In 2018/19, the Special Rate was aligned to the differential rate for Commercial / Industrial Land in the rest of the Shire and was only paid by ratepayers who own Commercial / Industrial land in the Dinner Plain village (including holiday lets).

It is proposed that this approach is maintained for the declaration of a Special Rate in 2019/20.

It is noted that the Dinner Plain village operates on a total cost recovery basis. If there is a deficit or surplus based on the difference between

- a) all general and Special income attributable to Dinner Plain, and
- b) all general and Special costs attributable to Dinner Plain,

this is allocated to a reserve, namely the 'Dinner Plain Reserve'. This is inclusive of all relevant income and costs, including, for example, the general rates paid by Dinner Plain ratepayers; an apportionment of general Council grants; an apportionment of Council services relevant to Dinner Plain; an apportionment of Council overheads; all



Special Rate costs; and all capital works expenditure in Dinner Plain. Based on current forecasts, Dinner Plain expenditure will continue to exceed income as it has in 2018/19.

It is noted that in line with the 2018/19 Dinner Plain Special Rate declaration, Council is committed to delivery of a pipeline of \$1.5m new and upgrade capital works within Dinner Plain by 2027. It is anticipated that by the end of 2018/19, \$439,000 of this pipeline will have been delivered net of grant funding, including:

2017/18 Works

- Toboggan Run Access Improvements - \$19,000
- Dinner Plain Mountain Bike Trails - \$187,000
- Dinner Plain Village Green - \$32,000 (concept design and scoping)

2018/19 Works

- Toboggan and Ski Run Safety Improvements - \$44,000 (design and approval)
- Dinner Plain Mountain Bike Trails Stage 2 - \$200,000, of which \$130,000 is grant funded
- Dinner Plain Tracks and Trails Signage - \$38,000
- Dinner Plain Village Detailed Designs - \$50,000

POLICY IMPLICATIONS

The preparation of the Dinner Plain Village Rate 2019/20 strategy is in accordance with the:

- Special Rates and Charges, Ministerial Guidelines, September 2004
- *Local Government Act 1989*
- Alpine Shire Rating Strategy
- Council Plan 2017-2021 objective to provide a Responsible and Sustainable Organisation

FINANCIAL AND RESOURCE IMPLICATIONS

Based on current property valuations across the Alpine Shire, the Dinner Plain Special Rate for 2019/20 is proposing to raise an estimated \$175,774 over the 12 month period. This is significantly less revenue than the cost of the Special Rate services which are estimated to cost \$581,000 over the same period.

Analysis indicates that Dinner Plain expenditure will exceed income into the foreseeable future. This deficit will be covered by the Dinner Plain Reserve in as much as it has a positive balance.

The Dinner Plain reserve is forecast to be \$835,000 as at 30 June 2018.

CONSULTATION

Under Section 163 of the *Local Government Act 1989*, a Council must give public notice of its intention to make a special rate declaration at least 28 days before



making the declaration. The public notice must contain an outline of the proposed declaration, the date on which it is proposed to be made, and it must advise that copies of the proposed declaration are available for inspection at the Customer Service Centres for at least 28 days after the publication of the notice.

In addition, the Council must send a copy of the public notice to each person who will be liable to pay the special rate within three working days of the day on which the public notice is published.

Under Section 223 of the *Local Government Act 1989* a person has a right to make a submission on the proposed Dinner Plain Special Rate for 2019/20 and any submission must be considered before adoption of the budget by Council. Council must allow a minimum 28 days after the public notice to receive submissions. A person has the right to have their submission heard at a committee be formed according to Section 223 (1)(b) of the *Local Government Act 1989*, if required, consisting of Councillors for the purpose of hearing submissions.

CONCLUSION

Public notice of the intention to declare a special rate is a requirement of the *Local Government Act 1989*.

Council is giving public notice of the intent to declare a Dinner Plain Special Rate of 43% of the general rate for the period 1 July 2019 to 30 June 2020 in accordance with Section 163 of the *Local Government Act 1989*. It is proposed to declare the Dinner Plain Special Rate at a Special Council Meeting on 18 June 2019.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the Local Government Act 1989, the following officers declare that they have no interests to disclose in providing this report.

- Chief Executive Officer
- Director Corporate
- Director Assets
- Manager Corporate
- Rates Coordinator

ATTACHMENT(S)

8.3.4 Dinner Plain Village Rate Map



8.3.5 Community Local Law 2019

INTRODUCTION

This report provides for the making of the Community Local Law 2019.

Cr Keeble proposed an amendment to the alcohol restriction map for Bright, which is part of Attachment 3 and is referred to in recommendation 5.

Cr Keeble

Cr Forsyth

I propose to amend the alcohol restriction map for Bright in Attachment 3, referred to in recommendation 5. The proposed amendment includes a 24 hour alcohol ban in a busy area where children congregate, namely the Howitt Park playground, extending east to the Bright Splash Park and including Moses Creek downstream of Gavan Street Bridge and including the Ovens River Pool downstream of the Rotary slide and upstream of the weir. This is in addition to the 10pm – 7am alcohol restriction areas already identified.

Motion was lost.

Cr Roper

Cr Forsyth

That Council resolves to:

- 1. Make the Community Local Law 2019 (Attachment 1), to come into operation on 1 July 2019;*
- 2. Sign and seal the Community Local Law at the appropriate stage of the Council meeting;*
- 3. Publish public notices of the making of the Community Local Law 2019 in the Victorian Government Gazette, the Alpine Observer / Myrtleford Times newspapers, and on Council's website.*
- 4. Send a copy of the local law to the Minister for Local Government;*
- 5. Declare the Alcohol Restriction Areas (Attachment 3) to come into operation on 1 July 2019; and*
- 6. Notify in writing each person who has made a submission, of this decision and the reasons for the decision.*

Carried



BACKGROUND

A Local Law is a subordinate instrument created under the authority of the *Local Government Act 1989*. Local Laws must not be inconsistent with other acts or regulations.

Council currently has seven Local Laws, which are:

- Local Law 1: Council Administration
- Local Law 2: Municipal Places
- Local Law 3: Dinner Plain
- Local Law 4: Livestock
- Local Law 5: Amenity
- Local Law 6: Streets and Roads
- Local Law 7: Murray to Mountains Rail Trail

Council has committed to the development of a Community Local Law 2019, which will replace the existing Local Laws 2-7. Council has undertaken a two stage process of consultation with the community and key stakeholders in preparing the Law:

- Initial stakeholder consultation to assist in identifying issues and solutions to help draft the new Local Law, and
- Statutory consultation as required under Section 223 of the *Local Government Act 1989*.

This consultation is detailed further in the report below.

Following the statutory consultation and hearing of submissions, Council has now updated the draft Local Law to reflect the submissions. A summary of submissions received and changes is provided in the report below.

ISSUES

Submissions

A total of 121 submissions were received through the consultation process, including three late submissions. These were from a wide range of community members, community organisations (such as Chambers of Commerce and other groups), as well as government organisations. Many submissions covered a number of topics, and the key issues raised in the submissions are discussed below.

A summary of submission heard by Council and its response to those submissions has been prepared and is as per Attachment 2.

Changes to consumption of alcohol restrictions.

Approximately 80 submissions were opposed to the proposed changes to restrictions on alcohol consumption, with 11 in support.

A significant number of the opposing submissions referred to the impact of the proposed changes on picnics or social events, particularly in Council's parks and



riverside areas. A significant number were simply opposed to any change to Council's current restrictions on the consumption of alcohol.

The submissions in support of the proposed changes included concerns about behaviour, particularly during events, as well as the effects of normalising alcohol consumption and the link to harm caused by alcohol in the community.

Dog on and off lead areas

Nine submissions were received relating to dog on / off lead areas, including a focus on Dinner Plain, the Mount Beauty pondage and Pebble Beach, and the Murray to Mountains Rail Trail. Three submissions noted the lack of designated off lead areas in various locations, and two submissions supported the ability for owners to walk their dogs off lead if they were kept under effective control.

Camping

Six submissions were received on camping restrictions in the draft Local Law. Most were opposed to restrictions on camping on private land, while one supported restrictions on commercial camping in competition with licensed caravan parks.

Scareguns

Three submissions were received relating to scareguns. Two opposed the removal of specific conditions on the use of scareguns. These generally noted that the existing policy and Local Law on scareguns was a significant policy achievement at the time of its adoption in 2005, and that this policy had been effective in mitigating conflict arising from the use of scareguns. One submission called for a total ban on scareguns.

Fires in the open

Two submissions requested that exemptions be made for fires used for cooking or warmth.

Council submission

Council officers made a submission to the draft Local Law to request improvements to clarity on a number of matters, including changes to definitions, updates to the Waste Services Policy and noting that scareguns may require continued explicit regulation.

Other submissions

A range of other submissions were received on other topics, such as recreational vehicles, council owned airfields, scavenging at waste transfer stations, signage and roadside trading.



Changes to the Local Law following submissions

The following changes have been made to the document through consideration of submissions made:

1. Definitions: recreational vehicle definition has been expanded to include tracked vehicles and vehicles with all types of motors.
2. Part 2 of the Local Law has been amended to refer to Council land instead of Municipal places (which excludes Council roads).
3. Clause 2.2 Consumption of liquor on Council land has been amended as follows:
 - Council has retained the existing restrictions on the consumption of alcohol between 10pm - 7am in designated areas, and the 24 hour restriction for Dinner Plain (as shown on maps included at Attachment 3).
 - The Law notes Council's power to impose additional restrictions on Council land if required to manage risks associated with public drinking, for example risks associated with large scale events. This allows Council to work effectively with Victoria Police and others (such as event organisers) to manage identified risks.
 - Where restrictions are in force, Council retains the ability to issue a permit to vary or waive the restrictions.
4. Clause 3.2.2 Fires in the open air or in an incinerator has been updated to allow fires for cooking or warmth, and to note that fires must not be lit during the declared fire danger period.
5. Clause 3.4 Snowmobiles: updated to clarify that snowmobiles can be operated on public roads without a permit (subject to being registered).
6. Clause 3.5.2 Camping: updated to prohibit camping on private land in exchange for payment, unless a permit has been obtained.
7. Clause 3.1.1 Animals: Legal advice has been provided that clarifies that the 'dog on lead' areas will not be included in the Local Law, but will be made by a separate Order of Council under s. 25 of the *Domestic Animals Act 1994*. The proposed dog on lead areas are included for information at Attachment 4.
8. Clause 3.12 Waste Collection: minor updates to reflect Council's internal submission.
9. Clause 3.19 Scareguns: A Scaregun Policy has been included as an Incorporated Document, keeping all key aspects of the current policy.
10. Clause 3.20 Council Owned Airfields: Proposed permit requirements will be communicated via signage at the various airfields, if required.
11. Clause 4.8 Advertising signs: minor wording change to policy to reflect submissions received.
12. Clause 5.3.1 Fencing of Land: updated to refer to "any Council land" rather than "municipal place".



Policies, permit conditions and incorporated documents

A list of policies and permit conditions are provided in Attachment 5.

There are three documents incorporated into the Local Law, provided at Attachment 6:

- Scaregun Policy
- Waste Services Policy
- Register of Penalties for Infringement Notices

POLICY IMPLICATIONS

The making of Local Laws is in accordance with the *Local Government Act 1989*.

This report is consistent with the following strategic objective in the Council Plan 2017-2021:

- A well planned and safe community.

FINANCIAL AND RESOURCE IMPLICATIONS

It is anticipated that the simplification of the existing Laws may result in improved efficiency in the operation of the Local Laws area of Council. There are no material financial or resource implications forecast.

CONSULTATION

Section 119 of the *Local Government Act* sets out the procedure required when making a local law. This includes giving public notice in the locally circulating newspaper and in the Government Gazette. As part of this process, a Section 223 Public Consultation process must be followed, giving the public 28 days to comment on the proposed Local Law.

Following the period of public consultation, and adoption by Council, a further public notice must be made to advise of the formal adoption of the Local Law, and its application. A copy must also be sent to the Minister for Local Government.

In addition to these requirements, Council conducted consultation to provide insight into the issues facing our community and the performance of our current Local Laws.

A series of targeted stakeholder consultations were undertaken during September and October 2018 to test possible solutions to the known issues and check if there were other underlying issues.

Council officers consulted with:

- A total of 59 Representatives of 12 different community organisations from Myrtleford, Mount Beauty and Bright representing event-organisers, agriculture, service and business groups.
- Agency stakeholder groups including, Victoria Police, Alpine health, EPA Victoria and Mount Hotham Alpine Resort Board.



- Staff and contractors of Alpine Shire Council including CEO, Directors, Managers and operational staff.
- Alpine Shire Councillors.

The draft Local Law was gazetted for public exhibition under Section 223 of the *Local Government Act 1989* on 22 November 2018, with consultation initially proposed to continue until 21 December 2018. However, due to significant public interest, the consultation period was extended to 25 January 2019. A total of 121 written submissions were received, including three late submissions received after 25 January.

A Committee of Council also heard submissions from seven submitters on Tuesday 19 February 2019, with a further submitter heard on 26 February 2019.

CONCLUSION

The Community Local Law 2019 reflects a significant change from the previous Local Law structure that removes a significant amount of duplication and redundant content. The new law will bring the Alpine Shire into line with current best practice, and make the law more accessible, relevant and adaptable to serve our community over the life of the law.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Building and Amenity

ATTACHMENT(S)

- 8.3.5 (1) Community Local Law 2019.
- 8.3.5 (2) Summary of submissions report.
- 8.3.5 (3) Maps of alcohol restriction areas.
- 8.3.5 (4) Maps of dog on lead areas.
- 8.3.5 (5) Local Law Policies, Permit Conditions.
- 8.3.5 (6) Incorporated Documents.



8.3.6 Contract Bulk Waste and Comingled Recyclables Transport and disposal / acceptance

File number: CQ19011 and CQ19012

INTRODUCTION

This report relates to the awarding of two contracts. One for the collection, transportation and disposal of waste from Council's transfer stations in Mount Beauty and Porepunkah, depots in Bright and Myrtleford, and the Dederang Recreation Reserve (CQ19011). The other being for the collection, transportation and acceptance of comingled recyclables and cardboard from Council's transfer stations in Mount Beauty, Porepunkah and Myrtleford (CQ19012).

Cr Roper

Cr Pearce

That Council:

1. *Award Contract No. CQ19011 to Veolia Environmental Services (Australia) Pty Ltd. for the Collection, Transportation and Disposal of Waste from Mount Beauty Transfer Station, Porepunkah Transfer Station, Myrtleford Depot, Bright Depot and Dederang Recreation Reserve for an initial period of three (3) years (plus an option of a further term of one year). The cost of the tender for the first year (based upon current volumes, proposed disposal process and collection schedules) is \$185,000 (+GST).*
2. *Award Contract No. CQ19012 to Veolia Environmental Services (Australia) Pty Ltd. for the Collection, Transportation and Acceptance of Comingled Recyclables and Cardboard from Mount Beauty, Porepunkah and Myrtleford Transfer Stations for an initial period of three (3) years (plus an option of one further term of one year). The cost of the tender for the first year (based upon current volumes, proposed disposal process and collection schedules) is \$37,000 (+ GST).*

Carried

BACKGROUND

In 2017 Council awarded contracts for the collection, transport and disposal of waste from Porepunkah Transfer Station, the collection, transport and disposal of waste from Mount Beauty Transfer Station, Bright and Myrtleford Depot and Dederang Recreation Reserve and the collection, transportation and acceptance of comingled recyclables and cardboard from Mount Beauty, Porepunkah and Myrtleford Transfer Stations. The current contracts end 30 April 2019. Tenders have now been conducted for the provision of these services, with the option to award contracts for separable parts of each tender.

The tender was advertised in the Alpine Observer, Myrtleford Times and in the Border Mail on and appeared on the Alpine Shire Council website and tenders.net from 18 February through to the closing date of 18 March 2019.



The tender was downloaded by 12 prospective companies and four submissions were received by the closing date.

EVALUATION

The evaluation panel consisted of the Director Corporate and Manager Facilities. The Tenders were evaluation according to the key selection criteria listed in the Invitation to Tender:

- Price
- Qualifications and Previous Performance
- Delivery
- Social

A review of the tender submission against the evaluation criteria determined that the Following an assessment process it has been determined that Veolia Environmental Services (Australia) Pty Ltd. best met the selection criteria for both tenders and offered best value.

ISSUES

Veolia Environmental Services (Australia) Pty Ltd. currently holds the contracts to deliver the services tendered. They have held these contracts for two (2) years and have delivered a high quality, reliable service in line with the pricing and service guidelines under the contract.

In evaluation, Veolia Environmental Services (Australia) Pty Ltd. offered the best value proposition for Council from a cost perspective and through the continuation of effective site operational procedures, consistent with that proposed by Council. This will enable a seamless transition into the new contracts.

POLICY IMPLICATIONS

The Tender was advertised and evaluation in accordance with Councils' Procurement Policy.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Highly utilised and well managed community facilities.

FINANCIAL AND RESOURCE IMPLICATIONS

Services under these contracts are estimated to cost in excess of \$220,000 (+GST) per annum with the exact contract amount varying due to actual waste, comingled and cardboard volumes collected. The contracts will contain a mechanism to apply a CPI adjustment annually on the anniversary of the contract up to the contract term.

The financial impact of awarding this contract is to maintain service provision at current levels but adjusted to cater for future movements in CPI. The estimated contract value for 2018/19 also includes the Landfill Levy for waste disposal to landfill at current rates. The draft budget for 2019/20 has been prepared on the basis of



these services being provided, and will be adjusted annually in accordance with the relevant clause in the contract.

CONSULTATION

All tenders were reviewed and discussed with the submitting tenderers including assessment of alternate methods of holding, transporting and disposing of different materials.

CONCLUSION

Following a comprehensive assessment process, the submission from Veolia Environmental Services (Australia) Pty Ltd. is considered to represent the best value.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

ATTACHMENT(S)

- Nil



8.3.7 Airport Services Lease of Hangar at Porepukah Aerodrome

File Number: 1500.01

INTRODUCTION

A lease has been prepared for the hangar on land contained in Lot 1 Plan of Subdivision PS612929, 266 Buckland Valley Road Porepukah for 10 year terms, with a second 10 year option. The purpose of this report is to seek approval to execute the lease at the Porepukah Aerodrome for the purpose of erecting an aircraft hangar.

Cr Pearce

Cr Nicholas

That Council:

- 1. Approve and execute the lease forming part of Lot 1 PS612929, 266 Buckland Valley Road Porepukah for Aircraft Hangar; and*
- 2. Sign and Seal the lease document at the appropriate stage of the Council meeting.*

Carried

BACKGROUND

The Porepukah Aerodrome Master Plan was presented to Council at the Ordinary Council Meeting June 2006. One of the recommendations of the Master Plan was that Council negotiate with the airfields adjoining land owner with regard to acquisition of additional land for potential hangar relocation and new hangars.

At the Ordinary Council meeting July 2007 Council approved the Acting CEO be authorised to proceed with the acquisition of an adjoining strip of land at the Porepukah Aerodrome.

The land was acquired in 2008 and is contained in Lot 1 of Plan of Subdivision PS612929, 266 Buckland Valley Road Porepukah. A new entrance to the airfield was created on this land with the remaining land set aside for hangars and taxi way.

Lease documentation has been developed for the purpose of entering into long term hangar leases on this land. The length of the leases is 10 years, plus a 10 year option, lease charges for the attached lease is approximately \$900 (plus GST) per annum calculated based on the square meterage of each site.

