



**STRATHBOGIE SHIRE COUNCIL**

**MINUTES OF THE ORDINARY MEETING OF THE STRATHBOGIE SHIRE COUNCIL  
HELD ON TUESDAY 17 DECEMBER 2013, COMMENCING AT 6.02 P.M. AT THE  
EUROA COMMUNITY CONFERENCE CENTRE**

**Councillors:** Debra Swan (Chair)  
Colleen Furlanetto  
Malcolm Little  
Alister Purbrick  
Patrick Storer  
Robin Weatherald  
Graeme (Mick) Williams

**Officers:** Steve Crawcour - Chief Executive Officer  
Roy Hetherington - Director, Asset Services  
David Woodhams – Director, Corporate and Community  
Phil Howard – Director, Sustainable Development

**BUSINESS**

1. Welcome
2. Acknowledgement of Traditional Land Owners  
*'In keeping with the spirit of Reconciliation, we acknowledge the traditional custodians of the land on which we are meeting today. We recognise indigenous people, their elders past and present'.*
3. Apologies  
  
Nil
4. Confirmation of Minutes of the Ordinary Meeting of Council held on Tuesday 19 November.2013  
  
12/14 **CRS FURLANETTO/LITTLE** : *That the Minutes of the Ordinary Meeting of Council held on Tuesday 19 November 2013 be confirmed*

**CARRIED**

5. Disclosure of Interests  
  
Nil

6. Petitions
7. Reports of Mayor and Councillors and Delegates
8. Public Question Time

#### **EXCERPT FROM MEETING PROCEDURE LOCAL LAW NO. 1**

##### ***CONDUCT OF PUBLIC***

##### **52. VISITORS**

- (1) Visitors must not interject or take part in debate.
- (2) Silence shall be preserved in the gallery at all times.
- (3) If any visitor is called to order by the Chairperson and again acts in breach of this Local Law, the Chairperson may order that person to be removed from the gallery.

##### **53. CALL TO ORDER**

Any person who has been called to order, including any Councillor who fails to comply with the Chairperson's direction, will be guilty of an offence.

Penalty: \$500

##### **54. REMOVAL FOR DISRUPTION**

The Chairperson has discretion to cause the removal of any person, including a Councillor, who disrupts any meeting or fails to comply with a direction under the provisions of this Local Law.

9. Reports of Council Officers
  - 9.1 Climate Change
  - 9.2 Infrastructure
  - 9.3 Private Enterprise
  - 9.4 Public Institutions
  - 9.5 Housing and Recreation
  - 9.6 Tourism
  - 9.7 Organisation
10. Notices of Motion
11. Closure of Meeting to the Public to consider matters listed for consideration in accordance with Section 89(2) of the Local Government Act 1989
12. Urgent Business

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## 9. REPORTS

### 9.2 INFRASTRUCTURE

#### 9.2.1 Road Naming – Helvetia Lane, Nagambie

##### **Author & Department**

Road Naming Officer / Asset Services Directorate

##### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report does not have a direct or indirect interest in any of the matters referred to in this report.

##### **Summary**

This report deals with a recent proposal to rename Duffy Lane to Helvetia Lane.

#### **RECOMMENDATION**

**That Council resolve to:**

1. **Rename the section of Duffy Lane that runs East/West from O’Dwyer Road to the Goulburn Valley Freeway to Helvetia Lane and advise the Registrar of Geographic Names.**
2. **The Registrar of Geographic Names be advised that the section of Duffy Lane that runs parallel with the freeway is private land and the name be removed from their records.**
3. **Advise the following bodies following approval by the Register:**
  - **Strathbogie Shire Council Staff**
  - **Telstra and Australia Post**
  - **State and Federal electoral Offices**
  - **Emergency Offices including SES and CFA**
  - **Electricity, water and gas utilities**
  - **State Government instrumentalities for planning and transport**
4. **Install relevant signage.**

*13/14 CRS FURLANETTO/STORER : That the Recommendation be adopted.*

**CARRIED**

#### **Background**

In accordance with the provisions of the Local Government Act 1989 Council is the responsible authority for the naming of municipal roads. On 20 July 2004 it adopted a Road Naming Policy, subsequently replaced by a new policy on 20 December 2011. This policy incorporates the principles contained in “Guidelines for Geographic Names Victoria” (updated in July 2010) derived from the Geographic Place Names Act 1998. The proposed road name has been checked against this policy, the guidelines and Vicnames.

### 9.2.1 Road Naming – Helvetia Lane, Nagambie (cont.)

Council at its meeting of 15 October 2013 resolved to advertise the name change for the local road in accordance with Section 223 of the Local Government Act 1989 and invite submissions for the name change from Duffy Lane to Helvetia Lane. Abutting owners of the subject road were also advised in writing. There were no submissions for or against the proposal. As such the Section 223 Committee Meeting was not required.

During the advertisement process VicRoads advised Council that the section of Duffy Lane running parallel with the Goulburn Valley Freeway would be retained by VicRoads as private land and should not be renamed. As such, only the section of Duffy Lane running East/West should be renamed Helvetia Lane.

#### **Alternative options**

The author has considered potential alternative courses of action. No feasible alternatives have been identified.

#### **Risk Management**

The author considers that there are no significant Risk Management factors relating to the report and recommendation.

#### **Strategic links - policy implications and relevance to Council Plan**

The author considers that this report is consistent with Council policies, key strategic documents and the Council Plan.

#### **Best Value / National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications**

The author considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

#### **Financial/Budgetary implications**

The author considers that the recommendation has no capital or recurrent budget implications.

#### **Economic implications**

The author considers that the recommendation has no significant economic implications for Council or the broader community.

#### **Environmental/Amenity implications**

The author considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

#### **Community implications**

The author considers that the recommendation has no significant community or social implications for Council or the broader community.

#### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The author considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

#### **Legal/Statutory implications**

The author considers that the recommendation has no legal or statutory implications which require the consideration of Council.

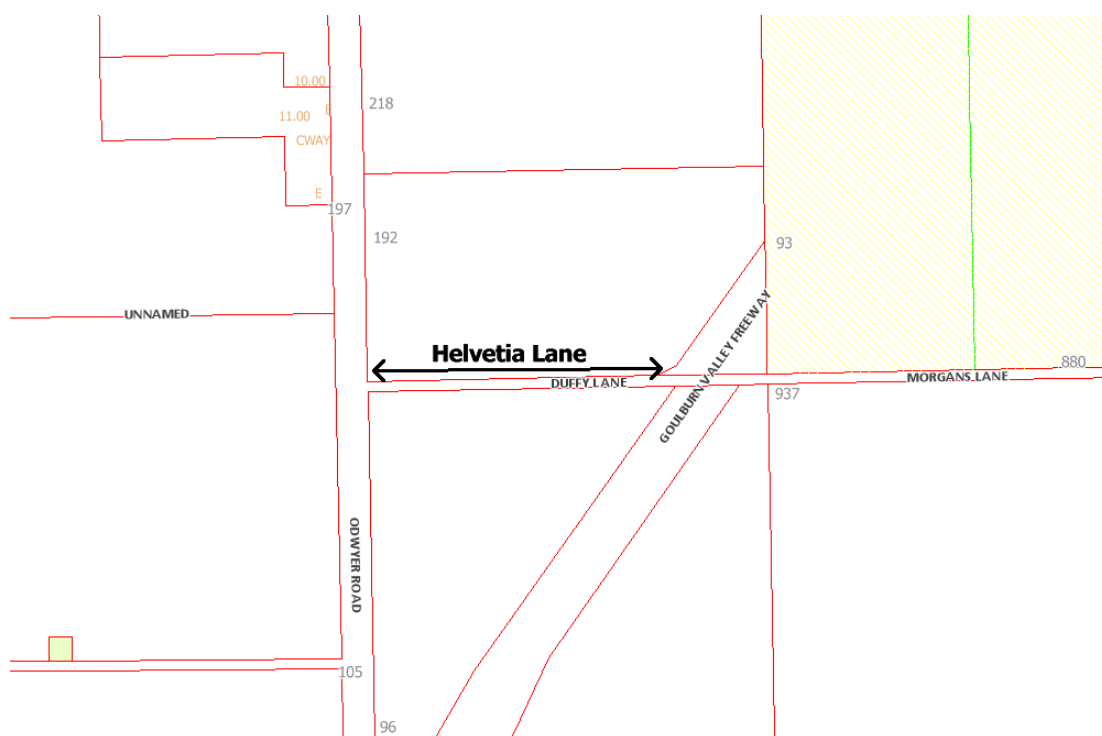
9.2.1 Road Naming – Helvetia Lane, Nagambie (cont.)

**Consultation**

The proposed road name change was advised in writing to all abutting property owners and advertised in the local papers, inviting submission in accordance with Section 223 of the Local government Act 1989. No submissions were received.

**Attachments**

Map



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## 9.6 **TOURISM**

### 9.6.1 **Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meeting held on 10 October 2013**

#### **Author & Department**

Economic Growth Officer / Sustainable Development Directorate

#### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

#### **Summary**

Attached are the draft meeting minutes of the Nagambie Waterways and Commercial Stakeholders Advisory Committee held on 10<sup>th</sup> October 2013 for Council's endorsement.

#### **RECOMMENDATION**

**That the draft Minutes of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee meeting held on 10<sup>th</sup> October 2013 be endorsed.**

*14/14 CRS WILLIAMS/PURBRICK : That the Recommendation be adopted.*

**CARRIED**

#### **Background**

The Strathbogie Shire Council appointed a Special Committee to set policy and direction for the Nagambie Waterways Recreational and Commercial Users, to ensure that the activities on the Nagambie Waterways meet the objectives and the vision of Council as set out in the Council Plan.

#### **Alternative options**

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

#### **Risk Management**

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

#### **Strategic links - policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan's 6.4 Strategy:

Provide passive and active recreational facilities and paths / tracks to -  
*'Support the Nagambie Lakes Recreational and Commercial Stakeholders Waterways Committee in implementing the Actions in the On Land and On Water Strategy.'*

9.6.1 Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee – Draft Minutes of the Meeting held on 10 October 2013 (cont.)

**Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements have been considered and applied in development of the report and recommendation..

**Financial/Budgetary implications**

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

**Economic implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

**Environmental/Amenity implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

**Community implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

**Victorian Charter of Human Rights and Responsibilities Act 2006**

The author considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

**Legal/Statutory implications**

The author of this report considers that the recommendation has no legal or statutory implications which require the consideration of Council

**Consultation**

The author of this report consulted with all the user groups of the waterways and the community at the recent meeting – see attached copy of minutes.

**Attachments**

Draft Minutes of the Nagambie Waterways Recreational and Commercial Stakeholders Advisory Committee held on 10 October 2013.

**MINUTES OF THE NAGAMBIE WATERWAYS RECREATIONAL AND COMMERCIAL  
STAKEHOLDERS ADVISORY COMMITTEE MEETING**  
**REGATTA CENTRE, LODDINGS LANE, NAGAMBIE**  
**ON THURSDAY 10<sup>th</sup> October 2013 AT 6PM**

<b>Present:</b>	Cr. Alister Purbrick Libby Webster Cr. Debra Swan Steven Hicks Henry Moss Patrick McNamara Lynne Charge Ian Matheson Craig Stewart Robert Kean Tony Hammond Jeff Harrison	Ward Councillor - SSC (Acting Chair) Strathbogie Shire Council (Secretary) Mayor - SSC Manager Statutory Services - SSC Nagambie Rowing Club Nagambie Rowing Club Rowing Victoria Goulburn Valley Water Commercial Operators Nagambie Riparians Group Nagambie Riparians Groups Goulburn Murray Water
<b>Guests:</b>	Matthew Righetti  Marty O'Connell	Maritime Safety Officer – Transport Safety Victoria Maritime Safety Officer – Transport Safety Victoria
<b>Observers:</b>	Bob Chalmers Tim Purbrick	Riparians Group Riparians Group
<b>Apologies:</b>	Wally Cubbin Steve Crawcour Tony Spiteri Brett Tanian Mick Mitchell Ron Loccisano Graeme Callaghan Kimm Kennedy	Nagambie Angling Club Chief Executive Officer – SSC Nagambie Waterski Club Victorian Water Police Nagambie Sailing Club Developer Group Nagambie Police Nagambie Action Group

**Appointment of Acting Chair**

Robert Kean nominated Alister Purbrick Chair for the meeting, all agreed.

**1. Minutes of previous meeting**

Tony H moved that the minutes of the previous meeting be accepted as correct, Robert seconded and all agreed they were an accurate reflection of the meeting.

**2. Business Arising**

Steve Hicks reported that on water signage and zoning has been rationalized. The 5knot zone north of the ski zone, the zone North of Teddy Bear Island and the signage at River Street have been upgraded.

Six Boating Safety Officers are now qualified and approved by SSC & TSV and will be operational in the new season. They have powers to inspect boats, perform safety checks as well as to issue infringements. Only police have the power to breathalyse boat drivers.

On Land and On Water Implementation Committee – Jeff Harrison reported there was no progress.

Rowing Victoria - Pat McNamara reported that there is no longer a representative from Ballarat Rowing Club on the Rowing Victoria Board and that he had been appointed to the Board.

Libby reported that there had been a meeting between the Shire and Rowing Victoria as arranged by Pat McNamara (who couldn't attend as he had jury duty)- minutes attached.

### **3. Presentation by Maritime Safety Officers – Transport Safety Victoria**

TSV have a compliance team of 4, plus extra casual officers over the Summer period. They operate 2 compliance vessels and jetskis. All of these officers visit Nagambie, at best, infrequently.

TSV also employ 10 boating safety officers who take on an educational role (not licenced to issue infringements) and spend most of their time around boat ramps talking to boat operators.

The TSV Officers offered to meet with the Shire Compliance officers to work out a cooperative approach. Steve Hicks reported that he is working with TSV to refine the waterways rules that are currently in place, to ensure that they are clear and concise.

<b>Action 1</b>	The Shire is to undertake a media campaign early in the season, to let tourists know that there will be Officers on the water this season who can issue fines to waterways users who break the law.
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The Shire and TSV are both planning to have an obvious presence on the water early in the season.

It was noted that there is a need for TSV, the Police (Brett Tanian) and the Shire to work closely and cooperatively together when planning their respective water patrols. Communication in advance when scheduling patrols of the waterways to avoid duplication of patrols on the same day or at the same time is absolutely essential.

TSV are in the process of developing an app for mobile phones for use on the waterways in Victoria, which would outline the various zones, rules for each waterway etc. This would also enable TSV to track boats if they are lost.

### **4. Discussion re: Removal of Buoys in the Bowl of the Lake**

A discussion paper was tabled.

A number of parties expressed support for the removal of the buoys for a trial period but the Nagambie Rowing Club, Rowing Victoria and GVW expressed opposition to the proposal.

All parties supported the need for further investigation to be undertaken and agreed that, realistically, it was too late to have a trial for the coming season.

After much discussion it was proposed that upgrading and development of the jetties and extension of the boardwalk towards the town centre to allow more boat mooring capacity be investigated, as a way to encourage more vessels into the Bowl area rather than the removing of the buoys. The current boardwalk is not designed to moor vessels.

<b>Action 2</b>	The Nagambie Rowing Club offered to assist with the moving of the rowing start platform after the Regatta in December, freeing up the bowl area. They will also investigate the reinstatement of the jetty in front of the Nagambie Lakes Entertainment Centre.
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Steven Hicks proposed that a meeting be arranged between Council, GMW & GVW to set out opportunities/constraints for development of the Bowl area. This could then form the basis for discussions on a master plan for the area including public and commercial boating access to mooring to provide lake user/township interface.

<b>Action 3</b>	The Strathbogie Shire to arrange the above meeting and begin the creation of the Nagambie Lake Masterplan
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Meeting closed 8.10 pm

**Next meeting 12<sup>th</sup> December 2013  
6pm**

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## **9.7 ORGANISATION**

### **9.7.1 Strathbogrie Shire Animal and Stock Emergency Welfare Plan**

#### **Author & Department**

Municipal Fire Prevention Officer - Emergency Management Fire Coordinator /  
Asset Services Directorate

#### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The authors of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

#### **Summary**

The Victorian Bushfires Royal Commission Report requires Councils to undertake local planning for communities at risk of bushfire. In consultation with the Department of Environment and Primary Industry (DEPI), an Animal and Stock Emergency Welfare Plan (ASEWP) has been prepared for Strathbogrie Shire.

This Plan is to assess, advice and help the community with animal and stock welfare issues during and following an emergency.