ISSUES

Under Section 5(2)(d) of the Act, Council is able to acquire, hold, deal with or dispose of the property (including land) for the purpose of performing its functions and exercising its powers.

Prior to entering into a Lease of 10 years or more, Section 190 of the Act requires Council to:

- At least 4 weeks before the lease is made, publish a public notice of the proposed lease (Section 190(3b)).



- Allow interested persons to make submissions under Section 223 on the proposed sale or exchange (Section 190(4)).

Council has met the requirements under Section 190 and Section 223 of the Act.

POLICY IMPLICATIONS

This process is in accordance with obligations under the *Local Government Act 1989* and the *Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land*.

This recommendation is consistent with the following Strategic Objective of the Council Plan 2017-2021:

- Highly utilised and well managed community facilities.

FINANCIAL AND RESOURCE IMPLICATIONS

The commencement annual lease income for the hangar will be approximately \$900 (plus GST). Forward lease charges are indexed to CPI annually and subject to a market review after the first 10 years of the lease. Income collected from hangar rentals at the airfield is paid to the Porepunkah Aerodrome Association to assist it in fulfilling its responsibilities to operations and day to day maintenance of the airfield.

CONSULTATION

In accordance with Section 190 of the Act public notices were posted in September 2018 notifying of the proposed leases and inviting submissions in accordance with Section 223 (Section 190(3b)&(4)). No submissions were received regarding the proposed lease.

CONCLUSION

Having met Council's obligations under the *Local Government Act 1989* Council may enter into the lease of the land by executing the lease document at the appropriate stage of the Council meeting.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interests to disclose in providing this report.

- Director Corporate
- Manager Facilities

ATTACHMENT(S)

- Nil



9 ASSEMBLY OF COUNCILLORS

INTRODUCTION

Section 80A of the *Local Government Act 1989* requires a written record of Assemblies of Councillors to be reported at an ordinary meeting of the Council and to be incorporated in the minutes of the Council meeting.

Cr Nicholas

Cr Pearce

That the summary of the Assemblies of Councillor for February / March 2019 be received.

Carried

BACKGROUND

The written records of the assemblies held during the previous month are summarised below. Detailed assembly records can be found in Attachment 9.0 to this report.

Date	Meeting
26 February	Briefing Session
5 March	Briefing Session
18 March	Planning Forum
19 March	Briefing Session
20 March	Planning Forum

ATTACHMENT(S)

- 9.0 Assemblies of Councillors – February / March 2019



10 GENERAL BUSINESS

Refer to Alpine Shire Council's website www.alpineshire.vic.gov.au; for its YouTube live-streaming recording for responses to questions.

11 MOTIONS FOR WHICH NOTICE HAS PREVIOUSLY BEEN GIVEN

Nil

12 RECEPTION AND READING OF PETITIONS

Nil



13 DOCUMENTS FOR SEALING

*Cr Forsyth
Cr Knappstein*

That the following documents be signed and sealed.

1. *Contract no 18082 in favour of Commonwealth Bank of Australia for the provision of banking and bill payment services.*
2. *Contract No 1805301 in favour of Downer EDI Works for the Resealing (2018-19) Sprayseal.*
3. *Instrument of Appointment and Authorisation – Development Engineer.*
4. *Instrument of Appointment and Authorisation – Strategic Planner.*
5. *Contract No 1809501 in favour of Stadelmann Enterprises Pty Ltd for Road Reconstruction works 2018-19.*
6. *Lease of Hangar at 266 Buckland Valley Road, Porepunkah being the land contained in Lot 1 on PS 612929.*
7. *Community Local Law 2019.*

Carried

14 CONFIDENTIAL REPORT

The following item was deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with Section 89(2)(e) of the *Local Government Act 1989*.

In accordance with the Act, Council may resolve to consider these issues in open or closed session.

*Cr Roper
Cr Nicholas*

That, in accordance with the provision of Section 89(2)(e) of the Local Government Act 1989, the meeting be closed to members of the public for consideration of a confidential item.

Carried

There being no further business the Chairperson declared the meeting closed at 8.13p.m

.....
Chairperson



MINUTES

MEETING:	Audit Committee Meeting No: 2018/19-4
TO BE HELD:	Friday 22 March 2019 9.30am Members only session 10.00am Meeting
LOCATION:	The Pavilion Pioneer Park Recreation Reserve, Coronation Avenue, Bright

IN ATTENDANCE:

Members:

Mark Anderson, Acting Chair
Gerard Moore
Cr John Forsyth
Cr Kitty Knappstein

Officers:

Charlie Bird, Chief Executive Officer
Nathalie Cooke, Director Corporate
Will Jeremy, Director Assets
Emma Woolaston, Manager Corporate
Kirsten McDonald, Health, Safety and Risk Officer

Vision Statement:

*The Alpine Shire provides outstanding opportunities
for its residents and visitors through sustainable growth
in balance with the natural environment.*

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**AGENDA**

1. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS AND RECOGNITION OF ALL PEOPLE	3
2. APOLOGIES	3
3. DECLARATION OF CONFLICT OF INTEREST	3
4. MINUTES FROM PREVIOUS MEETING	3
4.1 Confirmation of previous minutes	3
4.2 Business arising from previous minutes	3
5. STANDING ITEMS	4
5.1 Progress of action sheet	4
6. OFFICER REPORTS	5
6.1 2019/20 Budget.....	5
6.2 VAGO Report on Delivering Local Government Services.....	8
6.3 Asset Valuations.....	10
6.4 Business Systems Review.....	13
6.5 Financial Systems Migration Audit.....	18
6.6 Audit Committee Charter Review.....	20
6.7 Health and Safety Report	23
6.8 Performance Measures for Economic Development.....	25
6.9 Review of Credits and Refunds.....	28
6.10 Kerbside Collection of Waste Diverted from Landfill.....	31
7. FOR INFORMATION ONLY	34
7.1 2018/19 Quarter 2 Purchasing Audit	34
7.2 2018/19 Quarter 2 Finance Report	34
7.3 2018/19 Quarter 2 Performance Report.....	34
7.4 2018/19 Quarter 2 Balanced Scorecard	34
7.5 Legal and Insurance Update.....	34
7.6 Policy Review Working Log	34
7.7 VAGO 2019-2020 Annual Plan – Audit of Library Services.....	34
7.8 Banking Tender	35
7.9 Fire Services Property Levy Audit	35
7.10 VAGO Interim Audit 2018/19.....	35
8. GENERAL BUSINESS	36
9. NEXT MEETING.....	36
10. ATTACHMENTS	36
11. MEETING CLOSE	36

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



M Anderson endorsed as Acting Chair of meeting

M Anderson on behalf of Committee welcomed Cr J Forsyth to the Committee.

1. ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS AND RECOGNITION OF ALL PEOPLE

The Alpine Shire Council acknowledges the traditional owners of the land we are now on.

We also acknowledge those people who have contributed to the rich fabric of our community and strive to make wise decisions that will improve the quality of life for all.

2. APOLOGIES

Sue Lebish, Chair

Sinead Ryan

3. DECLARATION OF CONFLICT OF INTEREST

Nil

4. MINUTES FROM PREVIOUS MEETING**4.1 Confirmation of previous minutes*****RECOMMENDATION***

That the Minutes of Audit Committee Meeting No: 2018/19-3 held on 26 October 2018 be confirmed.

Moved: G Moore

Second: K Knappstein

CARRIED

Attachments

4.1 Minutes of Audit Committee Meeting No: 2018/19-3, 26 October 2018

4.2 Business arising from previous minutes

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**5. STANDING ITEMS****5.1 Progress of action sheet**INTRODUCTION

The Audit Committee action sheet is a register of all Audit Committee resolutions and requests that require a subsequent action to be implemented. This report provides an update on the progress and status of the actions.

The Manager Corporate gave a verbal update on outstanding actions.

Risk Management:

The Committee questioned Council over its risk strategies and whether it considered that a medium residual risk was acceptable. The CEO and Director Corporate advised that Council is taking a practical approach focussing on high residual risks as a priority but acknowledged a need to formalise Council's risk appetite and noted that this will vary depending on the type of risk. Council's Governance and Risk Framework will be re-circulated to the Committee.

Policy Review:

The Committee requested that an update on the progress of the policy review be provided at every meeting.

RECOMMENDATION

That progress of the Action Sheet be noted.

NOTED***ACTIONS:***

- *Circulate Governance and Risk Framework*
- *Update frequency of policy review log report to every meeting*

Attachments

5.1 Audit Committee Action Sheet

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6. OFFICER REPORTS****6.1 2019/20 Budget****Directorate:** Corporate**Department:** Corporate**Manager:** Manager Corporate**Author:** Manager CorporateINTRODUCTION

A key objective of Audit Committee is to ensure that Council's finances are soundly managed within its overall risk and governance framework. The purpose of this report is to provide the Audit Committee with an overview of the Budget process for 2019/20 to provide assurance against this objective.

RECOMMENDATION***That this report be noted.******NOTED***REPORT

Council sets out its strategic objectives, strategies, financials and strategic indicators in its Council Plan and Strategic Resource Plan at the beginning of each four year Council term. The Annual Budget is a key instrument within the Council Plan framework which outlines how Council will deliver its services, initiatives and financials in line with desired strategies in the year ahead.

The Annual Budget is required to be adopted by Council by 30 June each year. As part of the process, Council is required to publish a Draft Budget and call for submissions prior to adoption. Council adopts a rigorous process to ensure that the Budget is comprehensive, realistic, sustainable, prioritised and reflects community needs. Key steps in the Budget process are outlined below.

Pre-Budget Commencement

Council sustains ongoing dialogue with the community regarding needs and priorities through both proactive and reactive direct engagement, and via feedback from councillor representatives. In particular a capital works pipeline is maintained and published on Council's website to reflect community desires and Council's view of priorities for ongoing feedback.

Budget Commencement - Manager Led Drafts – February

Templates are collated by Finance for distribution to Managers showing last year's budget, this year's forecast and providing fields for this year's budgets on an account-by-account basis. Managers are provided with one month to draft account-level budgets and socialise these with their Directors. Each account has an owner within the Manager's team who collaborates with the Manager to draft the account level budget.

Expenses are prepared with consideration to both year-on-year trends and actual bottom-up spending needs.

Fees, rates and charges are reviewed with regards to actual revenue required to cover costs, long term sustainability, the benefit of relevant services to the community, benchmarks

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



compared to other councils, potential reputational harm / benefit, legislation where relevant, and suitable deterrence in the case of fines.

Internal Budget Briefing to Directors and CEO – Mid March

The management team conducts an internal budget briefing where each Manager presents an overview of changes and assumptions for challenge and cross-checking.

Long Term Financial Plan Review – Mid March

The draft budget outcomes are modelled into Council's Long Term Financial Plan with a view to ensuring long term sustainability. The model is sensitivity-tested to various assumptions including inflation, grants ratios and population growth, to determine that there is sufficient discretionary spend available to continue to generate new capital works into the future, under various scenarios. Last year's process determined that Council has approximately \$2.4m available per annum for discretionary spending on new and upgrade capital works on a sustainable basis.

Council Briefings – February-March

Councillors are briefed on proposed budget inclusions, overall outcomes and long term sustainability through February and March, and the budget is updated based on Councillor input and feedback. Based on all input the full draft Budget document is circulated to Councillors for final review.

Adoption of Draft Budget and Call for Submissions – Early April

The Council adopts the draft budget at a formal meeting and the budget is published on Council's website, and made available at various Council locations. The budget is open to submissions for 28 days. Council reviews submissions and prepares any questions for submitters.

Submissions Hearing – Late May

Submitters are invited to attend a (non-compulsory) hearing where they may support their submission and Councillors may ask questions.

Submissions Review – Early June

Councillors regroup to discuss submissions and obtain any information needed to resolve a view on the final budget.

Special Council Meeting to Adopt Budget – Mid June

A Special Council Meeting is scheduled to adopt the Annual Budget.

KEY IMPLICATIONS**Legislative Compliance**

The items that are to be included in the Budget are specified under the Local Government Act 1989 and the Local Government (Planning and Reporting) Regulations 2014. Council uses the model budget and compliance checklist published by Local Government Victoria to ensure compliance.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**Risk Management**

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Non-compliance to legislative requirements	M	M	<ul style="list-style-type: none"> Utilise Local Government Victoria checklists. Modelling and executive scrutiny to ensure adherence to rate capping requirements.
Inadequate planning and management of finances	L	H	<ul style="list-style-type: none"> Bottom-up process involving account owners Reviews conducted against prior year budgets, current year forecasts, and Strategic Resource Plan projections Briefings to encourage Management and Councillor challenge estimates Long Term Financial Plan used as a key tool to model scenarios to ensure longer term sustainability

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Manage our financial resources sustainably
Audit Committee Charter	
Clause 5.1	Financial Report
Clause 5.3	Risk Management

CONCLUSION

Council has a rigorous process in place to ensure that its Annual Budget is well prepared and compliant.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Corporate
- Manager Corporate

Attachments

Nil

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.2 VAGO Report on Delivering Local Government Services****Directorate:** Corporate**Department:** Corporate**Manager:** Manager Corporate**Author:** Director CorporateINTRODUCTION

This report provides an overview of Council's compliance with the recommendations of the Victorian Auditor-General's Office (VAGO) Report on Delivering Local Government Services tabled in September 2018.

The Director Corporate gave an overview of Council's current approach to delivering services to the community. The Committee acknowledged that Council's approach is pragmatic, practical and fit for purpose and considers the risks in delivering services to the community.

RECOMMENDATION

That the report be noted.

NOTED

REPORT

VAGO's report on Delivering Local Government Services summarises the results of their audit focusing on whether councils effectively plan for and deliver cost-efficient services that meet community needs. It also benchmarks councils' expenditure on corporate services and examines how councils look for and achieve efficiencies in corporate services. (<https://www.audit.vic.gov.au/report/delivering-local-government-services>).

The audit included two metropolitan councils (Bayside and Wyndham) and three rural / regional councils (Indigo, Moira and Wodonga). The role of Local Government Victoria (LGV) in providing support and guidance to councils on efficient service delivery was also examined.

VAGO found that each Council audited had good elements of service planning, review and evaluation, however more could be done to comprehensively and systematically assure that their service mix and costs meet the needs of their community. VAGO produced four recommendations for Victorian councils; Council's compliance with those recommendations is outlined in attachment 6.2.

KEY IMPLICATIONS**Legislative Compliance**

VAGO constructed the scope of their audit with reference to the requirements of the Local Government Act 1989 (the Act).

Section 3C(2)(b) of the Act requires that councils use their resources efficiently and effectively, and that they ensure that their services meet community needs.

Section 208B of the Act sets out the Best Value Principles that councils must apply to the services they provide.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Manage our financial resources sustainably.
	Provide an excellent customer experience.
Audit Committee Charter	
Clause 5.8	Reporting responsibilities

CONCLUSION

Council's approach to ensuring the efficient and effective delivery of services that meet community needs is sound and fit-for-purpose. Council complies with VAGO's four recommendations.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Corporate
- Manager Corporate

Attachments

6.2 VAGO Delivering Local Government Services Compliance Summary

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.3 Asset Valuations****Directorate:** Assets**Department:** Asset Maintenance**Manager:** Director Assets**Author:** Director AssetsINTRODUCTION

VAGO's audits of Alpine Shire Council have highlighted that several categories of infrastructure assets have not been formally revalued for several years, and that Council should undertake a thorough review of its asset registers for completeness and accuracy.

While ongoing improvements have been made, it was agreed as part of VAGO's 2017/18 close-out that further action is required.

This report provides an update on the status of Council's progress in the review of its asset register and infrastructure valuations.

The Committee discussed the revaluation process and the difficulties experienced by Council in being able to close this item out sooner due to internal resourcing issues. The Director Assets advised that a consultant has been engaged to document the valuation methodology and is following the advice of the current auditor with the aim of having a single point of truth in relation to asset valuations.

RECOMMENDATION

That this report be noted.

NOTED

BACKGROUND**Asset Register Review**

VAGO Final Management Letter Recommendations for the year ending 30/06/2016 listed the following recommendation:

Perform a detailed review of asset registers for completeness and address potential changes to useful life of asset classes where fully depreciated but still in use.

An asset register review was carried out in both 2016/17 and 2017/18, however the review process did not incorporate a robust assessment of the useful life of each asset class.

Infrastructure Valuation

VAGO Final Management Letter Recommendations for the year ending 30/06/2017 listed the following recommendation:

Perform review of waste management, recreational, leisure and community facilities, and parks, open spaces and streetscapes assets as part of revaluation processes for FY18

Valuation of recreational, leisure and community facilities was completed for FY18. Valuation of parks, open spaces, streetscapes and waste management was progressed during FY18, however gaps were identified in the available data at a late stage in the valuation process, and the valuation results were not incorporated into the financial accounts.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

REPORT

Resignation of a key member of Council's engineering team in November 2018 has presented both a challenge and an opportunity to the 2019/20 annual revaluation process. In December 2018, Council engaged a specialist asset management consultant to assist in a review of the asset valuation processes which had been employed previously, to identify opportunities for improvement, and to carry out the 2019/20 revaluation process on behalf of Council. In January, the consultant completed a review of Council's asset dataset, previous asset valuation reports and supporting processes and procedures. Proposed changes to the asset revaluation process were discussed with Council's auditor to test their support for the proposed methodology.

A process comprising four keys steps is currently being followed:

1. Asset Register Review

- To establish that our asset register is complete, and that accurate details of any applicable asset additions and disposals over the revaluation period have been appropriately captured.
- To confirm alignment between the asset register maintained by our maintenance team, and the asset register maintained by Council's finance team. The asset register maintained by Council's finance team is the 'source of truth' for asset revaluations.

2. Review and Update of Unit Rates

- To establish whether there has been any material change in the estimated replacement cost of our assets. Where a material change is identified in any asset class, then a detailed revaluation of the asset class is triggered.

3. Qualitative Test for Material Change in Asset Condition

- To test that our assumptions about the rate at which the condition of our assets change over time is broadly correct, and to reconfirm the remaining useful life of our assets.

A combination of the following inputs is being used to test for material change in asset condition and confirm useful life:

- Data from scheduled asset maintenance and asset condition inspections
- An assessment of forecast versus actual maintenance spend on each asset class
- For asset renewal projects completed during the revaluation period, an assessment of the achieved asset life versus our assumed asset life for this asset class.

4. Compilation of Data and Reporting

The auditor has previously recommended that Council progresses the annual revaluation in a staged approach, aiming to have the draft revaluation report issued at the end of February each year. Council recognises the benefit that would be achieved through following the auditor's recommendation, however has not achieved this improvement in the 2018/19 financial year. With the improved clarity that the engagement of an external consultant is bringing to the process, we anticipate being in a position to implement improvements which will bring forward the delivery timeframe for the draft valuation report in 2019/20.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

KEY IMPLICATIONS**Legislative Compliance**

In preparing its Annual Report, Council is required to comply with Accounting Standard AASB116 "Property, Plant and Equipment" which states:

Revaluations shall be made with sufficient regularity to ensure that the carrying amount does not differ materially from that which would be determined using fair value at the end of the reporting period.