The Plan was developed pursuant to section 20(1) of the *Emergency Management Act 1986* and the State level, *Victorian Animal Welfare Plan*. It will be a sub plan of the Municipal Emergency Management Plan.

The Plan was submitted for public consultation for a period of 28 days expiring on 14 November 2013 and received no comment. The Plan was then presented and approved by the Municipal Emergency Management Planning Committee at the meeting of 21 November 2013.

The Animal and Stock Emergency Welfare Plan is now presented to Council for adoption. A copy of the Plan is tabled for identification purposes.

#### **RECOMMENDATION**

**That Council adopt the Strathbogrie Shire Animal and Stock Emergency Welfare Plan.**

*15/14 CRS STORER/WILLIAMS : That the Recommendation be adopted.*

**CARRIED**

#### **Background**

Research and previous fire events (eg Black Saturday, February 2009) have shown that people will be reluctant to abandon their pets/animals in an emergency situation eg., fire or flood. Planning for the proper management of people's animals in an emergency situation contributes to public safety and community resilience.

### 9.7.1 Strathbogie Shire Animal and Stock Emergency Welfare Plan (cont.)

The Plan describes local arrangements for animal, stock and wildlife welfare emergency management and addresses the following risk areas.

- Bushfire
- Animal disease
- Wind & storm
- Flood
- Transport accidents involving livestock
- Any event requiring emergency evacuation of residents with their animals

Stakeholders in the Plan include Council, animal owners, Department of Environment and Primary Industry (DEPI), 4SITE Australia (Council's general Local Laws service provider), RSPCA, authorised wildlife rehabilitators/shelter operators, Australian Veterinary Association, Local Veterinarians, Victorian Farmers Federation, various wildlife rescue teams.

With DEPI as the primary agency for livestock, domestic animal and wildlife welfare support services, Council's role in executing the ASEWP will be to liaise with the relevant authorities and manage emergency incidents in accordance with the Municipal Emergency Management Plan. Some actions to achieve this include, but are not limited to:

- Establish relief centres that can cater for limited numbers of domestic animals
- Provide information and advice to pet owners about emergency food and water supplies
- Arrange and coordinate resources for the management, removal or transport of animals
- Assist DEPI with disposal of dead animals and waste through provision of plant and resources
- Manage wandering animals
- Refer animal welfare reports to DEPI
- Manage the distribution of donated fodder and animal welfare goods
- Provide community information

#### **Alternative Options**

The authors and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified.

#### **Risk Management**

Council performs a function of dealing with emergency situations such as stock on Council-controlled roads, dog attacks, injured animals and other situations deemed by an authorised officer to be an emergency. Failure to perform this function effectively exposes Council to liability and possible litigation. Effective implementation of the Animal & Stock Emergency Welfare Plan promotes good risk management practice and minimises Council exposure to litigation.

#### **Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.



### 9.7.1 Strathbogie Shire Animal and Stock Emergency Welfare Plan (cont.)

#### **Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA)) implications**

The authors of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

#### **Financial / Budgetary Implications**

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

#### **Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

#### **Environmental / Amenity Implications**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

#### **Community Implications**

There could well be community expectations that Council will provide animal welfare services during an emergency. This expectation needs to be managed and should be met by this recommendation.

#### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The authors of this report consider that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006

#### **Legal / Statutory Implications**

The author of this report considers that the recommendation will assist Council meet all legal or statutory implications if the process is handled in accordance with the Legislation as outline above.

#### **Consultation**

Department of Environment and Primary Industry, a main stakeholder in animal welfare and 4SITE Australia, Council's general Local Laws service provider, have been consulted and provided valuable input to the Plan. Other stakeholders such as local veterinarians, RSPCA and wildlife rehabilitators/shelter operators have also been included in the consultation process. The draft plan was presented for public consultation with nil response.

#### **Attachments**

Nil.

## **9.7.2 Authorisations and Delegations – Planning Functions**

### **Author and Department**

Director Sustainable Development

### **Disclosure of Conflicts of Interest in relation to advice provided in this report**

The author of this report and officers/contractors providing advice in relation to this report do not have a direct or indirect interest, as provided in accordance with the *Local Government Act 1989*

### **Summary**

Due to the recent appointment of the Team Leader – Planning, the instrument of Delegations to Members of Staff (S6) must be updated to reflect the duties and responsibilities of the new position. The role entails overseeing the day-to-day operations of the planning department, including expediting the planning permit application process in a proper and due process.

In addition, the recent changes to the *Planning & Environment Act 1987* have necessitated the creation of a new “Instrument of Appointment and Authorisation (Planning & Environment Act 1987)” [S11A]. This instrument will allow the relevant officers of Council to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the Act/s.

It is recommended that the Team Leader – Planning be delegated the functions and authorisations outlined in the draft attachment (which is consistent with the officers position responsibilities, qualifications and experience). The amendments are highlighted in **Bold**.

Also it is recommended that the relevant officers as described in the attached Instrument of Appointment and Authorisation be appointed as Authorised Officers. The common practise is to appoint senior planning staff and the Environmental Health Officer.

### **RECOMMENDATION**

**That, in the exercise of the powers conferred by section 98(1), section 232 and section 224 of the Local Government Act 1989 and by section 147(4) of the Planning and Environment Act 1987, and other legislation referred to in the Instrument of Delegation (S6) and Instrument of Appointment and Authorisation (Planning and Environment Act 1987)[S11A], Strathbogie Shire Council resolves that: -**

- 1. There be delegated to the members of Council staff holding, acting in or performing the positions referred to in the instrument (S6), the powers, duties and functions set out in the Instrument, subject to the conditions and limitations specified in that Instrument.**
- 2. The Instrument comes into force immediately the Common Seal of Council is affixed to the Instrument.**

9.7.2 Authorisations and Delegations – Planning Functions (cont.)

3. **On coming into force of the Instrument, all previous delegations in instrument S6 are revoked.**
4. **The duties and functions set out in the Instrument of Delegation must be performed and the powers set out in the Instrument must be executed, in accordance with any guidelines or policies of Council that it may have from time to time adopt.**
5. **The instrument (S6) be sealed; and**
6. **The officers referred to in the “S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987) be appointed and authorised as set out in the instrument.**
7. **The instrument (S11A) comes into force immediately the common seal of Council is affixed to the instrument, and remains in force until Council determines to vary or revoke it.**
8. **The instrument (S11A) be sealed.**

16/14 **CRS FURLANETTO/LITTLE** : *That the Recommendation be adopted.*

**CARRIED**

**Background**

Delegating specific functions to staff members enables Council decisions to be made more speedily and ensures that council meetings are not tied down by procedural and every day administrative decisions. It also enables Councils to utilise the technical knowledge, training and experience of staff members to provide the best possible service.

Delegations are made at a formal Council meeting and specify what the officer is empowered to do. Delegates must observe the strategies, policies and guidelines adopted by the Council. Through the CEO and senior managers, the Council can monitor the actions of staff to ensure that they exercise their delegated authority within the general framework it has already determined. In this way the Council retains a measure of control over decision making.

Officers to whom delegated authority is generally given include the CEO, senior staff, environmental health officers, fire prevention officers, local laws and planning officers. Many routine decisions of a Council are made by members of staff as delegates.

Council staff are required to act impartially, with integrity and to avoid real or apparent conflicts of interest.

The Council must keep a register of all delegations and this is among the documents that must be available for public inspection. All delegations to staff must be reviewed by a council within 12 months of it being elected.

### 9.7.2 Authorisations and Delegations – Planning Functions (cont.)

Authorisations allow the relevant officers of Council to generally institute proceedings for offences against Acts and regulations as Authorised Officers under the various Act/s.

#### **Alternative Options**

The author and other officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified

#### **Risk Management**

The author of this report considers that there are no significant Risk Management factors relating to the report and recommendation.

#### **Strategic Links – policy implications and relevance to Council Plan**

The author of this report considers that the report is consistent with Council Policies, key strategic documents and the Council Plan.

#### **Best Value / National Competition Policy (NCP / Competition and Consumer Act 2010 (CCA) implications**

The author of this report considers that the report is consistent with Best Value, National Competition Policy and Competition and Consumer Act requirements.

#### **Financial / Budgetary Implications**

The author of this report considers that the recommendation has no capital or recurrent budget considerations.

#### **Economic Implications**

The author of this report considers that the recommendation has no significant economic implications for Council or the broader community.

#### **Environmental / Amenity**

The author of this report considers that the recommendation has no significant environmental or amenity implications for Council or the broader community.

#### **Community Implications**

The author of this report considers that the recommendation has no significant community or social implications for Council or the broader community.

#### **Victorian Charter of Human Rights and Responsibilities Act 2006**

The author of this report considers that the recommendation does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 2006.

#### **Legal / Statutory Implications**

The delegations and authorisations are controlled by the Local Government Act and Planning and Environment Act.

9.7.2 Authorisations and Delegations – Planning Functions (cont.)

**Consultation**

Community consultation is not applicable.

**Attachments**

1. S6. Instrument of Delegation – Members of Staff
2. S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987)



Maddocks

Maddocks Delegations and Authorisations

***S6. Instrument of Delegation – Members of Staff***

**Strathbogie Shire Council**

**Instrument of Delegation**

**to**

**Members of Council Staff**

**May 2013 Update**



Maddocks

## Instrument of Delegation

In exercise of the power conferred by section 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 the 1<sup>st</sup> column of the Schedule (and summarised in the 2<sup>nd</sup> 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 the 3<sup>rd</sup> column of the Schedule;
2. records that a reference in the Schedule to:
  - CEO means Chief Executive Officer
  - DAS means Director Asset Services
  - DCC means Director Corporate & Community
  - DSD means Director Sustainable Development
  - ME means Manager Engineering
  - MEG means Manager Economic Growth
  - MOD means Manager Organisation Development
  - MPW means Manager Project & Works
  - MSS means Manager Statutory Support
  - EHO means Environmental Health Officer
  - MBS means Municipal Building Surveyor
  - MFPO means Municipal Fire Prevention Officer
  - TLP means Team Leader Planning
3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on 16 July 2013; 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

|||||  
**Maddocks**

- 3.2.4 must be exercised in accordance with any guidelines or policies which Council from time to time adopts; and
- 3.3 the delegate must not determine the issue, take the action or do the act or thing:
  - 3.3.1 if the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or
  - 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
    - (a) policy; or
    - (b) strategyadopted by Council; 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 section 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.

The Common Seal of Strathbogie Shire Council  
Was affixed this ..... day of ..... 2013  
In the presence of:

..... Mayor  
  
..... Councillor  
  
..... Chief Executive Officer







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<b>DOMESTIC ANIMALS ACT 1994</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
s.41A(1)	power to declare a dog to be a menacing dog	DSD;MSS	Council may delegate this power to an authorised officer

<b>ENVIRONMENT PROTECTION ACT 1970</b>			
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.53M(3)	power to require further information	DSD;MSS;EHO	
s.53M(4)	duty to advise applicant that application is not to be dealt with	DSD;MSS;EHO	
s.53M(5)	duty to approve plans, issue permit or refuse permit	DSD;MSS;EHO	refusal must be ratified by council or it is of no effect as per s.53m(9)
s.53M(6)	power to refuse to issue septic tank permit	DSD;MSS;EHO	refusal must be ratified by council or it is of no effect as per s.53m(9)
s.53M(7)	duty to refuse to issue a permit in circumstances in (a)-(c)	DSD;MSS;EHO	refusal must be ratified by council or it is of no effect as per s.53m(9)



FOOD ACT 1984			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(2)(a)	power to direct by written order that the food premises be put into a clean and sanitary condition	DSD;MSS;EHO	If section 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	DSD;MSS;EHO	If section 19(1) applies
s.19(4)(a)	power to direct that an order made under section 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	DSD;MSS;EHO	If section 19(1) applies
s.19(4)(b)	duty to notify the Department of the making of the order	DSD;MSS;EHO	If section 19(1) applies
s.19(4)(c)	duty to notify the registration authority of the making of the order and any appeal and the outcome of the appeal	DSD;MSS;EHO	If section 19(1) applies and if council is not the registration authority
s.19(6)(a)	duty to revoke any order under section 19 if satisfied that an order has been complied with	DSD;MSS;EHO	If section 19(1) applies
s.19(6)(b)	duty to give written notice of revocation under section 19(6)(a) if satisfied that an order has been complied with	DSD;MSS;EHO	If section 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).	DSD;MSS;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	DSD;MSS;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	DSD;MSS;EHO	where council is the registration authority
s.19A(4)(b)	function of receiving notice from authorised officer	DSD;MSS;EHO	where council is the registration authority
s.19BA(3)	duty to give notice of the variation or revocation of the order to the general public in the same manner as the original notice	DSD;MSS;EHO	must be done by the same person as gave the original notice



FOOD ACT 1984			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19CB(4)(b)	power to request copy of records	DSD;MSS;EHO	where council is the registration authority
s.19E(1)(d)	power to request a copy of the food safety program	DSD;MSS;EHO	where council is the registration authority
s.19EA(3)	function of receiving a copy of any significant revision made to the food safety program	DSD;MSS;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	DSD;MSS;EHO	where council is the registration authority
s.19H(5)(a) & (5)(b)	duty to take into account (a) the food safety performance of the food business; and (b) any guidelines issued by the Secretary in determining the frequency and intervals of the assessments and audits	DSD;MSS;EHO	where council is the registration authority
s.19I	duty to conduct a food safety assessment as required under section 19H	DSD;MSS;EHO	Subject to section 19J where council is the registration authority
s.19IA(2)	duty to give written notice to proprietor if food safety requirements or section 19DC(2) have not been complied with unless subsection (3) applies.	DSD;MSS;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	DSD;MSS;EHO	where council is the registration authority
s.19N	function of receiving information from a food safety auditor	DSD;MSS;EHO	where council is the registration authority
s.19NA(1)	power to request food safety audit reports	DSD;MSS;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	DSD;MSS;EHO	
s.19U(4)	duty to ensure that information relating to costs of a food safety audit are available for inspection by the public	DSD;MSS;EHO	
s.19UA	power to charge fees for conducting a food safety assessment or inspection	DSD;MSS;EHO	except for an assessment required by a declaration under section 19C or an inspection under sections 38B(1)(c) or 39.



FOOD ACT 1984			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19UA(4)	duty to consider proprietor's history of compliance in deciding whether to charge the fee	DSD;MSS;EHO	
s.19UA(5)	duty to ensure that the method of determining a fee under subsection (3)(a) and the considerations that apply under subsection (4) are available for inspection by the public	DSD;MSS;EHO	
s.19W	power to direct a proprietor of a food premises to comply with any requirement under Part IIIB	DSD;MSS;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	DSD;MSS;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	DSD;MSS;EHO	where council is the registration authority
--	power to register, renew or transfer registration	DSD;MSS;EHO	where council is the registration authority refusal to grant/renew/transfer registration must be ratified by Council or the CEO (see section 58A(2))
s.35A(2)	function of receiving notice of operation from the proprietor of a food premises	DSD;MSS;EHO	where council is the registration authority
s.37	function of receiving application, information and documents required under section 36 from the proprietor of a food business	DSD;MSS;EHO	
s.38(3)	duty to consult with the Secretary about the proposed exemption under section 38(2)	DSD;MSS;EHO	
s.38AA(2)	function of being notified of operation	DSD;MSS;EHO	where council is the registration authority
s.38AA(4)	duty to determine whether the food premises are exempt from the requirement of registration	DSD;MSS;EHO	where council is the registration authority
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	DSD;MSS;EHO	where council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38AB(4)	power to fix a fee for the receipt of a notification under section 38AA in accordance with a declaration under subsection (1)	DSD; MSS; EHO	where council is the registration authority
s.38A(4)	power to request a copy of a completed food safety program template	DSD; MSS; EHO	where council is the registration authority
s.38A(5) & (6)	function of receiving a food safety audit certificate from a proprietor	DSD; MSS; EHO	where council is the registration authority
s.38B(1)(a)	duty to assess the application and determine which class of food premises under section 19C the food premises belongs	DSD; MSS; EHO	where council is the registration authority
s.38B(1)(b)	duty to ensure proprietor has complied with requirements of section 38A	DSD; MSS; EHO	where council is the registration authority
s.38B(1)(c)	duty to inspect premises	DSD; MSS; EHO	where council is the registration authority
s.38B(2)	duty to be satisfied of the matters in section 38B(2)(a)-(b)	DSD; MSS; EHO	where council is the registration authority
s.38D(1)	duty to ensure compliance with the applicable provisions of section 38C and inspect the premises if required by section 39	DSD; MSS; EHO	where council is the registration authority
s.38D(2)	duty to be satisfied of the matters in section 38D(2)(a)-(d)	DSD; MSS; EHO	where council is the registration authority
s.38D(3)	power to request copies of any audit reports	DSD; MSS; EHO	where council is the registration authority
s.38E(1)(c)	function of assessing the requirement for a food safety program	DSD; MSS; EHO	where council is the registration authority
s.38E(2)	power to register the food premises on a conditional basis	DSD; MSS; EHO	where council is the registration authority; not exceeding the prescribed time limit defined under subsection (5).
s.38E(3)(a)	function of receiving certificates	DSD; MSS; EHO	where council is the registration authority
s.38E(4)	duty to register the food premises when conditions are satisfied	DSD; MSS; EHO	where council is the registration authority
s.38F(3)(a)	duty to note the change to the classification of the food premises on the certificate of registration	DSD; MSS; EHO	where council is the registration authority