Risk Management

Identified Risk	Risk	Impact	Strategy to Manage Risk
	Likelihood (H,M,L)	of Risk (H,M,L)	
Poor asset valuation and revaluation process	H	H	<ul style="list-style-type: none"> • Development of robust asset management policies, procedures and plans • External audit • Oversight from Finance and Audit Committee

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Manage our financial resources sustainably
	Identify and manage Council's risks
Audit Committee Charter	
Clause 5.6	External Audit
Clause 5.7	Compliance

CONCLUSION

The annual revaluation process is ongoing, and being delivered by a specialist asset management consultant external to Council's team. The recommendations in VAGO's Final Management Letters are being addressed through this process. Council will not achieve an acceleration in the delivery of the asset revaluation report during the 2018/19 financial year, however anticipates being in a position to achieve improvements in subsequent years.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Assets
- Manager Asset Maintenance
- Manager Corporate

Attachments

Nil

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.4 Business Systems Review****Directorate:** Corporate**Department:** Corporate**Manager:** Manager Corporate**Author:** Manager CorporateINTRODUCTION

To date Council's business systems have been somewhat typical of a local government authority, comprising of an enterprise system and a number of dedicated systems handling specialist functions.

In FY17/18 Council identified that a number of its functions required improved systems functionality to support their efficient and effective operation. Budget was apportioned to support a number of FY18/19 systems initiatives including implementation of:

- a customer request management system;
- a planning and amenity system;
- an events management system; and
- a website refresh.

At that time Council recognised the need to develop a more holistic approach to its business systems strategy before progressing with planned initiatives, so that broader considerations such as strategic direction and systems architecture could be taken into account. FY18/19 budget was also apportioned to conduct a Business Systems review prior to implementing new systems initiatives.

As part of its 2018 Final Management Letter, VAGO identified that Council has no formal ICT strategy, and no ICT steering committee directing ICT actions. The Business Systems Review project is therefore also a key deliverable in responding to VAGO recommendations.

The purpose of this report is to provide the Audit Committee with an overview of recommendations emerging from the Business Systems Review.

The Manager Corporate gave an overview of the review and explained that the primary objective of implementing business systems is to enable Council staff to deliver improved customer experience.

RECOMMENDATION***That***

- 1. This report be noted.***
- 2. Regular verbal updates be provided to the Audit Committee on progress of the rollout of initiatives stemming from the Business Systems Review.***

Moved: K Knappstein***Second: G Moore******CARRIED***REPORT

Council's Business Systems Review is being conducted with assistance of the Corporate Strategic Systems consultancy which has an extensive, 20-year plus background in developing technology strategies and implementing systems for local government authorities. Key deliverables of the review will include:

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



- a three year roadmap;
- a target state architecture;
- a business case outlining costs, benefits, risks and mitigations;
- high level application governance considerations; and
- request for quotation documents for key FY18/19 projects.

Thus far the Review has included fact-finding workshops with key staff in the business to obtain input on issues and priorities, and prioritisation workshops with the project Steering Group including the CEO and Directors. The Review is nearing completion and Council's overarching strategy and priority initiatives have been identified. Request for quotation documents have also been completed for key FY18/19 projects.

Strategic Positioning

Council's vision for its business systems is to "transform Service Delivery to our customers through the intelligent, financially responsible use of business systems to support excellence in customer service". Council adopts the following Strategic Principles in development of its ongoing business systems strategy:

Cloud Where Possible

Usage of cloud-based applications enables Council to be a consumer of applications, rather than the owner, builder and maintainer of systems as has often previously been the case. Cloud-based providers manage the application environment including patches and upgrades, reducing the ongoing costs typically associated with on premise systems.

Cloud-based applications typically offer greater flexibility and lock-in to suppliers is less significant, as contracts are typically relatively short term and can scale up or down as functionality needs and volumes change.

Council is aware of data sovereignty requirements and will specify when data centres need to be located in Australia as part of any procurement processes.

Digital First

Council will seek to deliver more services to customers in digital electronic formats where possible. Council will invest in integrating systems and eliminating duplicate manual processing, reducing the risk of manual errors and freeing up resources to focus on more value-adding tasks.

Shared Service Collaboration

Where beneficial Council will seek to develop systems in collaboration with other councils, thereby gaining scale in implementation and laying the foundation for potential future shared human resources and processes. Going to market with other Councils also tends to attract a larger range of vendors at more attractive pricing.

Mobile Focus

Council will seek to ensure that more relevant functionality is accessible to customers and staff via a range of tablets and smartphones.

Best of Breed

Council prefers best-of-breed solutions to enterprise solutions, as best-of breed suppliers are generally more affordable, more flexible and offer stronger functional capability. Council will need to ensure that data integrity is maintained through appropriate integration, and that process integrity and efficiency is thus maintained.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



This approach is open to review should suitable enterprise solution providers emerge who are able to provide financially attractive, flexible and capable technology.

Integration Considerations

The Review has identified that five 'foundation entities' are required to manage key Council data including Property, Customers, Financials, Assets and Documents. This means that a single-source-of-truth, or a single store of data, is required to be located somewhere in the organisation's systems for each of these entities, with integration between any systems requiring that data. This approach is critical to eliminating error, duplication and rework.

Application Governance

The Review has identified that Council has some application governance in place with templated governance documents outlining key responsibilities in relation to each of its applications. However the model is decentralised and could be better formalised. As such some further work is recommended to improve Council's application governance framework.

Council proposes to wrap this work into the overall rollout of upcoming systems initiatives. The portfolio of initiatives will be run under an overall umbrella Program led by a Program Manager (yet to be recruited) who will be responsible for aiding in the development, rollout and maintenance of program governance. This will include the formation of a Program Steering Group and development of mechanisms to ensure that applications are implemented with reference to a guiding strategy, architecture and implementation framework, and that applications are appropriately governed once they have been implemented. It is envisaged that the Program Steering Group will also become Council's overall ICT Steering Group and that mechanisms will continue to mature as the Program roadmap rolls out.

Current Year Initiatives

Request for quotation (RFQ) documents have been completed and issued to market for three out of four of this years' planned initiatives including the Planning and Amenity System, Events Management System, and Website Refresh. Vendor responses have been received and are currently being evaluated. Internal project teams have been established and Council will shortly go to market for a Program Manager to begin managing the overall portfolio, and a Business Analyst to assist with larger implementations requiring significant configuration.

It is noted that Towong Shire Council and Indigo Shire Council have agreed to collaborate on two RFQ's including Planning and Amenity System, and Customer Request Management System, and may also choose to collaborate on implementation.

The RFQ document for the Customer Request Management System is awaiting feedback from these two Councils and is expected to go to market shortly.

Future Year Initiatives

Future year initiatives have been prioritised with respect to cost, benefit and risk. Benefits have been considered with respect to both reducing manual effort and improving Council outcomes. Draft financials indicate a capital expenditure of circa \$0.4m and operating expenditure of circa \$1.4m between FY18/19 and FY22/23 which is viable within the context of Council's available discretionary expenditure and its Long Term Financial Plan. This excludes savings from decommissioning existing systems which should yield at least \$0.1m per annum, and also excludes any savings from reducing manual effort and enabling future shared services with other Councils.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



A major priority for FY18/19 is the tender for a Property, Rates and Receipting system which will inform future plans for Council's current enterprise system Authority, which is due for upgrade.

The ongoing development of Council's website is also a key priority to expand the range of information and transactions available to its customers online.

Other key initiatives include upgrading to Office 365 and Windows 10; implementing a Records Management system to better centrally address Council's compliance to records management requirements; and implementing various minor systems to move critical Council functions away from spreadsheets into more robust application environments.

Next Steps

The final deliverables for the Business Systems Review are being completed and the Review should complete by April. FY18/19 initiatives have been proposed for inclusion in Council's FY18/19 Draft Budget.

KEY IMPLICATIONS**Legislative Compliance**

Council has reviewed the ability of current systems to aid in legislative compliance as part of the initial fact-find of the Business Systems Review. Prioritisation of future year initiatives has taken into the account the potential to reduce compliance risk where relevant. All Request for Quotation documents have also explicitly listed compliance related requirements. Program governance will be installed to ensure that future initiatives consider legislative compliance as a key requirement and compliance risk mitigation as a desired outcome. Internal audits will be scheduled following systems implementations as appropriate.

Risk Management

Identified Risk	Risk	Impact	Strategy to Manage Risk
	Likelihood (H,M,L)	of Risk (H,M,L)	
Business interruption through failure of systems during or after implementation of new systems	H	M	<ul style="list-style-type: none"> Install program governance encompassing practises such as pre-implementation testing, go / no-go checkpoints, continuity planning and post implementation reviews
Manual workarounds and / or loss of functionality due to poor solution selection and implementation	H	M	<ul style="list-style-type: none"> Conduct thorough Request for Quotation evaluation processes and prefer solutions which automate manual work Identify and integrate to single-sources-of-truth for Council's foundational data entities Install program governance encompassing practises such as process mapping, pre-implementation testing, piloting and user training where appropriate
Divergence of initiatives from Council's agreed IT strategy	H	M	<ul style="list-style-type: none"> Install Program Steering Group to maintain alignment to overall strategy

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



Identified Risk	Risk	Impact	Strategy to Manage Risk
	Likelihood (H,M,L)	of Risk (H,M,L)	
Failure to achieve desired benefits due to poor user take-up and usage practises	H	M	<ul style="list-style-type: none"> Ensure that program governance includes strong change management practises throughout design, implementation, rollout and embedding of new initiatives

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Provide an excellent customer service. Identify and manage Council's risk.
Audit Committee Charter	
Clause 5.3	Risk Management

CONCLUSION

Council has been conducting a Business Systems Review which is near completion and which will address VAGO recommendations to develop an ICT strategy and install an ICT steering committee. A roadmap of systems initiatives is being finalised with key objectives of reducing manual effort and risk, and improving customer and community outcomes.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Corporate
- Manager Corporate

Attachments

Nil

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.5 Financial Systems Migration Audit****Directorate:** Corporate**Department:** Corporate**Manager:** Manager Corporate**Author:** Manager CorporateINTRODUCTION

During FY17/18, Council conducted a financial systems migration to enhance the efficiency, accuracy and compliance of payment processes. Specifically, Council migrated its accounting functions and accounts payable functions to the cloud service provider Xero. Concurrently, Datamolino optical character recognition was implemented to capture all supplier invoice details with reduced need for manual data entry. Finally the cloud based purchasing administration system ApprovalMax was implemented to digitise purchase orders and goods receipting according to configurable approval pathways.

An internal audit of this systems migration was scheduled for FY18/19 to review the efficiency and effectiveness of risk controls and payment processes. Following a Request For Quotation process, Council selected Crowe Horwath to conduct this review which is now complete.

The purpose of this report is to brief Council on the findings and actions stemming from this internal audit.

The Manager Corporate gave an overview of the audit and the Committee discussed issues around supplier bank account details and GST.

M Anderson commended Council on using an external consultant to undertake the audit.

RECOMMENDATION*That*

- 1. The Audit Committee endorse the management actions outlined in the attached internal audit report.*
- 2. Outstanding actions are monitored through the Audit Committee's action sheet.*

*Moved: G Moore**Second: J Forsyth***CARRIED**REPORT

Crowe Horwath found that Council's accounts payable process is functioning adequately and identified eleven risks with associated recommendations for management action. The findings and associated management responses are outlined in the attached Crowe Horwath Report.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

KEY IMPLICATIONS**Legislative Compliance**

- Section 139 (5) of the Act details that the Minister may make guidelines for the purposes of this section.
- Audit Committees - A Guide to Good Practice for Local Government (January 2011) details a key responsibility of the Committee is internal audit, internal controls and risk management and that internal audit programs are a key expression of Council's attitude towards effective controls.

Risk Management

Identified Risk	Risk	Impact	Strategy to Manage Risk
	Likelihood (H,M,L)	of Risk (H,M,L)	
Maintenance of efficient and effective controls over accounts payable processes	M	M	<ul style="list-style-type: none"> • Internal audit conducted; identified risks will be addressed and new ongoing controls put in place where relevant
Not following through with recommended risk mitigations	M	M	<ul style="list-style-type: none"> • Outstanding actions to be tracked through Audit Committee's action sheet

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Identify and manage Council's risk
Audit Committee Charter	
Clause 5.5	Internal Audit

CONCLUSION

Council has completed an internal audit of its accounts payable process following a financial systems migration, and recommended actions are being undertaken to address the findings.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Corporate
- Manager Corporate

Attachments

6.5 Financial Systems Migration Review

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.6 Audit Committee Charter Review****Directorate:** Corporate**Department:** Corporate**Manager:** Manager Corporate**Author:** Health, Safety Risk OfficerINTRODUCTION

The purpose of this report is to review the Audit Committee Charter according to clause 5.9 of the Charter and the Committee's action sheet.

The Charter must be reviewed every two years and was last reviewed in March 2017.

RECOMMENDATION

That the draft Audit Committee Charter version 2.1 2019 be endorsed for Council adoption.

Moved: K Knappstein

Second: J Forsyth

CARRIED

BACKGROUND

The current Audit Committee Charter was reviewed in March 2017 and updated to generally improve the structure and wording and also to provide greater clarity in sections relating to authority, recruitment, appointment, remuneration and meetings. The current and revised Charter is aligned with Local Government Victoria's Audit Committees: A Guide to Good Practice Guide for Local Government, January 2011

(https://www.localgovernment.vic.gov.au/_data/assets/pdf_file/0021/84081/Audit_Committees_Guidelines-A-guide-to-good-practice-for-local-government.pdf).

The Health, Safety and Risk Officer has reviewed the charter ensuring continued alignment with LGVs guidelines and benchmarking against recently reviewed charters from eight other councils. The review also considered the recommendations of the Victorian Auditor-General's report Audit Committee Governance August 2016

(<https://www.audit.vic.gov.au/sites/default/files/20160831-Audit-Committees.pdf>) which made recommendations for state government department audit committees on committee governance and operations (composition, capability, induction, effective operational support and performance evaluation), overseeing risk management and internal audit, and monitoring implementation of audit actions.

REVIEW CHANGES

The Charter has been updated by making minor modifications to most sections of the Charter to provide improved clarity without changing the intent.

More significant changes proposed are the inclusion of new sections relating to:

- Liability indemnity
- Induction
- Resignation, retirement or termination of appointment
- Voting rights
- Closed meetings
- Fraud, corruption and misconduct

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



Other proposed changes involve the use of new section or sub-section headings for existing content in relation to:

- Attendance
- Agendas and minutes
- Conflict of interest and register of interests
- Confidentiality

KEY IMPLICATIONS**Legislative Issues**

Compliance with section 139 of the *Local Government Act 1989*.

Risk Management

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Non-compliance with the Charter due to lack of review	L	L	<ul style="list-style-type: none"> • Review charter every two years
Audit Committee not carrying out its roles and responsibilities as detailed in the Charter.	M	L	<ul style="list-style-type: none"> • Committee action sheet maintained to ensure committee is carrying out its responsibilities

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective: A high performing organisation</i>	
Strategies	Lead and govern with integrity
<i>Strategic Objective: A responsible and sustainable organisation</i>	
Strategies	Identify and manage Council's risks
Audit Committee Charter	
Clause 5.3	Risk management
Clause 5.7	Compliance
Clause 5.8	Reporting Responsibilities
Clause 5.9	Other Responsibilities

CONCLUSION

The current 2017 Audit Committee Charter is generally consistent with best practice guidance from Local Government Victoria and the Victorian Auditor-General and bears similarity to other local government audit committee charters. While the Charter is functional this current review has afforded the opportunity to provide improved clarity in some sections of the Charter as well as the inclusion of new content to provide guidance to Council management and independent members on responsibilities, operational matters and expectations. It is recommended that the proposed revisions to the Audit Committee Charter be endorsed for Council's adoption.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Corporate
- Manager Corporate
- Health, Safety, Risk Officer

Attachments

- 6.6 Audit Committee Charter, version 2.3, 2019 DRAFT

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.7 Health and Safety Report****Directorate:** Corporate**Department:** Corporate**Manager:** Manager Corporate**Author:** Health Safety Risk OfficerINTRODUCTION

The purpose of this report is to provide the Audit Committee with an overview of Council's performance in regards to health and safety matters. This report provides an update for quarter 2 2018/19 being the period of 1 October to 31 December 2018. A detailed confidential report has been prepared and circulated separately to the agenda.

The Committee requested additional information on health and safety but it was discussed that the additional information was included in the attached detailed report.

RECOMMENDATION

That the Confidential 2018/19 Quarter 2 Health and Safety Report be endorsed for Council adoption.

Moved: J Forsyth

Second: G Moore

CARRIED

BACKGROUND

Alpine Shire Council is committed, so far as is reasonably practical, to ensuring the health, safety and wellbeing of all employees, contractors, volunteers and community members while participating in business or undertakings on its behalf.

REPORT**Employee Health and Safety - Register of Events**

A total of 9 employee health and safety events were reported during quarter 2 2018/19 as follows:

Hazards	=	4
Incident	=	2
Injuries	=	1
Near miss	=	2

Reporting for quarter 2 was lower than quarter 1 (16 events) and all 2017/18 quarter reporting (Q1 = 15; Q2 = 12; Q3 = 17 and Q4 = 15).

Health and Safety Representation

The Health and Safety Committee did not meet during quarter 2 2018/19 while two of the four newly elected HSR's completed compulsory 5 day initial HSR training.

Training, Education and Awareness

A broad range of health and safety training was undertaken during quarter 2 2018/19 with a combination of mandatory and discretionary training offered.

WorkCover Claims

There were no new claims lodged during quarter 2 2018/19.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



Of the two ongoing active claims, one employee continues to work full hours on suitable and/or modified duties while the other has left the employ of Council.

KEY IMPLICATIONS**Legislative Issues**

Compliance with:

- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2017*

Risk Management

Identified Risk	Risk	Impact	Strategy to Manage Risk
	Likelihood (H,M,L)	of Risk (H,M,L)	
WorkCover claims management	H	H	<ul style="list-style-type: none"> • Engage external consultant for claims advice, support and management. • Ensure return to work coordinators trained. • Regular reporting to Executive.
Health and safety management	H	H	<ul style="list-style-type: none"> • Further develop and enhance safety system framework. • Increase attendance at HS Committee. • Provide health and safety training to staff.

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective: A responsible and sustainable organisation</i>	
Strategies	Identify and manage Council's risks
Audit Committee Charter	
Clause 5.3	Risk management
Clause 5.7	Compliance
Clause 5.8	Reporting Responsibilities

CONCLUSION

The 2018/19 Quarter 2 Health and Safety Report highlights that employee hazard, incident, injury and near-miss reporting is lower than quarter 1 and all 2017/18 quarter reporting. The one injury during the quarter did not progress to a WorkCover claim. A broad range of mandatory and discretionary health and safety training was undertaken during quarter 2 2018/19.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Manager Corporate
- Health, Safety and Risk Officer

Attachments

6.7 2018/19 Quarter 2 Health and Safety Report – **CONFIDENTIAL**

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



VAGO Recommendation 7	Update to Audit Committee
Develop comprehensive performance measures for economic development with clearly articulated targets and benchmarks	<ul style="list-style-type: none"> To be developed pending finalisation of Council's Economic Development Strategy. Budget allocated and next stage is to tender for external resource to prepare strategy.

Council committed to provide a further update on progress at a subsequent meeting of the Audit Committee.

ISSUES

The preparation of an Economic Development Strategy for Alpine Shire was budgeted for delivery during the 2018/19 financial year, and the recommendation of the VAGO report to which this note refers was to have been addressed through the development of this strategy.

However, a significant risk to the economic sustainability of Myrtleford became apparent through the industrial dispute and subsequent lockout at the Carter Holt Harvey mill during 2018. Carter Holt Harvey is Alpine Shire's largest employer, and the Myrtleford economy in particular is heavily dependent on this industry.

In October 2018, Council was successful in securing funding from Regional Development Victoria (RDV) to work with the local community and deliver an economic resilience strategy for Myrtleford, to include:

- identifying alternative industry and employment pathways and opportunities;
- identifying skills development opportunities; and
- providing recommendations to relieve dependence of employment from existing large business.

In recognition of the greater risk presented to the Alpine Shire economy, budget and economic development staff resources allocated to the delivery of the Economic Development Strategy for Alpine Shire have been redirected to focus specifically on the development of an economic resilience strategy for Myrtleford and the subsequent implementation of actions arising through this work. The preparation of a broader Economic Development Strategy for Alpine Shire has been deferred as a consequence, and this work will now commence early in the 2019/20 financial year.

Measures for tracking economic development performance are currently identified in the Council Plan 2017-21 as strategic indicators, however the development of a robust set of targets and benchmarks as recommended in the VAGO report cannot sensibly be completed ahead of the planned work on the Economic Development Strategy for Alpine Shire.

KEY IMPLICATIONS**Legislative Compliance**

Council is currently compliant with the key legislation, being the Local Government Act 1989 where it is stated that:

The primary objective of a Council is to endeavour to achieve the best outcomes for the local community having regard to the long-term and cumulative effects of decisions. In seeking to achieve its primary objective, a Council must have regard to the following facilitating objectives:

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



- *Promoting the social, economic and environmental viability and sustainability of the municipality*
- *Ensuring resources are used efficiently and effectively*
- *Promoting appropriate business and employment opportunities*

Risk Management

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Inadequate investment in tourism marketing	L	M	<ul style="list-style-type: none"> • Strengthening visitor attraction and experience' is identified as a strategy in the Council Plan, with tracking of visitor numbers identified as a key strategic indicator • Appropriate allocation to marketing within Council's annual budget, both for activities delivered by Council, and support provided by Tourism North East
Inability to support and encourage investment and enterprise	M	L	<ul style="list-style-type: none"> • Experienced economic development staff, supported by appropriate budget allocations • Strong working relationship with Regional Development Victoria

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 7: A thriving and connected community</i>	
Strategies	Strengthen visitor attraction and experience Support and encourage investment and enterprise
Audit Committee Charter	
Clause 5.6	External Audit

CONCLUSION

Preparation of an Economic Development Strategy, through which the subject recommendation is to be addressed, has been deferred until early in the 2019/20 financial year. The reason for this deferral is that budget and resources have been reallocated towards development of an economic resilience strategy for Myrtleford to address a significant risk to the Alpine Shire economy which became apparent during 2018.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Director Assets
- Manager Economic and Community Development

Attachments

Nil

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.9 Review of Credits and Refunds****Directorate:** Corporate**Department:** Facilities and Corporate**Manager:** Manager Facilities**Author:** Manager FacilitiesINTRODUCTION

As part of VAGO's audit of Council for the year ending 30 June 2018, VAGO found that Council does not have a formal review of credits and refunds in place, particularly in relation to the usage of the VEND point of sale system, potentially leading to heightened fraud risk. VAGO recommended that Council should conduct a formal semi-annual review of credits and refunds processed at each site, and conduct random audits on the refunds to ensure appropriate documents are maintained.

The purpose of this report is to provide the Audit Committee with an update on the audit processes that Council has implemented for the review of credits and refunds.

The Manager Corporate outlined that this review identified that staff were using the credit refund feature to correct transaction errors. The volume and value involved is low and nothing was flagged as a potential fraud risk. Staff training has been implemented and moving forward there will be greater oversight by coordinators.

RECOMMENDATION

That this report is noted.

NOTED

BACKGROUND

Council operates a number of facilities where cash, account and EFTPOS transactions occur. These include Visitor Information Centres, Waste Transfer Stations, Swimming Pools, the Bright Sports Centre, Libraries and the main Bright Office.

Due to the nature of the transactions that occur, there is sometimes the need cancel or reverse transactions. Council often uses the point of sale system, Vend, to process transactions and any subsequent returns, refunds, discounts or voiding of transactions. Vend offers the ability for these returns and credits to be undertaken directly by the operator without second operator checks. To manage the use of this functionality, processes, controls and reporting have been put in place.

REPORT**Current Processes and Controls**

Council currently accepts product returns and provides a refund where:

- The product is faulty or is not of an acceptable quality.
- The product is not fit for its intended purpose.
- The product does not match the sample of the description.
- The item is in re-saleable condition including that it is in its original packaging, is unworn, unopened, unused and in its original condition.

Due to the nature of staffing of Council's facilities there is often only one staff member on duty, and the refund is required at the time that the customer presents. Therefore it is not

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



possible for a second member to check and sign-off on the relevant transaction. The following controls are in place in lieu of this immediate second check:

- Refunds will only be approved for transactions where goods are returned with supporting purchase receipt.
- Refunds will only occur within 28 days of purchase.
- Refunds will only occur using the original purchase medium, e.g. cash or EFTPOS.
- Refund transactions are to have notes included in the transaction as to the reason for the refund. These notes are captured with the transaction in the POS system and database.
- Receipts for refunds including the original purchase receipt are to be signed by the customer and retained with the sites' register close documents.

Compliance Review

In line with VAGO's recommendation an initial semi-annual review of returns and credits was undertaken. A transaction review of Vend POS data for the period July 1 2018 – December 31 2018 was undertaken across 9 of 13 sites. All Facility Officers were also interviewed regarding current processes and their understanding of refund guidelines, and to ascertain the level of monitoring of return/refund, void and discount functions.

Key findings from the transaction review were:

- For the period reviewed there was a total 59 returns/refund transactions totalling \$1,078. Total revenue across the sites reviewed for this period was \$315,549. Returns/refunds level was 0.34% of total sales.
- The site with the highest number of return transactions was the Porepunkah Transfer Station at 19 instances, with the lowest being the Bright Sports Centre with no returns/refund transactions.
- There were six voided transactions for the period totalling \$114. Four sites had no voided transactions.
- In most cases the notes function had not been used to support the transaction undertaken.
- There was a high frequency use of the return/refund function to rectify errors in transaction type, for example incorrectly entering a transaction in the system as cash when it was an EFTPOS transaction (and vice versa).

Key findings from Facility Officer interviews were:

- There was a low level of scrutiny undertaken of refund and void transactions.
- There are inconsistent processes across different facility types.

From a risk perspective the overall amount of refund/return activity has been verified as being low.

It is apparent from the review that at some outlets, staff have been using the return/refund function to address operator error in processing transaction type. This is not required, nor is it correct procedure. The incidence of this has increased at the three transfer stations since the commencement of a new contractor.

As a result of this review the following actions are being undertaken:

- Staff are instructed not to use the refund function to remedy errors in transaction types.
- Further training will be undertaken in relation to correct end of day procedures.
- Staff will be issued with updated information regarding the use, processing and reporting of returns/refunds and void transactions. This will include the requirement for staff to report by email any refund or void transactions to their supervisor on the day of the transaction.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



- Facility Officers will undertake monthly reviews of transaction types in the system and an inspection of register close documentation to determine if correct processes are being adhered to. Random audits on retained information will be undertaken and documented in line with the recommendation.
- Facility Officers will provide a summary report to their Manager on a monthly basis. Any anomalies will be investigated further.

KEY IMPLICATIONS**Risk Management**

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Inappropriate refund or credits indicative of fraud activity.	L	L	<ul style="list-style-type: none"> • Monthly review of refunds and credit transactions and associated staff behaviours • Random audits of retained information relating to refunds and credits • Staff training regarding refund and credit processes

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Manage our financial resources sustainably Identify and manage Council's risks
Audit Committee Charter	
Clause 5.1	Financial Report
Clause 5.2	Internal Control
Clause 5.6	External Audit
Clause 5.7	Compliance

CONCLUSION

Though the amount of and dollar value of return/refund and void transactions is low, poor adherence to correct procedures was identified. A focus on staff training, monthly reviews and reporting compliance will be undertaken.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Manager Facilities
- Manager Corporate

Attachments

Nil

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**6.10 Kerbside Collection of Waste Diverted from Landfill****Directorate:** Corporate**Department:** Facilities**Manager:** Director Corporate**Author:** Manager FacilitiesINTRODUCTION

The purpose of this report is to provide the Audit Committee with an update on Council's procedures for collecting and reviewing the data being captured to fulfil the required metric *WC5 Kerbside collection waste diverted from landfill* in line with the *VAGO Final Management Letter Recommendation 18.4* from the year ending 30/06/2018.

The Committee discussed the impact on Council operations that China's decision not to accept recycled material from Australia and the closure of SKM facilities as well as changes to acceptable recycling standards.

The Committee was comfortable with the calculation being quarterly due to the timing of receiving the data.

RECOMMENDATION

That this report is noted.

NOTED

BACKGROUND

Under the Local Government Reporting Framework (LGPRF) Council is required to provide weights of kerbside waste and kerbside co-mingled material. This information is used to calculate the rate of diversion of waste from landfill through the kerbside collection services offered by Council. At Alpine Shire Council, kerbside waste is delivered to Council's Myrtleford Transfer Station for onward transportation to landfill sites. The Myrtleford Transfer Station does not have a weighbridge. Kerbside co-mingled material is delivered directly to a processing facility where weights of materials are recorded.

Council moved to a new kerbside waste collection contractor in July 2017. Prior to this contract Council was not provided with weights of kerbside waste material being collected, and estimated the kerbside waste weight using a volumetric conversion. To make this calculation Council used a conversion rate of 0.344 tonnes per cubic meter. The conversion rate was based upon 2014/15 Council data (including bin lifts, volumes delivered to transfer station) and JJ Richards state wide average bin weights (across Victoria) with an adjustment made to account for the smaller bin sizes used by Alpine Shire Council (i.e. 80l v 140l) which came to an estimated average bin weight for Council of 6.7kg. Kerbside co-mingled recycling weights were reported by the contractor.

Under the new contract Council has been provided with kerbside weight information for waste and co-mingled recycling. Kerbside waste weight had been based upon truck weight information recorded by the contractor, and co-mingled weight information based upon weighbridge information of the receiving site. The kerbside waste weight information provided by the contractor had not proved to be reliable due to significant variances in the weights reported as compared to the amount of waste collected by our bulk transport contractor when collecting the waste deposited at Myrtleford Transfer Station. In some cases, the kerbside waste weights being reported were greater than the weight of waste being

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



transported to landfill. Council therefore continued to use a volumetric calculation for the reporting of kerbside waste weight in 2017/18 deeming this to be a more accurate reporting.

REPORT

To address questions over the validity of the estimate average bin weight being used Council undertook a review of its method of calculating the average bin weight of 6.7kg and the volumetric conversion rate of 0.344 tonnes per m³ and compared this to information on average bin weight across Victoria as reported in the *"Sustainability Victoria data for the Victorian Government Local Government Waste Services Report Work Book 2015/16"*.

This review found that using the state wide information provided by Sustainability Victoria a revised estimate of Councils average bin weights of 6.93kg should be applied.

Cleanaway provides Council with actual bin lift data on a daily basis and questions around the validity of the weight data being provided to Council has been raised with Cleanaway who have reviewed the accuracy of their truck weighing system.

Council is therefore using the actual bin lift numbers provided by the contractor quarterly and the revised average bin weight to calculate the kerbside waste weight being used for reporting purposes.

Until such time as Cleanaway can demonstrate more reliable truck weight data we will continue to use this method. In order to validate the data being provided by the contractor using the recalibrated truck weighing system Council is assessing the information provided against the volumetric calculation used. When Council is satisfied that the data provided is accurate, it will revert to utilising the weight data provided.

KEY IMPLICATIONS**Risk Management**

Identified Risk	Risk Likelihood (H,M,L)	Impact of Risk (H,M,L)	Strategy to Manage Risk
Data provided to demonstrate kerbside collection waste diverted from landfill is inaccurate.	H	M	<ul style="list-style-type: none"> • Verification of data through calculation of average weights have been employed • Actual bin lift data is being used to calculate • Working with the contractor to ensure better data is provided

COUNCIL PLAN AND KEY STRATEGIC PLAN LINKS

Council Plan 2017-2021	
<i>Strategic Objective 2. A responsible and sustainable organisation</i>	
Strategies	Manage our financial resources sustainably
	Identify and manage Council's risks

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019



Audit Committee Charter	
Clause 5.1	Financial Report
Clause 5.2	Internal Control
Clause 5.6	External Audit
Clause 5.7	Compliance

CONCLUSION

A review of Sustainability Victoria data has resulted in an increase in the average bin weight conversion calculation. Until such time as more reliable truck weight data can be demonstrated Council will use this metric for calculation of kerbside waste weights.

DECLARATION OF CONFLICT OF INTEREST

Under Section 80C of the *Local Government Act 1989*, the following officers declare that they have no interest to disclose in providing this report.

- Manager Facilities
- Director Corporate

Attachments

Nil

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**7. FOR INFORMATION ONLY**

7.1 2018/19 Quarter 2 Purchasing Audit

Refer Attachment 7.1

7.2 2018/19 Quarter 2 Finance Report

Refer Attachment 7.2

7.3 2018/19 Quarter 2 Performance Report

Refer Attachment 7.3

7.4 2018/19 Quarter 2 Balanced Scorecard

Refer Attachment 7.4

The Committee discussed the Quarter 2 balanced scorecard results and confirmed that the inclusion of comments and previous quarter results was advantageous. The Committee also suggested that Council be conscious of the accuracy of the data and also consider a broader range or band for identifying whether targets had been met or not.

7.5 Legal and Insurance Update

The Health, Safety and Risk Officer provided a verbal update on three non-payment of rates matters, a WorkCover common law damages application, two potential public liability claims and one potential professional indemnity claim.

The Chief Executive Officer also briefed the Committee on a potential third party property damage claim that occurred during a non-Council event.

7.6 Policy Review Working Log

Refer Attachment 7.6

7.7 VAGO 2019-2020 Annual Plan – Audit of Library Services

VAGO has advised Council that local government library services will be audited as part of its proposed 2019/2020 Annual Plan. The audit will focus on whether local councils achieve value for money from their library services. Alpine will be audited alongside Mornington Peninsula, Buloke, Eastern Regional Libraries Corporation and Department Environment Land Water and Planning (DELWP).

The VAGO audit team has also confirmed that the audit scope will consider the broader Library Hub agreement that Council manages across Alpine, Mansfield, Wangaratta and Benalla. It will be conducted across a nine month period and Council is confirming likely milestones and the degree of assistance required.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**7.8 Banking Tender**

The Commonwealth Bank of Australia (CBA) has been Council's incumbent banker for some time. In FY17/18, banking services cost Council approximately \$70k. In late 2018, Council engaged an experienced local government banking consultant to facilitate a banking tender for Council.

Responses were received from three banks and overall it was recommended to retain CBA given that they exhibit superior relationship support, community commitment and innovation. It is estimated that Council will save \$15k p.a. based on CBA's newly tendered pricing. CBA has also identified a list of initiatives that they will work with us on such as encouraging customers to use more cost effective payment channels.

The new CBA contract is due for signing and sealing by Council at the upcoming April Ordinary Meeting.

7.9 Fire Services Property Levy Audit

The State Revenue Office Victoria (SRO) engages local government authorities in Victoria to collect the Fire Services Property Levy (FSPL) from ratepayers as part of the rates collection process. The FSPL helps to fund the services provided by the Metropolitan Fire Brigade and Country Fire Authority.

Council has had a longstanding issue with reconciling its remittance amounts to those calculated as owing by the SRO. Anecdotally this is a sector issue with many other Councils citing non-reconciliation, most likely due to differences between the way that local government rates systems calculate and report FSPL remittances compared to the SRO. Calculations can be complex to trace back historically particularly when ratepayer circumstances change mid-year leading to pro-rata calculations needing to be made. While Council has continued to remit the full amount that the SRO has requested, SRO has withheld FSPL administration allowances from Council going back to the FY13/14 financial year.

Over the last year Council's enterprise system provider Civica has dedicated a resource to assisting their local government customers to resolve reconciliation issues through building new automated reports. Civica has been working with Council as a pilot site with promising results to date.

The SRO has announced its intention to audit Council's FSPL calculations in the last week of March given the ongoing lack of reconciliation. This will be the first audit in an ongoing SRO audit program across the sector. Council views this as a good opportunity to form a mutual understanding of the root causes of non-reconciliation and to foster dialogue between SRO and local government systems providers.

7.10 VAGO Interim Audit 2018/19

The external auditor, RSD, has advised that the interim audit will be conducted on 15 and 16 April 2019. They have requested a range of data, documents and questionnaires be completed a week before the visit. The 2018/19 Audit Strategy will be circulated when it is available.

AUDIT COMMITTEE MEETING MINUTES

Meeting No.2018/19-4 – 22 March 2019

**8. GENERAL BUSINESS**

8.1 New Committee Member

Cr Knappstein thanked Cr Forsyth for joining Committee

8.2 Working with Children

M Anderson reminded Council of the changes in the requirements relating to working with children and reportable conduct scheme.

The Director Corporate advised the Committee that Council's policy had been thoroughly reviewed in late 2018 to ensure compliance with reportable conduct scheme requirements and no changes were required at that time however this is a space that will require continual monitoring and improvement.

9. NEXT MEETING

Friday 31 May 2019 at 9.00am

10. ATTACHMENTS

- 4.1 Minutes of Audit Committee Meeting No: 2018/19-3, 26 October 2018
- 5.1 Audit Committee Action Sheet
- 6.2 VAGO Delivering Local Government Services Compliance Summary
- 6.5 Financial Systems Migration Review
- 6.6 Audit Committee Charter, version 2.3, 2019 DRAFT
- 6.7 2018/19 Quarter 2 Health and Safety Report – **CONFIDENTIAL**
- 7.1 2018/19 Quarter 2 Purchasing Audit
- 7.2 2018/19 Quarter 2 Finance Report
- 7.3 2018/19 Quarter 2 Performance Report
- 7.4 2018/19 Quarter 2 Balanced Scorecard
- 7.6 Policy Review Working Log

11. MEETING CLOSE

The meeting closed at 12.29pm

Mark Anderson, Acting Chair



COMMITTEE CHARTER

Audit Committee

DOCUMENT UNCONTROLLED WHEN PRINTED

DOCUMENT CONTROL

Charter number 001	Status For Adoption by Council	Adopted/Approved by
Date Adopted/Approved	Next review date 31/03/2021	
Directorate Corporate	Department Corporate	Internal / External Internal

Contents

1. Purpose	4
2. Legal status and authority	4
2.1 Legal status	4
2.2 Authority.....	4
3. Membership	5
3.1 Composition	5
3.2 Member Knowledge and Skills	5
3.3 Recruitment and terms of appointment.....	5
3.4 Committee Chair	6
3.5 Remuneration.....	6
3.6 Liability indemnity	6
3.7 Induction.....	6
3.8 Resignation, retirement or termination of appointment	6
4. Meetings	7
4.1 Frequency and timing.....	7
4.2 Attendance.....	7
4.3 Quorum	7
4.4 Voting rights.....	7
4.5 Meetings closed to the public	7
4.6 Facilitation of Meetings.....	8
5. Agendas and minutes.....	8
6. Conflict of interest and register of interests.....	8
7. Confidentiality	9
8. Responsibilities	9
8.1 Corporate governance	9
8.2 Financial management and reporting.....	9
8.3 Risk management	10
8.4 Effective controls	10
8.5 Fraud, corruption and misconduct.....	10
8.6 Internal audit.....	10
8.7 External audit	11

8.8 Business continuity	11
8.9 Compliance	11
8.10 Reporting responsibilities	11
8.11 Other responsibilities.....	11
9. Approval	12

REVISION RECORD

Date	Version	Revision description
24/01/2011	1.0	Minor changes to wording
01/02/2011	1.1	Adopted
06/02/2015	1.2	Minor changes to wording
16/03/2017	1.3	Changes to format and design Minor changes to wording Strengthening of purpose Improved clarity of authority Inclusion of membership recruitment, appointment and remuneration provisions Inclusion of meeting quorum, conflict of interest and disclosure of information provisions
02/05/2017	2.0	Adopted by Council
20/02/2019	2.1	2019 Review for management consideration
26/02/2019	2.2	2019 Review including management feedback
13/03/2019	2.3	2019 Review for Audit Committee consideration
	3.0	For Adoption by Council

1. Purpose

Alpine Shire Council (Council) has established an Audit Committee (Committee) as part of its governance obligations to the community. The primary purpose of the Committee is to advise Council in the effective conduct of its responsibilities relating to:

- Corporate governance;
- Financial management and reporting;
- Management of risks and maintenance of effective controls;
- Internal and external audits;
- Business continuity and disaster recovery;
- Compliance with laws and regulations; and
- The organisation's ethical development.