FOOD ACT 1984			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.38F(3)(b)	power to require proprietor to comply with requirements of this Act	DSD; MSS; EHO	where council is the registration authority
s.39(2)	duty to inspect within 12 months before renewal of registration	DSD; MSS; EHO	where council is the registration authority
s.39(3)	duty to inspect within 3 months before renewal of registration if circumstances in section 39(3)(a)-(d) apply	DSD; MSS; EHO	where council is the registration authority
s.39A	power to register, renew or transfer food premises despite minor defects	DSD; MSS; EHO	where council is the registration authority only if satisfied of matters in subsections (2)(a)-(c)
s.39A(6)	duty to comply with direction of Secretary.	DSD; MSS; EHO	
s.40(1)	duty to issue a certificate of registration in the prescribed form	DSD; MSS; EHO	where council is the registration authority
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 Welfare Act 2008</i>	DSD; MSS; EHO	
s.40C(2)	power to grant or renew the registration of food premises for a period of less than 1 year	DSD; MSS; EHO	where council is the registration authority
s.40D(1)	power to suspend or revoke the registration of food premises	DSD; MSS; EHO	where council is the registration authority
s.40D(2)	duty to specify how long a suspension is to last under s.40D(1)	DSD; MSS; EHO	where council is the registration authority
s.40E(4)	duty to comply with direction of Secretary	DSD; MSS; EHO	
s.43(1) and (2)	duty to maintain records of the prescribed particulars and orders in force under Part III	DSD; MSS; EHO	where council is the registration authority
s.43(3)	duty to make available information held in records, free of charge, on request	DSD; MSS; 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	DSD; MSS; EHO	where council is the registration authority





FOOD ACT 1984			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
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	DSD;MSS;EHO	where council is the registration authority
s.43I	function of receiving a statement of trade of a proprietor of a food business	DSD;MSS;EHO	
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	DSD;MSS;EHO	where council is the registration authority



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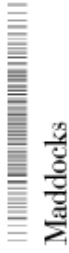
HERITAGE ACT 1995			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.84(2)	power to sub-delegate Executive Director's functions	DSD;MEG;MSS; TLP	must obtain Executive Director's written consent first.



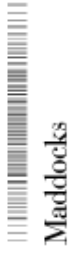
PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.4B	power to prepare an amendment to the Victoria Planning Provisions	DSD;MEG;MSS;TLP	if authorised by the Minister
s.4G	function of receiving prescribed documents and a copy of the Victoria Planning Provisions from the Minister	DSD;MEG;MSS;TLP	
s.4H	duty to make amendment to Victoria Planning Provisions available	DSD;MEG;MSS;TLP	
s.4I	duty to keep Victoria Planning Provisions and other documents available	DSD;MEG;MSS;TLP	
s.8A(2)	power to prepare amendment to the planning scheme where the Minister has given consent under s.8A	DSD;MEG;MSS;TLP	
s. 8A(3)	power to apply to Minister to prepare an amendment to the planning scheme	DSD;MEG;MSS;TLP	
s.8A(5)	function of receiving notice of the Minister's decision	DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	
s.8B(2)	power to apply to the Minister for authorisation to prepare an amendment to the planning scheme of an adjoining municipal district	DSD;MEG;MSS;TLP	
s.11(3)(b)	duty to submit amendment to planning scheme to Minister for approval if the Minister withdraws authorisation	DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	
s 12A(1)	duty to prepare a municipal strategic statement (including power to prepare a municipal strategic statement under section 19 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.12B(1)	duty to review planning scheme	DSD;MEG;MSS;TLP	
s.12B(2)	duty to review planning scheme at direction of Minister	DSD;MEG;MSS;TLP	
s.12B(5)	duty to report findings of review of planning scheme to Minister without delay	DSD;MEG;MSS;TLP	
s.14	duties of a Responsible Authority as set out in subsections (a) to (d)	DSD;MEG;MSS;TLP	
s.17(1)	duty of giving copy amendment to the planning scheme	DSD;MEG;MSS;TLP	
s.17(2)	duty of giving copy s.173 agreement	DSD;MEG;MSS;TLP	
s.17(3)	duty of giving copy amendment, explanatory report and relevant documents to the Minister within 10 business days	DSD;MEG;MSS;TLP	
s.18	duty to make amendment etc. available	DSD;MEG;MSS;TLP	
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 section 19 to a planning scheme	DSD;MEG;MSS;TLP	
s.20(1)	power to apply to Minister for exemption from the requirements of section 19	DSD;MEG;MSS;TLP	
s.21(2)	duty to make submissions available	DSD;MEG;MSS;TLP	
s.21A(4)	duty to publish notice in accordance with section	DSD;MEG;MSS;TLP	
s.22	duty to consider all submissions	DSD;MEG;MSS;TLP	
s.23(2)	power to refer submissions to a panel	DSD;MEG;MSS;TLP	
s.24	function to represent council and present a submission at a panel hearing (including a hearing referred to in section 96D)	DSD;MEG;MSS;TLP	
s.26(1)	power to make report available for inspection	DSD;MEG;MSS;TLP	
s.26(2)	duty to keep report of panel available for inspection	DSD;MEG;MSS;TLP	
s.27(2)	power to apply for exemption if panel's report not received	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.28	duty to notify the Minister if abandoning an amendment	NOT DELEGATED	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	DSD;MEG;MSS;TLP	
s.30(4)(b)	duty to provide information in writing upon request	DSD;MEG;MSS;TLP	
s.31	duty to submit adopted amendment to Minister and, if applicable, details under section 19(1B)	DSD;MEG;MSS;TLP	
s.32(2)	duty to give more notice if required	DSD;MEG;MSS;TLP	
s.33(1)	duty to give more notice of changes to an amendment	DSD;MEG;MSS;TLP	
s.35A(2)	duty to not approve an amendment under section 35B unless the amendment has been certified by the Secretary	DSD;MEG;MSS;TLP	
s.35B(1)	power to approve amendment in form certified under section 35A	DSD;MEG;MSS;TLP	
s.35B(2)	duty to give Minister notice of approval, copy of approved amendment and other documents	DSD;MEG;MSS;TLP	
s.36(2)	duty to give notice of approval of amendment	DSD;MEG;MSS;TLP	
s.38(5)	duty to give notice of revocation of an amendment	DSD;MEG;MSS;TLP	
s.39	function of being a party to a proceeding commenced under section 39 and duty to comply with determination by VCAT	DSD;MEG;MSS;TLP	
s.40(1)	function of lodging copy of approved amendment	DSD;MEG;MSS;TLP	
s.40(1A)	Duty to lodge prescribed documents and copy of approved amendment with the relevant authorities	DSD;MEG;MSS;TLP	
s.41	duty to make approved amendment available	DSD;MEG;MSS;TLP	
s.42	duty to make copy of planning scheme available	DSD;MEG;MSS;TLP	
s.46N(1)	duty to include condition in permit regarding payment of development infrastructure levy	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46N(2)(c)	function of determining time and manner for receipt of development contributions levy	DSD;MEG;MSS;TLP	
s.46N(2)(d)	power to enter into an agreement with the applicant regarding payment of development infrastructure levy	DSD;MEG;MSS;TLP	
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	DAS;DSD;MEG;MSS;TLP	
s.46O(1)(d) & (2)(d)	power to enter into agreement with the applicant regarding payment of community infrastructure levy	DAS;DSD;MEG;MSS;TLP	
s.46P(1)	power to require payment of amount of levy under section 46N or section 46O to be satisfactorily secured	DAS;DSD;MEG;MSS;TLP	
s.46P(2)	power to accept provision of land, works, services or facilities in part or full payment of levy payable	DAS;DSD;MEG;MSS;TLP	
s.46Q(1)	duty to keep proper accounts of levies paid	DAS;DSD;MEG;MSS;TLP	
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	DAS;DSD;MEG;MSS;TLP	
s.46Q(2)	duty to apply levy only for a purpose relating to the provision of the works, services and facilities in respect of which the levy was paid etc.	DAS;DSD;MEG;MSS;TLP	
s.46Q(3)	power to refund any amount of levy paid if it is satisfied the development is not to proceed	DAS;DSD;MEG;MSS;TLP	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	DAS;DSD;MEG;MSS;TLP	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