The purpose of the Audit Committee Charter is to guide the operation of the Committee.

2. Legal status and authority

2.1 Legal status

The Committee is a formally appointed independent advisory committee of the Council under section 139(1) of the *Local Government Act 1989* and is responsible to Council.

2.2 Authority

The Committee has authority to:

- Discharge its responsibilities under this Charter;
- Review the outcomes and recommendations of internal and external audits;
- Meet with management and internal and external auditors and seek resolutions to any disagreements;
- Use its discretion to meet in camera with internal and external auditors;
- Seek information or obtain expert advice on matters of concern through the Chief Executive Officer including access to councillors, management, Council officers and other parties if required.

The Committee does not have:

- executive powers;
- authority to implement actions in areas over which management has responsibility;
- any delegated financial responsibility; or
- any management functions.

The Committee has the responsibility to regularly report to Council and provide appropriate advice and recommendations on matters relevant to its Charter.

3. Membership

3.1 Composition

The Committee consists of a minimum of five members:

- Two councillors nominated and appointed by Council; and
- Three or more independent persons.

The majority of Committee members must be independent members.

Council may nominate an alternate councillor to substitute for either of the two appointed councillors.

3.2 Member Knowledge and Skills

Independent members should possess knowledge and strategic skills in the following areas:

- Accounting and finance;
- Audit;
- Risk management;
- Corporate governance; and/or
- Compliance.

At least two of the independent members must be experienced in financial management.

At least one of the independent members should be a member of CPA Australia (CPA status), the Institute of Chartered Accountants Australia (CA status) and/or the Institute of Internal Auditors.

3.3 Recruitment and terms of appointment

Independent members are recruited by way of publicly seeking expressions of interest.

The evaluation of potential independent members is undertaken by the Mayor, the Chief Executive Officer and the Director Corporate or their delegates as approved by the Chief Executive Officer.

The evaluation panel takes into account the experience of candidates against the knowledge and skills criteria outlined in this Charter and recommends an appointment to Council.

The Council appoints all Committee members.

Independent members will be appointed for a term of up to three years.

The terms of appointment for each member will, where possible, be arranged to provide a rolling rotation of members to provide a satisfactory level of continuity.

3.4 Committee Chair

The chair of the Committee must be an independent member.

The Chair must have suitable qualifications in line with the member knowledge and skills criteria in this Charter and as required by section 139 (2A) of the *Local Government Act 1989*.

The Committee will nominate and recommend a Chair to Council each year.

Council will formally appoint the Committee Chair.

In the absence of the appointed Chair at a Committee meeting, the Committee will appoint an acting Chair from the independent members present.

3.5 Remuneration

Remuneration by way of a meeting attendance fee, determined by Council, will be paid to each independent member of the Committee.

Annual increases in the remuneration of Committee members will be limited to increases in the Consumer Price Index (CPI All Groups Melbourne) and adjusted annually on July 1.

3.6 Liability indemnity

All members of the Committee are covered by Council's relevant insurance policies including Directors and Officers Liability insurance for the service they undertake on the Committee.

3.7 Induction

All independent members of the Committee will be provided a comprehensive induction after their appointment including all necessary and relevant information regarding:

- The Committee and its Charter.
- The Council and its operations.

3.8 Resignation, retirement or termination of appointment

An independent member may resign or retire before the expiry of their term by notifying Council of their intention in writing.

In the event of an independent member resigning or retiring before the expiry of their term, the vacancy will be filled at the discretion of the Council.

If the resignation and/or retirement of two or more of the independent members coincide, the Council may extend one member's term by one year to provide a level of continuity on the Committee.

If the Council proposes to terminate the appointment of a member of the Committee prior to the expiry of their term, written notice will be given to the member and the member will be given the opportunity to be heard at a meeting of councillors prior to the termination taking effect.

4. Meetings

4.1 Frequency and timing

The Committee will meet at least quarterly each year including a special meeting to consider the draft annual financial and performance statements and the results of the external audit.

The frequency and timing of meetings will be developed and agreed to by the Committee each year.

The Committee has the authority to convene additional meetings, as circumstances require.

4.2 Attendance

All Committee members are expected to attend each meeting, in person or through teleconference or video conference.

The Chief Executive Officer should attend all meetings except where the Committee is of the opinion that a matter should be discussed privately. In the event that the Chief Executive Officer is absent, the Acting Chief Executive Officer may attend the meeting.

All Directors and the Manager Corporate should attend all meetings in an advisory capacity.

Other councillors can attend meetings as observers and may be permitted to participate in discussion of agenda items at the discretion of the Committee Chair.

Other Council officers may be invited to attend meetings at the discretion of the Chief Executive Officer to advise and provide information to the Committee when required.

Representatives of the external auditor will be invited to attend meetings considering the draft annual financial statements and results of the external audit and may be invited to attend other meetings at the discretion of the Committee.

4.3 Quorum

A quorum will be three members with at least one councillor member and one independent member.

In the event that a quorum cannot be achieved for a meeting or a given agenda item, the agenda or item will be deferred to the next available meeting of the Committee unless it is deemed urgent by the attending members, in which case the Chair may call a Special Meeting to deal with the item.

4.4 Voting rights

All members have full and equal voting rights unless a member is unable to vote due to a conflict of interest.

The Chair may exercise a casting vote if required.

4.5 Meetings closed to the public

Committee meetings are closed to the public due to the confidential and sensitive nature of the material being considered by the Committee.

4.6 Facilitation of Meetings

The Chief Executive Officer will facilitate the meetings of the Committee through the provision of officer advice in respect of matters before the Committee and invite members of management, auditors or others to attend meetings to provide pertinent information, as necessary.

The Chief Executive Officer has responsibility to provide secretariat services to the Committee.

5. Agendas and minutes

Meeting agendas and supporting documentation will be circulated to members at least one week prior to each meeting.

Minutes of each meeting will be prepared and circulated to members for review within two weeks of the Committee meeting.

The unconfirmed minutes will be reported to the Council within two months of the Committee meeting.

The Chair will sign the minutes following the confirmation of the minutes at a Committee meeting.

6. Conflict of interest and register of interests

Members of the Committee must be aware of their responsibilities with regard to the management of direct and indirect interests which may give rise to a conflict of interest in relation to the discharge of their duties as a member of the Committee. Management of interests includes the proper disclosure of any conflicts of interest, as and when they may arise.

Members of the Committee must comply with sections 79, 79B and 81 of the *Local Government Act 1989* including:

- Disclosing all conflicts of interest which arise in accordance with the Act;
- Submitting a primary interest return with 30 days of being appointed as a member of the Committee; and
- Submitting an ordinary interest return every six months in the form supplied by Council.

Failure to comply with the provisions of the *Local Government Act 1989* and this Charter with regard to conflicts of interest and register of interests may result in prosecution and the member's appointment being terminated by Council.

The Chair will call for a declaration of conflict of interest at the commencement of each meeting and all members with a conflict of interest must declare that interest.

All officers providing reports on a meeting agenda will make a declaration in relation to conflicts of interest.

7. Confidentiality

Members of the Committee must comply with section 76D of the *Local Government Act 1989* including not:

- Misusing their position on the Committee;
- Making improper use of information;
- Disclosing information that is confidential; or
- Influencing Council officers.

Information contained in agenda papers, minutes as well as information provided as a result of the Committee's deliberations is not publicly available and must be maintained as confidential.

Members of the Committee must not disclose information outside of the Committee membership or Council.

Failure to comply with the provisions of the Local Government Act 1989 and this Charter with regard to confidentiality may result in prosecution and the member's appointment being terminated by Council.

8. Responsibilities

8.1 Corporate governance

- Review the system of rules, practises and processes employed by Council in order to best achieve its objectives and maintain well-informed, efficient and effective decision making.

8.2 Financial management and reporting

- Review the annual financial report, and consider whether it is complete, consistent with information known to the Committee members, and reflects appropriate accounting principles.
- Review with management and the external auditors the results of the annual financial and performance audit, including any difficulties encountered.
- Review with management and the external auditors all matters required to be communicated to the Committee under the Australian Auditing Standards.
- Review significant accounting and reporting issues, including complex or unusual transactions and highly judgemental areas, and recent accounting, professional and regulatory pronouncements and legislative changes, and understand their effect on the financial report.
- Monitor accounting policies and processes.

8.3 Risk management

- Oversee the risk management framework and the mechanisms in place to comply with the framework.
- Monitor the systems and process in place to ensure that material operational risks to the Council are dealt with appropriately.
- Monitor the process of review of Council's strategic risks.
- Consider the adequacy of actions taken to ensure that strategic and major risks have been dealt with in a timely manner to mitigate exposures to Council.

8.4 Effective controls

- Determine whether effective processes are in place to ensure that material risks are mitigated and Council maintains compliance with key policies, procedures and delegations.

8.5 Fraud, corruption and misconduct

- Consider the effectiveness of internal controls to mitigate fraud, corruption and misconduct risks.
- Receive updates from management of any suspected cases of fraud, corruption or serious misconduct impacting Council.
- Monitor any subsequent investigation, including the investigation of any suspected cases of fraud, corruption, serious misconduct or breaches of conflict of interest.

8.6 Internal audit

- Review and recommend the annual audit plan for approval by Council, ensuring that the plan is prioritised according to material risks.
- Monitor processes and practices to ensure that the independence of the audit function is maintained.
- As relevant, meet with the internal auditor to discuss any matters that the Committee or internal auditor believes should be discussed privately.
- Review internal audit report findings, management responses, accountabilities and timelines for corrective actions.
- Monitor the timely and effective implementation of internal audit recommendations.
- As part of the Committee's annual assessment of performance determine level of satisfaction with internal audit function having consideration of the Institute of Internal Auditors' International Standards for the Professional Practice of Internal Auditing.

8.7 External audit

- Note the external auditor's proposed audit scope and approach, including any reliance on internal auditor activity.
- As relevant, meet with the external auditors, to discuss any matters that the Committee or the external auditors believe should be discussed privately.
- Consider the findings and recommendations of external audits and provide guidance to Council on significant issues identified.
- Monitor the timely and effective implementation of external audit recommendations.

8.8 Business continuity

- Monitor processes and practices to ensure sound and effective business continuity planning and disaster recovery arrangements are in place.

8.9 Compliance

- Review the systems and processes for monitoring compliance with legislation and regulation, policy and procedure and the results of management's investigation and follow-up (including disciplinary action) of any instances of non-compliance.
- Receive updates of the findings of any examinations by regulatory agencies and any auditor (internal or external) observations and monitor management's response to these findings.
- Obtain regular updates from management about compliance matters.

8.10 Reporting responsibilities

- Report regularly to Council about Committee activities, issues, and related recommendations through circulation of minutes and annual report. Additional updates may be appropriate should issues of concern arise.
- Detail the Committee's composition, responsibilities and how they were discharged, and any other information required by regulation in Council's Annual Report.

8.11 Other responsibilities

- Address other activities or issues related to this Charter as requested by Council.
- Consider the findings and recommendations of relevant Performance Audits undertaken by the Victorian Auditor-General and ensure Council considers and implements recommendations as relevant.
- Monitor the progress of any major lawsuit claims which could have a material effect on Council's financial position or reputation.
- Review and assess the adequacy of the Committee Charter every second year, requesting Council approval for proposed changes.
- Evaluate the Committee's performance annually.

9. Approval

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
hereunto affixed this day of
.....2019 in the
presence of:

.....
COUNCILLOR

.....
COUNCILLOR

.....
CHIEF EXECUTIVE OFFICER



INSTRUMENT OF DELEGATION

**Council to
Chief Executive Officer**

7 May 2019

Instrument of Delegation

In exercise of the power conferred by s 98(1) of the *Local Government Act 1989* (the Act) and all other powers enabling it, the Alpine 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 **7 May 2019**;
2. the delegation
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 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.
3. The member of Council staff occupying the position or title of or acting in the position of Chief Executive Officer may delegate to a member of Council staff any of the powers (other than the power of delegation conferred by s 98(3) of the Act or any other powers not capable of sub-delegation) which this Instrument of Delegation delegates to him or her.

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
Hereunto affixed this 7th day of
May 2019 in the presence of:

.....
COUNCILLOR

.....
Name

.....
COUNCILLOR

.....
Name

.....
CHIEF EXECUTIVE OFFICER

.....
Name

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

4. if the issue, action, act or thing is an issue, action, act or thing which involves
 - 4.1 awarding a contract exceeding the value of \$150,000 including GST;
 - 4.2 making a local law under Part 5 of the Act;
 - 4.3 approval of the Council Plan under s 125 of the Act;
 - 4.4 adoption of the Strategic Resource Plan under s 126 of the Act;
 - 4.5 preparation or adoption of the Budget or a Revised Budget under Part 6 of the Act;
 - 4.6 adoption of the Auditor's report, Annual Financial Statements, Standard Statements and Performance Statement under Part 6 of the Act;
 - 4.7 determining pursuant to s 37 of the Act that an extraordinary vacancy on Council not be filled;
 - 4.8 exempting a member of a special committee who is not a Councillor from submitting a return under s 81 of the Act;
 - 4.9 appointment of councillor or community delegates or representatives to external organisations; or
 - 4.10 the return of the general valuation and any supplementary valuations;
5. 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;
6. 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;

7. 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
 - 7.1 policy; or
 - 7.2 strategyadopted by Council; or
- 8 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise; or
- 9 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.



INSTRUMENT OF DELEGATION

Council to

Members of Council Staff

7 May 2019

Instrument of Delegation

In exercise of the power conferred by s 98(1) of the *Local Government Act 1989* and the other legislation referred to in the attached Schedule, the Council:

1. delegates each duty and/or function and/or power described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the member of Council staff holding, acting in or performing the duties of the office or position described opposite each such duty and/or function and/or power in column 3 of the Schedule;
2. record that references in the Schedule are as follows:

DELEGATE	TITLE
ACC	Accountant
AOBEH	Administration Officer (Building and Environmental Health)
AOP	Administration Officer (Planning)
AOSLL	Administration Officer (Subdivision and Local Laws)
BI	Building Inspector
BS	Building Surveyor
CEO	Chief Executive Officer
CWC	Civil Works Coordinator
DA	Director Assets
DC	Director Corporate
DSD	Director Sustainable Development
EACEO	Executive Assistant (CEO)
EC	Engineering Coordinator
EHO	Environmental Health Officer
EMC	Emergency Management Coordinator
FO	Finance Officer
FOVICHP	Facilities Officer (VICs and Holiday Parks)
GISA0	GIS and Assets Officer
GO	Governance Officer
LLO	Local Laws Officer
LLO2	Local Laws Officer
MAD	Manager Asset Development
MAM	Manager Asset Maintenance
MBA	Manager Building and Amenity
MC	Manager Corporate
MF	Manager Facilities
MP	Manager Planning

DELEGATE	TITLE
OSEC	Open Spaces and Environment Coordinator
PO	Planning Officer
PC	Planning Co-ordinator
POD	Project Officer (Delivery)
PRO	Prosecutor
PRO2	Prosecutor
RC	Rates Coordinator
SP	Strategic Planner
SPO	Senior Planning Officer
TOA	Technical Officer (Assets)
TOAM	Technical Officer (Asset Maintenance)

3. declares that:

3.1 this Instrument of Delegation is authorised by a resolution of Council passed on **7 May 2019**; 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) strategy

adopted by Council; or

3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of s 98(1)(a)-(f) (inclusive) of the Act or otherwise; or

3.3.4 the determining of the issue, the taking of the action or the doing of the act or thing is already the subject of an exclusive delegation to another member of Council staff.