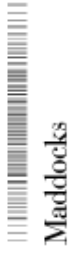


PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.46Q(4)(d)	duty to submit to the Minister an amendment to the approved development contributions plan	DAS;DSD;MEG;MSS;TLP	must be done in accordance with Part 3
s46Q(4)(e)	duty to expend that amount on other works etc.	DAS;DSD;MEG;MSS;TLP	with the consent of, and in the manner approved by, the Minister
s.46QC	power to recover any amount of levy payable under Part 3B	DAS;DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	
s.46Y	duty to carry out works in conformity with the approved strategy plan	DSD;MEG;MSS;TLP	
s.47	power to decide that an application for a planning permit does not comply with that Act	DSD;MEG;MSS;TLP	
s.49(1)	duty to keep a register of all applications for permits and determinations relating to permits	DSD;MEG;MSS;TLP	
s.49(2)	duty to make register available for inspection	DSD;MEG;MSS;TLP	
s.50(4)	duty to amend application	DSD;MEG;MSS;TLP	
s.50(5)	power to refuse to amend application	DSD;MEG;MSS;TLP	
s.50(6)	duty to make note of amendment to application in register	DSD;MEG;MSS;TLP	
s.50A(1)	power to make amendment to application	DSD;MEG;MSS;TLP	
s.50A(3)	power to require applicant to notify owner and make a declaration that notice has been given	DSD;MEG;MSS;TLP	
s.50A(4)	duty to note amendment to application in register	DSD;MEG;MSS;TLP	
s.51	duty to make copy of application available for inspection	DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.52(1)(b)	duty to give notice of the application to other municipal councils where appropriate	DSD;MEG;MSS;TLP	
s.52(1)(c)	duty to give notice of the application to all persons required by the planning scheme	DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	
s.52(1)(d)	duty to give notice of the application to other persons who may be detrimentally affected	DSD;MEG;MSS;TLP	
s.52(1AA)	duty to give notice of an application to remove or vary a registered restrictive covenant	DSD;MEG;MSS;TLP	
s.52(1A)	power to refuse an application	DSD;MEG;MSS;TLP	
s.52(3)	power to give any further notice of an application where appropriate	DSD;MEG;MSS;TLP	
s.53(1)	power to require the applicant to give notice under section 52(1) to persons specified by it	DSD;MEG;MSS;TLP	
s.53(1A)	power to require the applicant to give the notice under section 52(1A)	DSD;MEG;MSS;TLP	
s.54(1)	power to require the applicant to provide more information	DSD;MEG;MSS;TLP	
s.54(1A)	duty to give notice in writing of information required under section 54(1)	DSD;MEG;MSS;TLP	
s.54(1B)	duty to specify the lapse date for an application	DSD;MEG;MSS;TLP	
s.54A(3)	power to decide to extend time or refuse to extend time to give required information	DSD;MEG;MSS;TLP	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.54A(4)	duty to give written notice of decision to extend or refuse to extend time und section 54A(3)	DSD;MEG;MSS;TLP	
s.55(1)	duty to give copy application, together with the prescribed information, to every referral authority specified in the planning scheme	DSD;MEG;MSS;TLP	
s.57(2A)	power to reject objections considered made primarily for commercial advantage for the objector	DSD;MEG;MSS;TLP	
s.57(3)	function of receiving name and address of persons to whom notice of decision is to go	DSD;MEG;MSS;TLP	
s.57(5)	duty to make available for inspection copy of all objections	DSD;MEG;MSS;TLP	
s.57A(4)	duty to amend application in accordance with applicant's request, subject to section 57A(5)	DSD;MEG;MSS;TLP	
s.57A(5)	power to refuse to amend application	DSD;MEG;MSS;TLP	
s.57A(6)	duty to note amendments to application in register	DSD;MEG;MSS;TLP	
s.57B(1)	duty to determine whether and to whom notice should be given	DSD;MEG;MSS;TLP	
s.57B(2)	duty to consider certain matters in determining whether notice should be given	DSD;MEG;MSS;TLP	
s.57C(1)	duty to give copy of amended application to referral authority	DSD;MEG;MSS;TLP	
s.58	duty to consider every application for a permit except for a development assessment committee application	DSD;MEG;MSS;TLP	
s.58A	power to request advice from the Planning Application Committee	DSD;MEG;MSS;TLP	
s.60	duty to consider certain matters	DSD;MEG;MSS;TLP	
s60(1A)	power to consider certain matters before deciding on application	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.61(1)(a)	power to decide to grant a permit	DSD;MEG;MSS;TLP	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(b)	power to decide to grant a permit with conditions	DSD;MEG;MSS;TLP	the permit must not be inconsistent with a cultural heritage management plan under the <i>Aboriginal Heritage Act 2006</i>
s.61(1)(c)	power to refuse the permit	DSD;MEG;MSS;TLP	
s.61(2)	duty to decide to refuse to grant a permit if a relevant referral authority objects to grant of permit	DSD;MEG;MSS;TLP	
s.61(2A)	power to decide to refuse to grant a permit if a relevant recommending referral authority objects to the grant of permit	DSD;MEG;MSS;TLP	
s.61(3)(a)	duty not to decide to grant a permit to use coastal Crown land without Minister's consent	DSD;MEG;MSS;TLP	
s.61(3)(b)	duty to refuse to grant the permit without the Minister's consent	DSD;MEG;MSS;TLP	
s.61(4)	duty to refuse to grant the permit if grant would authorise a breach of a registered restrictive covenant	DSD;MEG;MSS;TLP	
s.62(1)	duty to include certain conditions in deciding to grant a permit	DSD;MEG;MSS;TLP	
s.62(2)	power to include other conditions	DSD;MEG;MSS;TLP	
s.62(4)	duty to ensure conditions are consistent with paragraphs (a),(b) and (c)	DSD;MEG;MSS;TLP	
s.62(5)(a)	power to include a permit condition to implement an approved development contributions plan	DSD;MEG;MSS;TLP	
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 section 173 agreement	DSD;MEG;MSS;TLP	
s.62(5)(c)	power to include a permit condition that specified works be provided or paid for by the applicant	DSD;MEG;MSS;TLP	



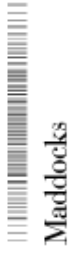
PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.86	duty to issue a permit at order of Tribunal within 3 working days	DSD;MEG;MSS;TLP	
s.87(3)	power to apply to VCAT for the cancellation or amendment of a permit	DSD;MEG;MSS;TLP	
s.90(1)	function of being heard at hearing of request for cancellation or amendment of a permit	DSD;MEG;MSS;TLP	
s.91(2)	duty to comply with the directions of VCAT	DSD;MEG;MSS;TLP	
s.91(2A)	duty to issue amended permit to owner if Tribunal so directs	DSD;MEG;MSS;TLP	
s.92	duty to give notice of cancellation/amendment of permit by VCAT to persons entitled to be heard under section 90	DSD;MEG;MSS;TLP	
s.93(2)	duty to give notice of VCAT order to stop development	DSD;MEG;MSS;TLP	
s.95(3)	function of referring certain applications to the Minister	DSD;MEG;MSS;TLP	
s.95(4)	duty to comply with an order or direction	DSD;MEG;MSS;TLP	
s.96(1)	duty to obtain a permit from the Minister to use and develop its land	DSD;MEG;MSS;TLP	
s.96(2)	function of giving consent to other persons to apply to the Minister for a permit to use and develop Council land	DSD;MEG;MSS;TLP	
s.96A(2)	power to agree to consider an application for permit concurrently with preparation of proposed amendment	DSD;MEG;MSS;TLP	
s.96C	power to give notice, to decide not to give notice, to publish notice and to exercise any other power under section 96C	DSD;MEG;MSS;TLP	
s.96F	duty to consider the panel's report under section 96E	DSD;MEG;MSS;TLP	
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 section 23 of the <i>Planning and Environment (Planning Schemes) Act 1996</i> )	DSD;MEG;MSS;TLP	