Instrument of Delegation to Members of Council Staff – May 2019

THE COMMON SEAL OF THE
ALPINE SHIRE COUNCIL was
Hereunto affixed this 7th day of
May 2019 in the presence of:

.....
COUNCILLOR

.....
Name

.....
COUNCILLOR

.....
Name

.....
CHIEF EXECUTIVE OFFICER

.....
Name

SCHEDULE

<i>CEMETERIES AND CREMATORIA ACT 2003</i>	1
<i>CEMETERIES AND CREMATORIA REGULATIONS 2015</i>	9
<i>DOMESTIC ANIMALS ACT 1994</i>	12
<i>ENVIRONMENT PROTECTION ACT 1970</i>	13
<i>FOOD ACT 1984</i>	14
<i>HERITAGE ACT 2017</i>	18
<i>LOCAL GOVERNMENT ACT 1989</i>	19
<i>PLANNING AND ENVIRONMENT ACT 1987</i>	20
<i>PLANNING AND ENVIRONMENT REGULATIONS 2015</i>	47
<i>PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016</i>	48
<i>RESIDENTIAL TENANCIES ACT 1997</i>	49
<i>RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010</i>	50
<i>ROAD MANAGEMENT ACT 2004</i>	52
<i>ROAD MANAGEMENT (GENERAL) REGULATIONS 2016</i>	59
<i>ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015</i>	60

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 8(1)(a)(ii)	Power to manage one or more public cemeteries	DC, MF	<i>Note: Alpine Shire Council is defined as a Class B cemetery trust - only those clauses that apply to this class is delegated in this document.</i>
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	DC, MF	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	DC, MF	Where Council is a Class B cemetery trust
s 12A(1)	Function to do the activities set out in paragraphs (a) – (n)	not delegated	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 delegated	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	DC, MF	
s 14	Power to manage multiple public cemeteries as if they are one cemetery	not delegated	
s 15(1) and (2)	Power to delegate powers or functions other than those listed	DC, MF	
s 15(4)	Duty to keep records of delegations	DC, MF	
s 17(1)	Power to employ any persons necessary	not delegated	
s 17(2)	Power to engage any professional, technical or other assistance considered necessary	DC, MF	
s 17(3)	Power to determine the terms and conditions of employment or engagement	not delegated	Subject to any guidelines or directions of the Secretary
s 18(3)	Duty to comply with a direction from the Secretary	DC, MF	
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 delegated	Where Council is a Class A cemetery trust
s 18C	Power to determine the membership of the governance committee	not delegated	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18D	Power to determine procedure of governance committee	not delegated	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 delegated	Where Council is a Class A cemetery trust
s 18D(1)(b)	Power to appoint any additional community advisory committees	not delegated	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 delegated	Where Council is a Class A cemetery trust
s 18D(3)	Duty to include a report on the activities of the community advisory committees in its report of operations under Part 7 of the <i>Financial Management Act 1994</i>	not delegated	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 delegated	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 delegated	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 delegated	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 delegated	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 delegated	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 delegated	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 delegated	Where Council is a Class A cemetery trust
s 18N(5)	Duty to make amendments as required by the Secretary and deliver the completed plan to the Secretary within 3 months	not delegated	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 delegated	Where Council is a Class A cemetery trust

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 18O(1)	Duty to prepare a strategic plan and submit the plan to the Secretary for approval	not delegated	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 delegated	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 delegated	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 delegated	Where Council is a Class A cemetery trust
s 19	Power to carry out or permit the carrying out of works	DC, MF	
s 20(1)	Duty to set aside areas for the interment of human remains	DC, MF	
s 20(2)	Power to set aside areas for the purposes of managing a public cemetery	DC, MF	
s 20(3)	Power to set aside areas for those things in paragraphs (a) – (e)	DC, MF	
s 24(2)	Power to apply to the Secretary for approval to alter the existing distribution of land	not delegated	
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	DC, MF	
s 47	Power to pay a contribution toward the cost of the construction and maintenance of any private street adjoining or abutting a cemetery	not delegated	Provided the street was constructed pursuant to the <i>Local Government Act 1989</i>
s 57(1)	Duty to submit a report to the Secretary every financial year in respect of powers and functions under the Act	DC, MF	Report must contain the particulars listed in s 57(2)
s 59	Duty to keep records for each public cemetery	DC, MF	
s 60(1)	Duty to make information in records available to the public for historical or research purposes	DC, MF	
s 60(2)	Power to charge fees for providing information	DC, MF	
s 64(4)	Duty to comply with a direction from the Secretary under s 64(3)	DC, MF	

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 64B(d)	Power to permit interments at a reopened cemetery	DC, MF	
s 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	DC, MF	
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	DC, MF	
s 70(2)	Duty to make plans of existing place of interment available to the public	DC, MF	
s 71(1)	Power to remove any memorials or other structures in an area to which an approval to convert applies	DC, MF	
s 71(2)	Power to dispose of any memorial or other structure removed	DC, MF	
s 72(2)	Duty to comply with request received under s 72	DC, MF	
s 73(1)	Power to grant a right of interment	DC, MF	
s 73(2)	Power to impose conditions on the right of interment	DC, MF	
s 75	Power to grant the rights of interment set out in s 75(a) and (b)	DC, MF	
s 76(3)	Duty to allocate a piece of interment if an unallocated right is granted	DC, MF	
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	DC, MF	
s 80(1)	Function of receiving notification and payment of transfer of right of interment	DC, MF	
s 80(2)	Function of recording transfer of right of interment	DC, MF	
s 82(2)	Duty to pay refund on the surrender of an unexercised right of interment	DC, MF	
s 83(2)	Duty to pay refund on the surrender of an unexercised right of interment (sole holder)	DC, MF	
s 83(3)	Power to remove any memorial and grant another right of interment for a surrendered right of interment	DC, MF	
s 84(1)	Function of receiving notice of surrendering an entitlement to a right of interment	DC, MF	

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 85(1)	Duty to notify holder of 25 year right of interment of expiration at least 12 months before expiry	DC, MF	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	DC, MF	Does not apply where right of interment 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	DC, MF	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	DC, MF	
s 86(2)	Power to leave interred cremated human remains undisturbed or convert the right of interment to a perpetual right of interment	DC, MF	
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	DC, MF	
s 86(3)(b)	Power to remove interred cremated human remains and take further action in accordance with s 86(3)(b)	DC, MF	
s 86(4)	Power to take action under s 86(4) relating to removing and re-interring cremated human remains	DC, MF	
s 86(5)	Duty to provide notification before taking action under s 86(4)	DC, MF	
s 86A	Duty to maintain place of interment and any memorial at place of interment, if action taken under s 86(3)	DC, MF	
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	DC, MF	
s 88	Function to receive applications to carry out a lift and re-position procedure at a place of interment	DC, MF	

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 91(1)	Power to cancel a right of interment in accordance with s 91	DC, MF	
s 91(3)	Duty to publish notice of intention to cancel right of interment	DC, MF	
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	DC, MF	
s 98(1)	Function of receiving application to establish or alter a memorial or a place of interment	DC, MF	
s 99	Power to approve or refuse an application made under s 98, or to cancel an approval	DC, MF	
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	DC, MF	
s 100(1)	Power to require a person to remove memorials or places of interment	DC, MF	
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)	DC, MF	
s 100(3)	Power to recover costs of taking action under s 100(2)	DC, MF	
s 101	Function of receiving applications to establish or alter a building for ceremonies in the cemetery	DC, MF	
s 102(1)	Power to approve or refuse an application under s 101, if satisfied of the matters in (b) and (c)	DC, MF	
s 102(2) & (3)	Power to set terms and conditions in respect of, or to cancel, an approval granted under s 102(1)	DC, MF	
s 103(1)	Power to require a person to remove a building for ceremonies	DC, MF	
s 103(2)	Power to remove and dispose of a building for ceremonies or remedy the failure to comply with s 103(1)	DC, MF	
s 103(3)	Power to recover costs of taking action under s 103(2)	DC, MF	
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	DC, MF	

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 106(2)	Power to require the holder of the right of interment to provide for an examination	DC, MF	
s 106(3)	Power to open and examine the place of interment if s 106(2) not complied with	DC, MF	
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	DC, MF	
s 107(1)	Power to require person responsible to make the building for ceremonies safe and proper or carry out specified repairs	DC, MF	
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	DC, MF	
s 108	Power to recover costs and expenses	DC, MF	
s 109(1)(a)	Power to open, examine and repair a place of interment	DC, MF	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	DC, MF	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	DC, MF	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	DC, MF	
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	DC, MF	
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	DC, MF	
s 111	Power to enter into agreement with a holder of the right of interment to maintain a memorial or place of interment	DC, MF	
s 112	Power to sell and supply memorials	DC, MF	

CEMETERIES AND CREMATORIA ACT 2003

The provisions of this Act apply to Councils appointed as a cemetery trust under section 5 of this Act, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 116(4)	Duty to notify the Secretary of an interment authorisation granted	DC, MF	
s 116(5)	Power to require an applicant to produce evidence of the right of interment holder's consent to application	DC, MF	
s 118	Power to grant an interment authorisation if satisfied that the requirements of Division 2 of Part 8 have been met	DC, MF	
s 119	Power to set terms and conditions for interment authorisations	DC, MF	
s 131	Function of receiving an application for cremation authorisation	DC, MF	
s 133(1)	Duty not to grant a cremation authorisation unless satisfied that requirements of s 133 have been complied with	DC, MF	Subject to s 133(2)
s 145	Duty to comply with an order made by the Magistrates' Court or a coroner	DC, MF	
s 146	Power to dispose of bodily remains by a method other than interment or cremation	DC, MF	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	DC, MF	
s 149	Duty to cease using method of disposal if approval revoked by the Secretary	DC, MF	
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	DC, MF	
s 151	Function of receiving applications to inter or cremate body parts	DC, MF	
s 152(2)	Power to impose terms and conditions on authorisation granted under s 150	DC, MF	
SCHEDULE 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	DC, MF	
SCHEDULE 1 cl 8(8)	Power to regulate own proceedings	DC, MF	Subject to cl 8
SCHEDULE 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 delegated	Where Council is a Class A cemetery trust
SCHEDULE 1A cl 8(8)	Power to regulate own proceedings	not delegated	Where Council is a Class A cemetery trust. Subject to cl 8.

CEMETERIES AND CREMATORIA REGULATIONS 2015

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 24	Duty to ensure that cemetery complies with depth of burial requirements	DC, MF	
r 25	Duty to ensure that the cemetery complies with the requirements for interment in concrete-lined graves	DC, MF	
r 27	Power to inspect any coffin, container or other receptacle if satisfied of the matters in paragraphs (a) and (b)	not delegated	
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 delegated	
r 28(2)	Duty to ensure any fittings removed or are disposed in an appropriate manner	not delegated	
r 29	Power to dispose of any metal substance or non-human substance recovered from a cremator	not delegated	
r 30(2)	Power to release cremated human remains to certain persons	not delegated	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 delegated	
r 31(2)	Duty to hold cremated human remains for at least 12 months from the date of cremation	not delegated	
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 delegated	
r 31(4)	Duty to take reasonable steps notify relevant people of intention to dispose of remains at expiry of 12 month period	not delegated	
r 32	Duty to ensure a mausoleum is constructed in accordance with paragraphs (a)-(d)	DC, MF	
r 33(1)	Duty to ensure that remains are interred in a coffin, container or receptacle in accordance with paragraphs (a)-(c)	DC, MF	
r 33(2)	Duty to ensure that remains are interred in accordance with paragraphs (a)-(b)	DC, MF	
r 34	Duty to ensure that a crypt space in a mausoleum is sealed in accordance with paragraphs (a)-(b)	DC, MF	
r 36	Duty to provide statement that alternative vendors or supplier of monuments exist	not delegated	
r 40	Power to approve a person to play sport within a public cemetery	DC, MF	

CEMETERIES AND CREMATORIA REGULATIONS 2015

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r 41(1)	Power to approve fishing and bathing within a public cemetery	DC, MF	
r 42(1)	Power to approve hunting within a public cemetery	DC, MF	
r 43	Power to approve camping within a public cemetery	DC, MF	
r 45(1)	Power to approve the removal of plants within a public cemetery	DC, MF	
r 46	Power to approve certain activities under the Regulations if satisfied of regulation (1)(a)-(c)	DC, MF	
r 47(3)	Power to approve the use of fire in a public cemetery	DC, MF	
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	DC, MF	
Note: SCHEDULE 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	DC, MF	See note above regarding model rules
sch 2 cl 5(1)	Duty to display the hours during which pedestrian access is available to the cemetery	DC, MF	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	DC, MF	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	DC, MF	See note above regarding model rules
sch 2 cl 7(1)	Power to give directions regarding the dressing of places of interment and memorials	DC, MF	See note above regarding model rules
sch 2 cl 8	Power to approve certain mementos on a memorial	DC, MF	See note above regarding model rules
sch 2 cl 11(1)	Power to remove objects from a memorial or place of interment	DC, MF	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	DC, MF	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	DC, MF	See note above regarding model rules
sch 2 cl 14	Power to approve an animal to enter into or remain in a cemetery	DC, MF	See note above regarding model rules
sch 2 cl 16(1)	Power to approve construction and building within a cemetery	DC, MF	See note above regarding model rules

CEMETERIES AND CREMATORIA REGULATIONS 2015

These provisions apply to Councils appointed as a cemetery trust under section 5 of the *Cemeteries and Crematoria Act 2003*, and also apply to Councils appointed to manage a public cemetery under section 8(1)(a)(ii) as though it were a cemetery trust (see section 53)

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
sch 2 cl 17(1)	Power to approve action to disturb or demolish property of the cemetery trust	DC, MF	See note above regarding model rules
sch 2 cl 18(1)	Power to approve digging or planting within a cemetery	DC, MF	See note above regarding model rules

DOMESTIC ANIMALS ACT 1994

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS AND LIMITATIONS
s 41A(1)	Power to declare a dog to be a menacing dog	DC, MBA, LLO, LLO2	Council may delegate this power to a Council authorised officer

ENVIRONMENT PROTECTION ACT 1970

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 53M(3)	Power to require further information	DC, MBA, EHO	
s 53M(4)	Duty to advise applicant that application is not to be dealt with	DC, MBA, EHO	
s 53M(5)	Duty to approve plans, issue permit or refuse permit	DC, MBA, EHO	Refusal must be ratified by Council or it is of no effect
s 53M(6)	Power to refuse to issue septic tank permit	DC, MBA, 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)	DC, MBA, EHO	Refusal must be ratified by Council or it is of no effect

FOOD ACT 1984			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 19(2)(a)	Power to direct by written order that the food premises be put into a clean and sanitary condition	DC, MBA, 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	DC, MBA, 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	DC, MBA, EHO	If s 19(1) applies. Only in relation to temporary food premises or mobile food premises
s 19(4)(a)	Power to direct that an order made under s 19(3)(a) or (b), (i) be affixed to a conspicuous part of the premises, and (ii) inform the public by notice in a published newspaper or otherwise	DC, MBA, 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	DC, MBA, 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	DC, MBA, 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).	DC, MBA, EHO	Where Council is the registration authority
s 19AA(4)(c)	Power to direct, in an order made under s 19AA(2) or a subsequent written order, that a person must ensure that any food or class of food is not removed from the premises	DC, MBA, 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	DC, MBA, EHO	Where Council is the registration authority
s 19CB(4)(b)	Power to request copy of records	DC, MBA, EHO	Where Council is the registration authority
s 19E(1)(d)	Power to request a copy of the food safety program	DC, MBA, EHO	Where Council is the registration authority
s 19GB	Power to request proprietor to provide written details of the name, qualification or experience of the current food safety supervisor	DC, MBA, EHO	Where Council is the registration authority
s 19M(4)(a) & (5)	Power to conduct a food safety audit and take actions where deficiencies are identified	DC, MBA, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 19NA(1)	Power to request food safety audit reports	DC, MBA, EHO	Where Council is the registration authority
s 19U(3)	Power to waive and vary the costs of a food safety audit if there are special circumstances	DC, MBA, EHO	
s 19UA	Power to charge fees for conducting a food safety assessment or inspection	DC, MBA, 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	DC, MBA, EHO	Where Council is the registration authority
s 19W(3)(a)	Power to direct a proprietor of a food premises to have staff at the premises undertake training or instruction	DC, MBA, EHO	Where Council is the registration authority
s 19W(3)(b)	Power to direct a proprietor of a food premises to have details of any staff training incorporated into the minimum records required to be kept or food safety program of the premises	DC, MBA, EHO	Where Council is the registration authority
---	Power to register, renew or transfer registration	DC, MBA, EHO	Where Council is the registration authority. Refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see s 58A(2))
s 38AA(5)	Power to (a) request further information; or (b) advise the proprietor that the premises must be registered if the premises are not exempt	DC, MBA, EHO	Where Council is the registration authority
s 38AB(4)	Power to fix a fee for the receipt of a notification under s 38AA in accordance with a declaration under s 38AB(1)	DC, MBA, EHO	Where Council is the registration authority
s 38A(4)	Power to request a copy of a completed food safety program template	DC, MBA, EHO	Where Council is the registration authority
s 38B(1)(a)	Duty to assess the application and determine which class of food premises under s 19C the food premises belongs	DC, MBA, EHO	Where Council is the registration authority
s 38B(1)(b)	Duty to ensure proprietor has complied with requirements of s 38A	DC, MBA, EHO	Where Council is the registration authority
s 38B(2)	Duty to be satisfied of the matters in s 38B(2)(a)-(b)	DC, MBA, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 38D(1)	Duty to ensure compliance with the applicable provisions of s 38C and inspect the premises if required by s 39	DC, MBA, EHO	Where Council is the registration authority
s 38D(2)	Duty to be satisfied of the matters in s 38D(2)(a)-(d)	DC, MBA, EHO	Where Council is the registration authority
s 38D(3)	Power to request copies of any audit reports	DC, MBA, EHO	Where Council is the registration authority
s 38E(2)	Power to register the food premises on a conditional basis	DC, MBA, 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	DC, MBA, EHO	Where Council is the registration authority
s 38F(3)(b)	Power to require proprietor to comply with requirements of this Act	DC, MBA, EHO	Where Council is the registration authority
s 39A	Power to register, renew or transfer food premises despite minor defects	DC, MBA, EHO	Where Council is the registration authority. Only if satisfied of matters in s 39A(2)(a)-(c)
s 40(2)	Power to incorporate the certificate of registration in one document with any certificate of registration under Part 6 of the <i>Public Health and Wellbeing Act 2008</i>	DC, MBA, EHO	
s 40C(2)	Power to grant or renew the registration of food premises for a period of less than 1 year	DC, MBA, EHO	Where Council is the registration authority
s 40D(1)	Power to suspend or revoke the registration of food premises	DC, MBA, EHO	Where Council is the registration authority
s 43F(6)	Duty to be satisfied that registration requirements under Division 3 have been met prior to registering, transferring or renewing registration of a component of a food business	DC, MBA, 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	DC, MBA, EHO	Where Council is the registration authority

FOOD ACT 1984			
Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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	DC, MBA, EHO, PRO	Where Council is the registration authority

HERITAGE ACT 2017

Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 116	Power to sub-delegate Executive Director's functions, duties or powers	DC	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

<u>LOCAL GOVERNMENT ACT 1989</u>			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s 181H	Power to enter into an environmental upgrade agreement on behalf of Council and declare and levy an environmental upgrade charge	CEO[1]	

[\[1\] The only member of staff who can be a delegate in Column 3 is the CEO.](#)

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 4B	Power to prepare an amendment to the Victorian Planning Provisions	DC, MP, PC, SP	If authorised by the Minister
s 4G	Function of receiving prescribed documents and a copy of the Victorian Planning Provisions from the Minister	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 4H	Duty to make amendment to Victorian Planning Provisions available	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 4I	Duty to keep Victorian Planning Provisions and other documents available	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 8A(2)	Power to prepare amendment to the planning scheme where the Minister has given consent under s 8A	DC, MP, PC, SP	
s 8A(3)	Power to apply to Minister to prepare an amendment to the planning scheme	DC, MP, PC, SP	
s 8A(5)	Function of receiving notice of the Minister's decision	DC, MP, PC, SP	
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	DC, MP, PC, SP	
s 8B(2)	Power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DC, MP, PC, SP	
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, DC, MP, PC, SP	
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, DC, MP, PC, SP	
s 12B(1)	Duty to review planning scheme	CEO, DC, MP, PC, SP, SPO, PO	
s 12B(2)	Duty to review planning scheme at direction of Minister	CEO, DC, MP, PC, SP, SPO, PO	
s 12B(5)	Duty to report findings of review of planning scheme to Minister without delay	DC, MP, PC, SP, SPO, PO	
s 14	duties of a Responsible Authority as set out in s 14(a) to (d)	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 17(1)	Duty of giving copy amendment to the planning scheme	DC, MP, PC, SP, SPO, PO	
s 17(2)	Duty of giving copy s 173 agreement	DC, MP, PC, SP, SPO, PO	
s 17(3)	Duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DC, MP, PC, SP, SPO, PO	
s 18	Duty to make amendment etc. available	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
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	DC, MP, PC, SP, SPO, PO	
s 19	Function of receiving notice of preparation of an amendment to a planning scheme	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	
s 21(2)	Duty to make submissions available	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 21A(4)	Duty to publish notice	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 22	Duty to consider all submissions	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	
s 23(2)	Power to refer to a panel submissions which do not require a change to the amendment	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 24	Function to represent Council and present a submission at a panel hearing (including a hearing referred to in s 96D)	DC, MP, PC, SP, SPO, PO	
s 26(1)	Power to make report available for inspection	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 26(2)	Duty to keep report of panel available for inspection	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 27(2)	Power to apply for exemption if panel's report not received	DC, MP, PC, SP, SPO, PO	
s 28	Duty to notify the Minister if abandoning an amendment	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	
s 30(4)(b)	Duty to provide information in writing upon request	DC, MP, PC, SP, SPO, PO	
s 32(2)	Duty to give more notice if required	DC, MP, PC, SP, SPO, PO	
s 33(1)	Duty to give more notice of changes to an amendment	DC, MP, PC, SP, SPO, PO	
s 36(2)	Duty to give notice of approval of amendment	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 38(5)	Duty to give notice of revocation of an amendment	DC, MP, PC, SP, SPO, PO	
s 39	Function of being a party to a proceeding commenced under s 39 and duty to comply with determination by VCAT	DC, MP, PC, SP	
s 40(1)	Function of lodging copy of approved amendment	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 41	Duty to make approved amendment available	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 42	Duty to make copy of planning scheme available	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
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 - <i>and does not affect Alpine Shire Council.</i>
s 46AW	Function of being consulted by the Minister	DC, MP, PC	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 <u>endorse the draft Statement of Planning Policy</u>	DC, MP, PC	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 <u>to be binding on the responsible public entity</u>	DC, MP, PC	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 <u>or exercising a power in relation to the declared area</u>	DC, MP, PC	Where Council is a responsible public entity

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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. <i>There are no Development Contribution Plans incorporated in the Alpine Planning Scheme. Currently, Infrastructure Contribution Plans only apply to the Metropolitan Greenfield Growth Area surrounding Melbourne. Therefore, no delegations are made regarding these provisions for Alpine Shire Council.</i>
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	
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	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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 <u>estimated value of the inner public purpose land</u>	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	
s 46GV(3)	Function of receiving the monetary component and any land equalisation amount of the infrastructure contribution. <u>Power to specify the manner in which the payment is to be made</u>	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 <u>permit applied for by the applicant to develop the land in the ICP plan area</u>	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

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 46GX(2)	Duty, before accepting the provision of works, services or facilities by an applicant under s 46GX(1), to obtain the agreement of the development agency or agencies specified in the approved infrastructure contributions plan	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 1989</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
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

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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.
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	If any inner public purpose land is vested in Council under the <i>Subdivision Act 1988</i> or acquired by Council before the time it is required to be provided to Council under s 46GV(4). Where Council is the collecting agency under an approved infrastructure contributions plan This duty does not apply where Council is also the development
s 46GZ(9)	Function of receiving the fee simple in the land	not delegated	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZA(1)	Duty to keep proper and separate accounts and records	not delegated	Where Council is a development agency under an approved infrastructure contributions plan

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 46GZA(2)	Duty to keep the accounts and records in accordance with the <i>Local Government Act 1989</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
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	If the VPA is the collecting agency under an approved infrastructure contributions plan. Where Council is a development agency under an approved infrastructure contributions plan
s 46GZD(2)	Duty, within 6 months after the date on which the approved infrastructure contributions plan expires, to follow the steps set out in s 46GZD(2)(a) and (b)	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	Where Council is the development agency under an approved infrastructure contributions plan. This duty does not apply where Council is also the collecting agency
s 46GZE(2)	Function of receiving the unexpended land equalisation amount	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

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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
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	not delegated	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 46N(2)(c)	Function of determining time and manner for receipt of development contributions levy	not delegated	
s 46N(2)(d)	Power to enter into an agreement with the applicant regarding payment of development infrastructure levy	not delegated	
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	not delegated	
s 46O(1)(d) & (2)(d)	Power to enter into agreement with the applicant regarding payment of community infrastructure levy	not delegated	
s 46P(1)	Power to require payment of amount of levy under s 46N or s 46O to be satisfactorily secured	not delegated	
s 46P(2)	Power to accept provision of land, works, services or facilities in part or full payment of levy payable	not delegated	
s 46Q(1)	Duty to keep proper accounts of levies paid	not delegated	
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	not delegated	
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	not delegated	
s 46Q(3)	Power to refund any amount of levy paid if it is satisfied the development is not to proceed	not delegated	Only applies when levy is paid to Council as a 'development agency'
s 46Q(4)(c)	Duty to pay amount to current owners of land in the area if an amount of levy has been paid to a municipal Council as a development agency for plan preparation costs incurred by the Council or for the provision by the Council of works, services or facilities in an area under s 46Q(4)(a)	not delegated	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	not delegated	Must be done in accordance with Part 3
s 46Q(4)(e)	Duty to expend that amount on other works etc.	not delegated	With the consent of, and in the manner approved by, the Minister

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 46QC	Power to recover any amount of levy payable under Part 3B	not delegated	
s 46QD	Duty to prepare report and give a report to the Minister	not delegated	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	<i>Does not apply to Alpine Shire Council</i>
s 46Y	Duty to carry out works in conformity with the approved strategy plan	not delegated	<i>Does not apply to Alpine Shire Council</i>
s 47	Power to decide that an application for a planning permit does not comply with that Act	DC, MP, PC, SP, SPO, PO	
s 49(1)	Duty to keep a register of all applications for permits and determinations relating to permits	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 49(2)	Duty to make register available for inspection	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 50(4)	Duty to amend application	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBFH	
s 50(5)	Power to refuse to amend application	DC, MP, PC, SP, SPO	
s 50(6)	Duty to make note of amendment to application in register	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBFH	
s 50A(1)	Power to make amendment to application	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBFH	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 50A(3)	Power to require applicant to notify owner and make a declaration that notice has been given	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 50A(4)	Duty to note amendment to application in register	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 51	Duty to make copy of application available for inspection	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
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	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 52(1)(b)	Duty to give notice of the application to other municipal Council where appropriate	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 52(1)(c)	Duty to give notice of the application to all persons required by the planning scheme	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
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	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
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	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 52(1)(d)	Duty to give notice of the application to other persons who may be detrimentally effected	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 52(1AA)	Duty to give notice of an application to remove or vary a registered restrictive covenant	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 52(3)	Power to give any further notice of an application where appropriate	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 53(1)	Power to require the applicant to give notice under s 52(1) to persons specified by it	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 53(1A)	Power to require the applicant to give the notice under s 52(1AA)	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 54(1)	Power to require the applicant to provide more information	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 54(1A)	Duty to give notice in writing of information required under s 54(1)	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	
s 54(1B)	Duty to specify the lapse date for an application	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AOBEH	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 54A(3)	Power to decide to extend time or refuse to extend time to give required information	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AORFH	
s 54A(4)	Duty to give written notice of decision to extend or refuse to extend time und s 54A(3)	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AORFH	
s 55(1)	Duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DC, MP, MBA, PC, SP, SPO, PO, AOSLL, AOP, AORFH	
s 57(2A)	Power to reject objections considered made primarily for commercial advantage for the objector	DC, MP	
s 57(3)	Function of receiving name and address of persons to whom notice of decision is to go	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 57(5)	Duty to make available for inspection copy of all objections	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 57A(4)	Duty to amend application in accordance with applicant's request, subject to s 57A(5)	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 57A(5)	Power to refuse to amend application	DC, MP, PC, SP, SPO	
s 57A(6)	Duty to note amendments to application in register	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 57B(1)	Duty to determine whether and to whom notice should be given	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 57B(2)	Duty to consider certain matters in determining whether notice should be given	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 57C(1)	Duty to give copy of amended application to referral authority	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 58	Duty to consider every application for a permit	DC, MP, PC, SP, SPO, PO	
s 58A	Power to request advice from the Planning Application Committee	DC, MP, PC, SP, SPO, PO	
s 60	Duty to consider certain matters	DC, MP, PC, SP, SPO, PO, OSEC	
s 60(1A)	Duty to consider certain matters	DC, MP, PC, SP, SPO, PO	
s 60(1B)	Duty to consider number of objectors in considering whether use or development may have significant social effect	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	The permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s 61(2)	Duty to decide to refuse to grant a permit if a relevant determining referral authority objects to grant of permit	DC, MP, PC, SPO	
s 61(2A)	Power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DC, MP, PC, SPO	
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	not delegated	
s 61(4)	Duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DC, MP, PC, SPO	
s 62(1)	Duty to include certain conditions in deciding to grant a permit	DC, MP, PC, SPO, PO, SP	
s 62(2)	Power to include other conditions	DC, MP, PC, SPO, PO, SP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 62(4)	Duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DC, MP, PC, SPO, PO, SP	
s 62(5)(a)	Power to include a permit condition to implement an approved development contributions plan or an approved infrastructure contributions plan	DC, MP, PC, SPO, PO, SP	
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	DC, MP, PC, SPO, PO, SP	
s 62(5)(c)	Power to include a permit condition that specified works be provided or paid for by the applicant	DC, MP, PC, SPO, PO, SP	
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)	DC, MP, PC, SPO, PO, SP	
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)	DC, MP, PC, SPO, PO, SP	
s 63	Duty to issue the permit where made a decision in favour of the application (if no one has objected)	DC, MP, PC, SPO, PO, SP	
s 64(1)	Duty to give notice of decision to grant a permit to applicant and objectors	not delegated	This provision applies also to a decision to grant an amendment to a permit - see s 75 <i>Where there are objections, the decision regarding the permit is presented to a Council meeting.</i>
s 64(3)	Duty not to issue a permit until after the specified period	not delegated	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	not delegated	This provision applies also to a decision to grant an amendment to a permit - see s 75
s 64A	Duty not to issue permit until the end of a period when an application for review may be lodged with VCAT or until VCAT has determined the application, if a relevant recommending referral authority has objected to the grant of a permit	DC, MP, PC, SPO, PO, SP	This provision applies also to a decision to grant an amendment to a permit - see s 75A

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 65(1)	Duty to give notice of refusal to grant permit to applicant and person who objected under s 57	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 66(1)	Duty to give notice under s 64 or s 65 and copy permit to relevant determining referral authorities	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 66(2)	Duty to give a recommending referral authority notice of its decision to grant a permit	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	If the recommending referral authority did not object to the grant of the permit or the recommending referral authority did not recommend a condition be included on the permit
s 69(1)	Function of receiving application for extension of time of permit	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 69(1A)	Function of receiving application for extension of time to complete development	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 69(2)	Power to extend time	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 70	Duty to make copy permit available for inspection	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 71(1)	Power to correct certain mistakes	DC, MP, PC, SP, SPO, PO	
s 71(2)	Duty to note corrections in register	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 73	Power to decide to grant amendment subject to conditions	DC, MP, PC, SP, SPO, PO	
s 74	Duty to issue amended permit to applicant if no objectors	DC, MP, PC, SP, SPO, PO	
s 76	Duty to give applicant and objectors notice of decision to refuse to grant amendment to permit	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 76A(1)	Duty to give relevant determining referral authorities copy of amended permit and copy of notice	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 76A(2)	Duty to give a recommending referral authority notice of its decision to grant an amendment to a permit	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	If the recommending referral authority did not object to the amendment of the permit or the recommending referral authority did not recommend a condition be included on the amended permit
s 76D	Duty to comply with direction of Minister to issue amended permit	DC, MP, PC, SP, SPO, PO	
s 83	Function of being respondent to an appeal	DC, MP, PC, SP, SPO, PO	
s 83B	Duty to give or publish notice of application for review	DC, MP, PC, SP, SPO, PO	
s 84(1)	Power to decide on an application at any time after an appeal is lodged against failure to grant a permit	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	
s 84(6)	Duty to issue permit on receipt of advice within 3 working days	DC, MP, PC, SP, SPO, PO	
s 84AB	Power to agree to confining a review by the Tribunal	not delegated	
s 86	Duty to issue a permit at order of Tribunal within 3 working days	DC, MP, PC, SP, SPO, PO	
s 87(3)	Power to apply to VCAT for the cancellation or amendment of a permit	DC, MP, PC, SP, SPO, PO	
s 90(1)	Function of being heard at hearing of request for cancellation or amendment of a permit	DC, MP, PC, SP, SPO, PO	
s 91(2)	Duty to comply with the directions of VCAT	DC, MP, PC, SP, SPO, PO	
s 91(2A)	Duty to issue amended permit to owner if Tribunal so directs	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 92	Duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under s 90	DC, MP, PC, SP, SPO, PO	
s 93(2)	Duty to give notice of VCAT order to stop development	DC, MP, PC, SP, SPO, PO	
s 95(3)	Function of referring certain applications to the Minister	DC, MP, PC, SP, SPO, PO	
s 95(4)	Duty to comply with an order or direction	DC, MP, PC, SP, SPO, PO	
s 96(1)	Duty to obtain a permit from the Minister to use and develop its land	DC, MP, PC, SP, SPO, PO	
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, DC, MP	
s 96A(2)	Power to agree to consider an application for permit concurrently with preparation of proposed amendment	DC, MP, PC, SP, SPO, PO	
s 96C	Power to give notice, to decide not to give notice, to publish notice and to exercise any other power under s 96C	DC, MP, PC, SP, SPO, PO	
s 96F	Duty to consider the panel's report under s 96E	DC, MP, PC, SP, SPO, PO	
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>)	DC, MP, PC, SP, SPO, PO	
s 96H(3)	Power to give notice in compliance with Minister's direction	DC, MP, PC, SP, SPO, PO	
s 96J	Power to issue permit as directed by the Minister	DC, MP, PC, SP, SPO, PO	
s 96K	Duty to comply with direction of the Minister to give notice of refusal	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	
s 97C	Power to request Minister to decide the application	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 97D(1)	Duty to comply with directions of Minister to supply any document or assistance relating to application	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	
s 97G(6)	Duty to make a copy of permits issued under s 97F available for inspection	DC, MP, PC, SP, SPO, PO	
s 97L	Duty to include Ministerial decisions in a register kept under s 49	DC, MP, PC, SP, SPO, PO	
s 97MH	Duty to provide information or assistance to the Planning Application Committee	DC, MP, PC, SP, SPO, PO	
s 97MI	Duty to contribute to the costs of the Planning Application Committee or subcommittee	DC, MP, PC, SP, SPO, PO	
s 97O	Duty to consider application and issue or refuse to issue certificate of compliance	DC, MP, PC, SP, SPO, PO	
s 97P(3)	Duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DC, MP, PC, SP, SPO, PO	
s 97Q(2)	Function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DC, MP, PC, SP, SPO, PO	
s 97Q(4)	Duty to comply with directions of VCAT	DC, MP, PC, SP, SPO, PO	
s 97R	Duty to keep register of all applications for certificate of compliance and related decisions	DC, MP, PC, SP, SPO, PO	
s 98(1)&(2)	Function of receiving claim for compensation in certain circumstances	DC, MP, PC, SP, SPO, PO	
s 98(4)	Duty to inform any person of the name of the person from whom compensation can be claimed	DC, MP, PC, SP, SPO, PO	
s 101	Function of receiving claim for expenses in conjunction with claim	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 103	Power to reject a claim for compensation in certain circumstances	DC, MP, PC, SP, SPO, PO	
s 107(1)	Function of receiving claim for compensation	DC, MP, PC, SP, SPO, PO	
s 107(3)	Power to agree to extend time for making claim	DC, MP, PC, SP, SPO, PO	
s 114(1)	Power to apply to the VCAT for an enforcement order	DC, MP, PC, SP, SPO, PO	
s 117(1)(a)	Function of making a submission to the VCAT where objections are received	DC, MP, PC, SP, SPO, PO	
s 120(1)	Power to apply for an interim enforcement order where s 114 application has been made	DC, MP, PC, SP, SPO, PO	
s 123(1)	Power to carry out work required by enforcement order and recover costs	DC, MP, PC, SP, SPO, PO	
s 123(2)	Power to sell buildings, materials, etc salvaged in carrying out work under s 123(1)	DC, MP, PC, SP, SPO, PO	Except Crown Land
s 129	Function of recovering penalties	DC, MP, PC, SP, SPO, PO	
s 130(5)	Power to allow person served with an infringement notice further time	DC, MP, PC, SP, SPO, PO	
s 149A(1)	Power to refer a matter to the VCAT for determination	DC, MP, PC, SP, SPO, PO	
s 149A(1A)	Power to apply to VCAT for the determination of a matter relating to the interpretation of a s 173 agreement	DC, MP, PC, SP, SPO, PO	
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)	DC, MP, PC, SP, SPO, PO	Where Council is the relevant planning authority
s 171(2)(f)	Power to carry out studies and commission reports	DC, MP, PC, SP, SPO, PO	
s 171(2)(g)	Power to grant and reserve easements	CEO, DC, MP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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 <i>As previously stated, ICs do not apply to Alpine Shire Council</i>
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
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	DC, MP, PC, SP, SPO, PO	
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	not delegated	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	DC, MP, PC, SP, SPO, PO	
---	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 <u>without the consent of Council or Responsible Authority</u>	DC, MP, PC, SP, SPO, PO	
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	DC, MP	
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	DC, MP, PC, SP, SPO, PO	
s 178A(1)	Function of receiving application to amend or end an agreement	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 178A(3)	Function of notifying the owner as to whether it agrees in principle to the proposal under s 178A(1)	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 178A(4)	Function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	DC, MP, PC, SP, SPO, PO	
s 178A(5)	Power to propose to amend or end an agreement	DC, MP, PC, SP, SPO, PO	
s 178B(1)	Duty to consider certain matters when considering proposal to amend an agreement	DC, MP, PC, SP, SPO, PO	
s 178B(2)	Duty to consider certain matters when considering proposal to end an agreement	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 178C(4)	Function of determining how to give notice under s 178C(2)	DC, MP, PC, SP, SPO, PO	
s 178E(1)	Duty not to make decision until after 14 days after notice has been given	DC, MP, PC, SP, SPO, PO	
s 178E(2)(a)	Power to amend or end the agreement in accordance with the proposal	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	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	DC, MP, PC, SP, SPO, PO	After considering objections, submissions and matters in s 178B
s 178E(3)(c)	Power to amend or end the agreement in a manner that is substantively different from the proposal	DC, MP, PC, SP, SPO, PO	After considering objections, submissions and matters in s 178B
s 178E(3)(d)	Power to refuse to amend or end the agreement	DC, MP, PC, SP, SPO, PO	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)	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 178F(2)	Duty to give notice of its decision under s 178E(2)(c) or (3)(d)	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
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 <u>determined or withdrawn</u>	DC, MP, PC, SP, SPO, PO	
s 178G	Duty to sign amended agreement and give copy to each other party to the agreement	DC, MP, PC, SP, SPO, PO	
s 178H	Power to require a person who applies to amend or end an agreement to pay the costs <u>of giving notices and preparing the amended agreement</u>	DC, MP, PC, SP, SPO, PO	
s 178I(3)	Duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 179(2)	Duty to make available for inspection copy agreement	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DC, MP, PC, SP, SPO, PO	
s 181(1A)(a)	Power to apply to the Registrar of Titles to record the agreement	DC, MP, PC, SP, SPO, PO	
s 181(1A)(b)	Duty to apply to the Registrar of Titles, without delay, to record the agreement	DC, MP, PC, SP, SPO, PO	
s 182	Power to enforce an agreement	DC, MP, PC, SP, SPO, PO	
s 183	Duty to tell Registrar of Titles of ending/amendment of agreement	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO	

PLANNING AND ENVIRONMENT ACT 1987

Column 1	Column 2		Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
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 <u>amend the agreement</u>	DC, MP, PC, SP, SPO, PO	
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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 184G(2)	Duty to comply with a direction of the Tribunal	DC, MP, PC, SP, SPO, PO	
s 184G(3)	Duty to give notice as directed by the Tribunal	DC, MP, PC, SP, SPO, PO	
s 198(1)	Function to receive application for planning certificate	DC, MP, PC, SP, SPO, PO	
s 199(1)	Duty to give planning certificate to applicant	DC, MP, PC, SP, SPO, PO	
s 201(1)	Function of receiving application for declaration of underlying zoning	DC, MP, PC, SP, SPO, PO	
s 201(3)	Duty to make declaration	DC, MP, PC, SP, SPO, PO	
-	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	DC, MP, PC, SP, SPO, PO, OSEC	
	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	DC, MP, PC, SP, SPO, PO, OSEC	
	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	DC, MP, PC, SP, SPO, PO, OSEC	
-	Power to give written authorisation in accordance with a provision of a planning scheme	DC, MP, PC, SP, SPO, PO, OSEC	
s 201UAB(1)	Function of providing the Victoria Planning Authority with information relating to any land within municipal district	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
s 201UAB(2)	Duty to provide the Victoria Planning Authority with information requested under s 201UAB(1) as soon as possible	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	

PLANNING AND ENVIRONMENT REGULATIONS 2015			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS AND LIMITATIONS
r 6	Function of receiving notice, under s 19(1)(c) of the Act, from a planning authority of its preparation of an amendment to a planning scheme	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	
r 25(a)	Duty to make copy of matter considered under s 60(1A)(g) available for inspection free of charge	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	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	DC, MP, PC, SP, SPO, PO, AOSLL, AOP	Where Council is not the planning authority and the amendment affects land within Council's municipal district; or Where the amendment will amend the planning scheme to designate Council as an acquiring authority

PLANNING AND ENVIRONMENT (FEES) REGULATIONS 2016

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED		CONDITIONS AND LIMITATIONS
r 19	Power to waive or rebate a fee relating to an amendment of a planning scheme	DC, MP	
r20	Power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DC, MP	
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	DC, MP	

<u>RESIDENTIAL TENANCIES ACT 1997</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 142D	Function of receiving notice regarding an unregistered rooming house	MBA, EHO	
s 142G(1)	Duty to enter required information in Rooming House Register for each rooming house in municipal district	MBA, EHO, AOBEH	
s 142G(2)	Power to enter certain information in the Rooming House Register	MBA, EHO, AOBEH	
s 142I(2)	Power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	MBA, EHO, AOBEH	
s 252	Power to give tenant a notice to vacate rented premises if s 252(1) applies	CEO, DC	Where Council is the landlord
s 262(1)	Power to give tenant a notice to vacate rented premises	CEO, DC	Where Council is the landlord
s 262(3)	Power to publish its criteria for eligibility for the provision of housing by Council	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, DC, MBA, MF, LLO, LLO2, EHO, EMC, FOVICH.P. EC	
s 522(1)	Power to give a compliance notice to a person	CEO, DC, MBA, MF, EHO, FOVICH.P. EC	
s 525(2)	Power to authorise an officer to exercise powers in s 526 (either generally or in a particular case)	CEO	
s 525(4)	Duty to issue identity card to authorised officers	EAG, EACEO	
s 526(5)	Duty to keep record of entry by authorised officer under s 526	MBA, MF, EHO. AOBEH, FOVICH.P.	
s 526A(3)	Function of receiving report of inspection	CEO	
s 527	Power to authorise a person to institute proceedings (either generally or in a particular case)	MBA, MF, EHO. LLO, LLO2 FOVICH.P.	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
r 7	Function of entering into a written agreement with a caravan park owner	CEO, DC, MBA, EHO	
r 11	Function of receiving application for registration	MBA, EHO, AOBEH	
r 13(1)	Duty to grant the registration if satisfied that the caravan park complies with these regulations	MBA, EHO	
r 13(2)	Duty to renew the registration if satisfied that the caravan park complies with these regulations	MBA, EHO	
r 13(2)	Power to refuse to renew the registration if not satisfied that the caravan park complies with these regulations	MBA, EHO	
r 13(4) & (5)	Duty to issue certificate of registration	MBA, EHO	
r 15(1)	Function of receiving notice of transfer of ownership	MBA, EHO, AOBEH	
r 15(3)	Power to determine where notice of transfer is displayed	MBA, EHO	
r 16(1)	Duty to transfer registration to new caravan park owner	MBA, EHO	
r 16(2)	Duty to issue a certificate of transfer of registration	MBA, EHO	
r 17(1)	Power to determine the fee to accompany applications for registration or applications for renewal of registration	MBA, EHO, AOBEH	
r 18	Duty to keep register of caravan parks	MBA, EHO, AOBEH	
r 19(4)	Power to determine where the emergency contact person's details are displayed	MBA, EHO	
r 19(6)	Power to determine where certain information is displayed	MBA, EHO	
r 22A(1)	Duty to notify a caravan park owner of the relevant emergency services agencies for the caravan park, on the request of the caravan park owner	MBA, EHO	
r 22A(2)	Duty to consult with relevant emergency services agencies	MBA, EHO	
r 23	Power to determine places in which caravan park owner must display a copy of emergency procedures	MBA, EHO, BS	
r 24	Power to determine places in which caravan park owner must display copy of public emergency warnings	MBA, EHO, BS	

RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010

Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
r 25(3)	Duty to consult with relevant floodplain management authority	MBA, EHO, BS	
r26	Duty to have regard to any report of the relevant fire authority	MBA, EHO, BS	
r28(c)	Power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	MBA, EHO	
r 39	Function of receiving notice of proposed installation of unregistrable movable dwelling or rigid annexe	MBA, EHO, AOBEL	
r 39(b)	Power to require notice of proposal to install unregistrable movable dwelling or rigid annexe	MBA, EHO	
r 40(4)	Function of receiving installation certificate	MBA, EHO, AOBEL	
r 42	Power to approve use of a non-habitable structure as a dwelling or part of a dwelling	MBA, EHO, BS, MP, SPO, PO	
SCHEDULE 3 cl 4(3)	Power to approve the removal of wheels and axles from unregistrable movable dwelling	MBA, EHO	

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 11(1)	Power to declare a road by publishing a notice in the Government Gazette	CEO	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	
s 11(9)(b)	Duty to advise Registrar	DA, DC, MAD, MAM, MBA, MP	
s 11(10)	Duty to inform Secretary to Department of Environment, Land, Water and Planning of declaration etc.	DA, DC, MAD, MAM, MBA, MP	Subject to s 11(10A)
s 11(10A)	Duty to inform Secretary to Department of Environment, Land, Water and Planning or nominated person	DA, DC, MAD, MAM, MBA, MP	Where Council is the coordinating road authority
s 12(2)	Power to discontinue road or part of a road	CEO, DA	Where Council is the coordinating road authority
s 12(4)	Power to publish, and provide copy, notice of proposed discontinuance	CEO, DA, MAD, MAM	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, DA, MAD, MAM	Duty of coordinating road authority where it is the discontinuing body. Unless s 12(11) applies
s 12(6)	Function of hearing a person in support of their written submission	CEO, DA, MAD, MAM	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	DA, MAD, MAM	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	DA, MAD, MAM	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, DA, MAD, MAM	Power of coordinating road authority and obtain consent under s 13(3) and s 13(4) as appropriate

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 14(4)	Function of receiving notice from VicRoads	CEO, DA	
s 14(7)	Power to appeal against decision of VicRoads	CEO, DA	
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, DA	
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, DA	
s 15(2)	Duty to include details of arrangement in public roads register	DA, MAM, GISAO, EC, ED	
s 16(7)	Power to enter into an arrangement under s 15	CEO, DA, DC	
s 16(8)	Duty to enter details of determination in public roads register	DA, MAM, GISAO, EC, ED	
s 17(2)	Duty to register public road in public roads register	DA, MAM, GISAO, EC, ED	Where Council is the coordinating road authority
s 17(3)	Power to decide that a road is reasonably required for general public use	CEO, DA	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	DA, MAM, GISAO, EC, ED	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, DA, DC	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	DA, MAM, GISAO, EC, ED	Where Council is the coordinating road authority
s 18(1)	Power to designate ancillary area	CEO, DA	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	DA, MAM, GISAO, EC	Where Council is the coordinating road authority
s 19(1)	Duty to keep register of public roads in respect of which it is the coordinating road authority	DA, MAM, GISAO, EC	
s 19(4)	Duty to specify details of discontinuance in public roads register	DA, MAM, GISAO, EC, ED	

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 19(5)	Duty to ensure public roads register is available for public inspection	DA, MAM, GISAO, EC	
s 21	Function of replying to request for information or advice	CEO, DA, MAD, MAM	Obtain consent in circumstances specified in s 11(2)
s 22(2)	Function of commenting on proposed direction	CEO, DA, MAD, MAM	
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, DA, MAD, MAM, GO	
s 22(5)	Duty to give effect to a direction under s 22	CEO, DA MAD, MAM	
s 40(1)	Duty to inspect, maintain and repair a public road.	DA, MAM, CWC, EC	
s 40(5)	Power to inspect, maintain and repair a road which is not a public road	DA, MAM, CWC, EC	
s 41(1)	Power to determine the standard of construction, inspection, maintenance and repair	DA, MAM, MAD, EC, ED, POD	
s 42(1)	Power to declare a public road as a controlled access road	CEO, DA	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, DA	Power of coordinating road authority and sch 2 also applies
s 42A(3)	Duty to consult with VicRoads before road is specified	DA, MAM	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, DA	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)	DA, MAD, MAM	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	DA, DC, MAD, MAM, MP	

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 49	Power to develop and publish a road management plan	CEO, DA, MAM	
s 51	Power to determine standards by incorporating the standards in a road management plan	CEO, DA, MAM	
s 53(2)	Power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	CEO, DA	
s 54(2)	Duty to give notice of proposal to make a road management plan	CEO, DA, MAM	
s 54(5)	Duty to conduct a review of road management plan at prescribed intervals	CEO, DA, MAM	
s 54(6)	Power to amend road management plan	CEO, DA, MAM	
s 54(7)	Duty to incorporate the amendments into the road management plan	DA, MAM	
s 55(1)	Duty to cause notice of road management plan to be published in Government Gazette and newspaper	DA, MAM	
s 63(1)	Power to consent to conduct of works on road	DA, MAM, EC, MAD	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, DA, MAM, CWC, EC, ED, TOA	Where Council is the infrastructure manager
s 64(1)	Duty to comply with cl 13 of sch 7	DA, MAD, MAM	Where Council is the infrastructure manager or works manager
s 66(1)	Power to consent to structure etc	DA, DC, MAD, MAM, MBA, LLO	Where Council is the coordinating road authority
s 67(2)	Function of receiving the name & address of the person responsible for distributing the sign or bill	DA, DC, MAD, MAM, MBA, LLO	Where Council is the coordinating road authority
s 67(3)	Power to request information	DA, DC, MAD, MAM, MBA, LLO	Where Council is the coordinating road authority
s 68(2)	Power to request information	DA, DC, MAD, MAM, MBA, LLO	Where Council is the coordinating road authority
s 71(3)	Power to appoint an authorised officer	CEO	
s 72	Duty to issue an identity card to each authorised officer	MC, GO	
s 85	Function of receiving report from authorised officer	DA, DC, MAD, MAM, MBA, GO	

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
s 86	Duty to keep register re s 85 matters	MAD, MAM, MC, GO	
s 87(1)	Function of receiving complaints	CEO, DA	
s 87(2)	Duty to investigate complaint and provide report	CEO, DA, DC, MAM, MAD	
s 112(2)	Power to recover damages in court	CEO, DA	
s 116	Power to cause or carry out inspection	DA, MAD, MAM	
s 119(2)	Function of consulting with VicRoads	DA, MAD, MAM	
s 120(1)	Power to exercise road management functions on an arterial road (with the consent of VicRoads)	DA, MAD, MAM	
s 120(2)	Duty to seek consent of VicRoads to exercise road management functions before exercising power in s 120(1)	DA, MAD, MAM	
s 121(1)	Power to enter into an agreement in respect of works	DA, MAD, MAM	
s 122(1)	Power to charge and recover fees	DA, DC, MAM, MBA, MC	
s 123(1)	Power to charge for any service	DA, DC, MAM, MBA, MC	
SCHEDULE 2 cl 2(1)	Power to make a decision in respect of controlled access roads	CEO, DA	
sch 2 cl 3(1)	Duty to make policy about controlled access roads	CEO, DA	
sch 2 cl 3(2)	Power to amend, revoke or substitute policy about controlled access roads	CEO, DA	
sch 2 cl 4	Function of receiving details of proposal from VicRoads	CEO, DA	
sch 2 cl 5	Duty to publish notice of declaration	CEO, DA	
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	DA, MAD, MAM	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	DA, MAD, MAM	Where Council is the infrastructure manager or works manager

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
SCHEDULE 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	DA, MAD, MAM, EC, ED	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	DA, MAD, MAM, POD, EC, ED, GISAO	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	DA, MAD, MAM, POD, EC, ED, GISAO	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	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(3)	Power to take measures to ensure reinstatement works are completed	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(4)	Duty to ensure that works are conducted by an appropriately qualified person	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 12(5)	Power to recover costs	DA, DC, MAD, MAM, MC, ACC	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)	DA, MAD, MAM, POD, EC, ED	Where Council is the works manager
sch 7 cl 13(2)	Power to vary notice period	CEO, DA	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)	DA, MAD, POD, MAM, POD, EC, ED	Where Council is the infrastructure manager
sch 7 cl 16(1)	Power to consent to proposed works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(4)	Duty to consult	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority, responsible authority or infrastructure manager

<u>ROAD MANAGEMENT ACT 2004</u>			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
sch 7 cl 16(5)	Power to consent to proposed works	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(6)	Power to set reasonable conditions on consent	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 16(8)	Power to include consents and conditions	DA, MAD, MAM, POD, EC, ED	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	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 18(1)	Power to enter into an agreement	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
sch 7 cl 19(1)	Power to give notice requiring rectification of works	DA, MAD, MAM, POD, EC, ED	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	DA, MAD, MAM, POD, EC, ED	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	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
SCHEDULE 7A cl 2	Power to cause street lights to be installed on roads	DA, MAD, MAM, POD, EC, ED	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	DA, MAD, MAM, MC, ACC	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	DA, MAD, MAM, MC, ACC	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	DA, MAD, MAM, MC, ACC	Duty of Council as responsible road authority that installed the light (re: installation costs) and where Council is relevant municipal council (re: operating costs)

ROAD MANAGEMENT (GENERAL) REGULATIONS 2016			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
r 8(1)	Duty to conduct reviews of road management plan	DA, MAM	
r 9(2)	Duty to produce written report of review of road management plan and make report available	DA, MAM	
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)	DA, MAM	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	DA, MAM	
r 13(1)	Duty to publish notice of amendments to road management plan	DA, MAM	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	DA, MAM	
r 16(3)	Power to issue permit	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
r 18(1)	Power to give written consent re damage to road	DA, MAD, MAM, POD, EC, ED	Where Council is the coordinating road authority
r 23(2)	Power to make submission to Tribunal	CEO, DA, DC, MAD, MAM, MBA	Where Council is the coordinating road authority
r 23(4)	Power to charge a fee for application under s 66(1) <i>Road Management Act</i>	DA, DC, MC	Where Council is the coordinating road authority
r 25(1)	Power to remove objects, refuse, rubbish or other material deposited or left on road	DA, MAD, MAM, TOA, CWC, TOAM, LLO, LLO2, EC, ED, POD	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))	DA, DC, MAM, MC, MAD	Where Council is the responsible road authority
r 25(5)	Power to recover in the Magistrates' Court, expenses from person responsible	DA, DC, MAM, MC, MAD	

ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2015			
Column 1	Column 2	Previous	Column 4
PROVISION	THING DELEGATED	Column 3	CONDITIONS & LIMITATIONS
r 15	Power to exempt a person from requirement under cl 13(1) of sch 7 of the Act to give notice as to the completion of those works	DA, MAD, MAM, POD, EC, ED	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	DA, DC, MAD, MAM, MC	Where Council is the coordinating road authority

Rotary Club of Bright

We commemorate Stuart Hargreaves for his contribution
to the Bright and District Community

His inspiring legacy of service has been a source of pride
to many

1935-2017



RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: 26 March 2019
Location: Committee Room, Bright Office
Start Time: 3.00pm
Chairperson: Cr Ron Janas, Mayor

Councillor and staff attendees:

Name	Position	Name	Position
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Will Jeremy	Director Assets
Cr Tony Keeble	Councillor	Nathalie Cooke	Director Corporate
Cr John Forsyth	Councillor		
Cr Peter Roper	Councillor		
Cr Kitty Knappstein	Councillor		

Councillor and staff apologies:

Name	Position
Cr Daryl Pearce	Councillor

1. Conflict of interest disclosures

Nil

2. Record of Councillors that have disclosed a conflict of interest leaving the assembly

Nil

3. Matters considered

- Mystic Park site visit
- LG Valuers
- Bright Rod Run Committee
- Budget
- Bulk Transport Recyclables Tender
- Lease of Hangar – Porepunkah
- Myrtleford Recreation Reserve Fire Services
- Heatwave Plan
- Brighter Days Debrief
- Ordinary Council Meeting agenda review

RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: Tuesday 2 April 2019
Location: Committee Room, Bright Office
Start Time: 4.00pm
Chairperson: Cr Ron Janas, Mayor

Councillor and staff attendees:

Name	Position	Name	Position
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr Sarah Nicholas	Deputy Mayor	Will Jeremy	Director Assets
Cr Tony Keeble	Councillor	Nathalie Cooke	Director Corporate
Cr John Forsyth	Councillor		
Cr Daryl Pearce	Councillor		
Cr Peter Roper	Councillor		
Cr Kitty Knappstein	Councillor		

Councillor and staff apologies:

Name	Position

1. Conflict of interest disclosures

Nil

2. Record of Councillors that have disclosed a conflict of interest leaving the assembly

Nil

3. Matters considered

- Tim McCurdy – Member for Ovens Valley
- Bright Hot Rod Event discussion
- Local Laws discussion
- Ordinary Council Meeting agenda review

RECORD OF ASSEMBLY OF COUNCILLORS

Meeting Title: Briefing Session
Date: 16 April 2019
Location: Committee Room, Bright Office
Start Time: 2.00pm
Chairperson: Cr Ron Janas, Mayor

Councillor and staff attendees:

Name	Position	Name	Position
Cr Ron Janas	Mayor	Charlie Bird	Chief Executive Officer
Cr John Forsyth	Councillor	Will Jeremy	Director Assets
Cr Kitty Knappstein	Councillor	Tom Courtice	A/Director Corporate

Councillor and staff apologies:

Name	Position		
Cr Sarah Nicholas	Deputy Mayor	Nathalie Cooke	Director Corporate
Cr Tony Keeble	Councillor		
Cr Daryl Pearce	Councillor		
Cr Peter Roper	Councillor		

1. Conflict of interest disclosures

Nil

2. Record of Councillors that have disclosed a conflict of interest leaving the assembly

Nil

3. Matters considered

- Planning Application : Mystic Park
- Planning Application : Freeburgh Stone Extraction
- External Presentation : Mark Byatt – Nationals Candidate for Indi
- Ranch Road Drainage Tender recommendation
- Free green waste disposal overview and recommendations
- Brighter Days Debrief
- Local Laws discussion
- Rod Run CBD management
- Memorial Stone – Apex Park Bright