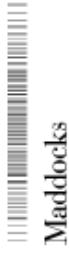
PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.96H(3)	power to give notice in compliance with Minister's direction	DSD;MEG;MSS;TLP	
s.96J	power to issue permit as directed by the Minister	DSD;MEG;MSS;TLP	
s.96K	duty to comply with direction of the Minister to give notice of refusal	DSD;MEG;MSS;TLP	
s.97C	power to request Minister to decide the application	DSD;MEG;MSS;TLP	
s.97D(1)	duty to comply with directions of Minister to supply any document or assistance relating to application	DSD;MEG;MSS;TLP	
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	DSD;MEG;MSS;TLP	
s.97G(6)	duty to make a copy of permits issued under section 97F available for inspection	DSD;MEG;MSS;TLP	
s.97L	duty to include Ministerial decisions in a register kept under section 49	DSD;MEG;MSS;TLP	
s.97MCA(2)	function of consulting with advisory committee regarding the areas for which the development assessment committee is to be established	DSD;MEG;MSS;TLP	
s.97MG	duty to provide documents and information to development assessment committee	DSD;MEG;MSS;TLP	
s.97MH	duty to provide assistance to the development assessment committee	DSD;MEG;MSS;TLP	
s.97MJ(2)	duty to ensure that the register of applications specifies whether the development assessment committee has made the decision	DSD;MEG;MSS;TLP	
s.97MK	function of nominating member of the development assessment committee	DSD;MEG;MSS;TLP	
s.97ML(4)	power to nominate alternate members of the development assessment committee	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.97MH	duty to provide information or assistance to the Planning Application Committee	DSD;MEG;MSS;TLP	
s.97MI	duty to contribute to the costs of the Planning Application Committee or subcommittee	DSD;MEG;MSS;TLP	
s.97O	duty to consider application and issue or refuse to issue certificate of compliance	DSD;MEG;MSS;TLP	
s.97P(3)	duty to comply with directions of VCAT following an application for review of a failure or refusal to issue a certificate	DSD;MEG;MSS;TLP	
s.97Q(2)	function of being heard by VCAT at hearing of request for amendment or cancellation of certificate	DSD;MEG;MSS;TLP	
s.97Q(4)	duty to comply with directions of VCAT	DSD;MEG;MSS;TLP	
s.97R	duty to keep register of all applications for certificate of compliance and related decisions	DSD;MEG;MSS;TLP	
s.98(1)&(2)	function of receiving claim for compensation in certain circumstances	DSD;MEG;MSS;TLP	
s.98(4)	duty to inform any person of the name of the person from whom compensation can be claimed	DSD;MEG;MSS;TLP	
s.101	function of receiving claim for expenses in conjunction with claim	DSD;MEG;MSS;TLP	
s.103	power to reject a claim for compensation in certain circumstances	DSD;MEG;MSS;TLP	
s.107(1)	function of receiving claim for compensation	DSD;MEG;MSS;TLP	
s.107(3)	power to agree to extend time for making claim	DSD;MEG;MSS;TLP	
s.114(1)	power to apply to the VCAT for an enforcement order	DSD;MEG;MSS;TLP	
s.117(1)(a)	function of making a submission to the VCAT where objections are received	DSD;MEG;MSS;TLP	



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.120(1)	power to apply for an interim enforcement order where section 114 application has been made	DSD;MEG;MSS;TLP	
s.123(1)	power to carry out work required by enforcement order and recover costs	DSD;MEG;MSS;TLP	
s.123(2)	power to sell buildings, materials, etc salvaged in carrying out work under section 123(1)	DAS;DSD;MEG;MSS;TLP	except Crown Land
s.129	function of recovering penalties	DSD;MEG;MSS;TLP	
s.130(5)	power to allow person served with an infringement notice further time	DAS;DSD;MEG;MSS;TLP	
s.149A(1)	power to refer a matter to the VCAT for determination	DSD;MEG;MSS;TLP	
s.149A(1A)	power to apply to VCAT for the determination of a matter relating to the interpretation of a s.173 agreement	DSD;MEG;MSS;TLP	
s.156	duty to pay fees and allowances (including a payment to the Crown under subsection (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 subsection (2B) power to ask for contribution under subsection (3) and power to abandon amendment or part of it under subsection (4)	DSD;MEG;MSS;TLP	where council is the relevant planning authority
s.171(2)(f)	power to carry out studies and commission reports	DSD;MEG;MSS;TLP	
s.171(2)(g)	power to grant and reserve easements	DSD;MEG;MSS;TLP	
s.173	power to enter into agreement covering matters set out in section 174	DSD;MEG;MSS;TLP	
--	power to decide whether something is to the satisfaction of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires something to be to the satisfaction of Council or Responsible Authority	DSD;MEG;MSS;TLP	

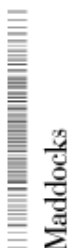


PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
--	power to give consent on behalf of Council, where an agreement made under section 173 of the <i>Planning and Environment Act 1987</i> requires that something may not be done without the consent of Council or Responsible Authority	DSD;MEG;MSS;TLP	
s.177(2)	power to end a section 173 agreement with approval of the Minister or the consent of all those bound by any covenant in the agreement	DSD;MEG;MSS;TLP	
s.178	power to amend a s.173 agreement	DSD;MEG;MSS;TLP	
s.178A(1)	function of receiving application to amend or end an agreement	CEO;DSD	
s.178A(3)	function of notifying the owner as to whether it agrees in principle to the proposal under s.178A(1)	CEO;DSD	
s.178A(4)	function of notifying the applicant and the owner as to whether it agrees in principle to the proposal	CEO;DSD	
s.178A(5)	power to propose to amend or end an agreement	CEO;DSD	
s.178B(1)	duty to consider certain matters when considering proposal to amend an agreement	CEO;DSD	
s.178B(2)	duty to consider certain matters when considering proposal to end an agreement	CEO;DSD	
s.178C(2)	duty to give notice of the proposal to all parties to the agreement and other persons who may be detrimentally affected by decision to amend or end	CEO;DSD	
s.178C(4)	function of determining how to give notice under s.178C(2)	CEO;DSD	
s.178E(1)	duty not to make decision until after 14 days after notice has been given	CEO;DSD	
s.178E(2)(a)	power to amend or end the agreement in accordance with the proposal	CEO;DSD	If no objections are made under s.178D Must consider matters in s.178B



PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178E(2)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO;DSD	If no objections are made under s.178D Must consider matters in s.178B
s.178E(2)(c)	power to refuse to amend or end the agreement	CEO;DSD	If no objections are made under s.178D Must consider matters in s.178B
s.178E(3)(a)	power to amend or end the agreement in accordance with the proposal	CEO;DSD	After considering objections, submissions and matters in s.148B
s.178E(3)(b)	power to amend or end the agreement in a manner that is not substantively different from the proposal	CEO;DSD	After considering objections, submissions and matters in s.148B
s.178E(3)(c)	power to amend or end the agreement in a manner that is substantively different from the proposal	CEO;DSD	After considering objections, submissions and matters in s.148B
s.178E(3)(d)	power to refuse to amend or end the agreement	CEO;DSD	After considering objections, submissions and matters in s.148B
s.178F(1)	duty to give notice of its decision under s.178E(3)(a) or (b)	CEO;DSD	
s.178F(2)	duty to give notice of its decision under s.178E(2)(c) or (3)(d)	<b>DSD;MEG;MSS;TLP</b>	
s.178F(4)	duty not to proceed to amend or end an agreement under s.178E until at least 21 days after notice has been given or until an application for review to the Tribunal has been determined or withdrawn	<b>DSD;MEG;MSS;TLP</b>	
s.178G	duty to sign amended agreement and give copy to each other party to the agreement	<b>DSD;MEG;MSS;TLP</b>	





PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.178H	power to require a person who applies to amend or end an agreement to pay the costs of giving notices and preparing the amended agreement	CEO	
s.178I(3)	duty to notify, in writing, each party to the agreement of the ending of the agreement relating to Crown land	DSD;MEG;MSS;TLP	
s.179(1)	duty to lodge agreement with Minister	DSD;MEG;MSS;TLP	
s.179(2)	duty to make available for inspection copy agreement	DSD;MEG;MSS;TLP	
s.181	Duty to apply to the Registrar of Titles to record the agreement and to deliver a memorial to Registrar-General	DSD;MEG;MSS;TLP	
s.181(1A)(a)	power to apply to the Registrar of Titles to record the agreement	DSD;MEG;MSS;TLP	
s.181(1A)(b)	duty to apply to the Registrar of Titles, without delay, to record the agreement	DSD;MEG;MSS;TLP	
s.182	power to enforce an agreement	DSD;MEG;MSS;TLP	
s.183	duty to tell Registrar of Titles of ending/amendment of agreement	DSD;MEG;MSS;TLP	
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	DSD	
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	DSD	
s.184F(3)	duty to inform the principal registrar if the responsible authority decides to amend or end an agreement after an application is made for the review of its failure to end or amend the agreement	DSD	
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	DSD;MEG;MSS;TLP	



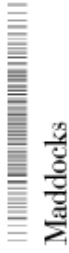
PLANNING AND ENVIRONMENT ACT 1987			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.184G(2)	duty to comply with a direction of the Tribunal	DSD;MEG;MSS;TLP	
s.184G(3)	duty to give notice as directed by the Tribunal	DSD;MEG;MSS;TLP	
s.198(1)	function to receive application for planning certificate	DSD;MEG;MSS;TLP	
s.199(1)	duty to give planning certificate to applicant	DSD;MEG;MSS;TLP	
s.201(1)	function of receiving application for declaration of underlying zoning	DSD;MEG;MSS;TLP	
s.201(3)	duty to make declaration	DSD;MEG;MSS;TLP	
-	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	DSD;MEG;MSS;TLP	
	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	DSD;MEG;MSS;TLP	
	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	DSD;MEG;MSS;TLP	
-	power to give written authorisation in accordance with a provision of a planning scheme	DSD;MEG;MSS;TLP	
s.201UAB(1)	function of providing the Growth Areas Authority with information relating to any land within municipal district	DSD;MEG;MSS;TLP	
s.201UAB(2)	duty to provide the Growth Areas Authority with information requested under subsection (1) as soon as possible	DSD;MEG;MSS;TLP	



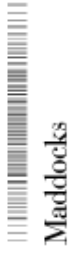
RAIL SAFETY ACT 2006			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
s.33	duty to comply with a direction of the Safety Director under this section	DAS	where council is a utility under section 3
s.33A	duty to comply with a direction of the Safety Director to give effect to arrangements under this section	DAS	duty of council as a road authority under the Road Management Act 2004
s.34	duty to comply with a direction of the Safety Director to alter, demolish or take away works carried out contrary to a direction under section 33(1)	DAS	where council is a utility under section 3
s.34C(2)	function of entering into safety interface agreements with rail infrastructure manager	DAS	where council is the relevant road authority
s.34D(1)	function of working in conjunction with rail infrastructure manager in determining whether risks to safety need to be managed	DAS	where council is the relevant road authority
s.34D(2)	function of receiving written notice of opinion	DAS	where council is the relevant road authority
s.34D(4)	function of entering into safety interface agreement with infrastructure manager	DAS	where council is the relevant road authority
s.34E(1)(a)	duty to identify and assess risks to safety	DAS	where council is the relevant road authority
s.34E(1)(b)	duty to determine measures to manage any risks identified and assessed having regard to items set out in section 34E(2)(a)-(c)	DAS	where council is the relevant road authority
s.34E(3)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DAS	where council is the relevant road authority
s.34F(1)(a)	duty to identify and assess risks to safety, if written notice has been received under section 34D(2)(a)	DAS	where council is the relevant road authority
s.34F(1)(b)	duty to determine measures to manage any risks identified and assessed, if written notice has been received under section 34D(2)(a)	DAS	where council is the relevant road authority
s.34F(2)	duty to seek to enter into a safety interface agreement with rail infrastructure manager	DAS	where council is the relevant road authority



RAIL SAFETY ACT 2006				
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS	
s.34H	power to identify and assess risks to safety as required under sections 34B, 34C, 34D, 34E or 34F in accordance with subsections (a)-(c)	DAS	where council is the relevant road authority	
s.34I	function of entering into safety interface agreements	DAS	where council is the relevant road authority	
s.34J(2)	function of receiving notice from Safety Director	DAS	where council is the relevant road authority	
s.34J(7)	duty to comply with a direction of the Safety Director given under section 34J(5)	DAS	where council is the relevant road authority	
s.34K(2)	duty to maintain a register of items set out in subsections (a)-(b)	DAS	where council is the relevant road authority	



RESIDENTIAL TENANCIES ACT 1997			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142D	function of receiving notice regarding an unregistered rooming house	DSD;MSS;EHO	
s.142G(1)	duty to enter required information in Rooming House Register for each rooming house in municipal district	MSS;EHO	[note: this provision is not yet in operation and will commence 1/7/2014 if not proclaimed earlier]
s. 142G(2)	power to enter certain information in the Rooming House Register	MSS;EHO	[note: this provision is not yet in operation and will commence 1/7/2014 if not proclaimed earlier]
s.142I(2)	power to amend or revoke an entry in the Rooming House Register if necessary to maintain the accuracy of the entry	MSS;EHO	[note: this provision is not yet in operation and will commence 1/7/2014 if not proclaimed earlier]
s.252	power to give tenant a notice to vacate rented premises if subsection (1) applies	DSD;MSS;EHO	where council is the landlord
s.262(1)	power to give tenant a notice to vacate rented premises	DSD;MSS;EHO	where council is the landlord
s.262(3)	power to publish its criteria for eligibility for the provision of housing by council	DSD;MSS;EHO	
s.518F	power to issue notice to caravan park regarding emergency management plan if determined that the plan does not comply with the requirements	DSD;MSS;EHO	
s.522(1)	power to give a compliance notice to a person	EHO	
s.525(2)	power to authorise an officer to exercise powers in section 526 (either generally or in a particular case)	DAS;DSD;DCC	
s.525(4)	duty to issue identity card to authorised officers	DSD;	
s.526(5)	duty to keep record of entry by authorised officer under section 526	DSD;MSS;EHO	
s.526A(3)	function of receiving report of inspection	DSD;MSS;EHO	
s.527	power to authorise a person to institute proceedings (either generally or in a particular case)	DSD;MSS;EHO	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.11(1)	power to declare a road by publishing a notice in the Government Gazette	DAS;ME	obtain consent in circumstances specified in section 11(2)
s.11(8)	power to name a road or change the name of a road by publishing notice in Government Gazette	DAS	
s.11(9)(b)	duty to advise Registrar	DAS	
s.11(10)	duty to inform Secretary to Department of Sustainability and Environment of declaration etc.	DAS	clause subject to section 11(10A)
s.11(10A)	duty to inform Secretary to Department of Sustainability and Environment or nominated person	DAS	where council is the coordinating road authority
s.12(2)	power to discontinue road or part of a road	DAS	where council is the coordinating road authority
s.12(4)	power to publish, and provide copy, notice of proposed discontinuance	DAS	power of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(5)	duty to consider written submissions received within 28 days of notice	DAS	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(6)	function of hearing a person in support of their written submission	DAS	function of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(7)	duty to fix day, time and place of meeting under subsection (6) and to give notice	DAS	duty of coordinating road authority where it is the discontinuing body unless subsection (11) applies
s.12(10)	duty to notify of decision made	DAS	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 road by publishing notice in Government Gazette	DAS	power of coordinating road authority and obtain consent under section 13(3) and section 13(4) as appropriate

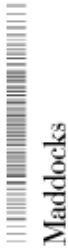


ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.14(4)	function of receiving notice from VicRoads	DAS	
s.14(7)	power to appeal against decision of VicRoads	DAS	
s.15(1)	power to enter into arrangement with another road authority, utility or a provider of public transport to transfer a road management function of the road authority to the other road authority, utility or provider of public transport	DAS	
s.15(1A)	power to enter into arrangement with a utility to transfer a road management function of the utility to the road authority	DAS	
s.15(2)	duty to include details of arrangement in public roads register	DAS	
s.16(7)	power to enter into an arrangement under section 15	DAS	
s.16(8)	duty to enter details of determination in public roads register	DAS	
s.17(2)	duty to register public road in public roads register	DAS	where council is the coordinating road authority
s.17(3)	power to decide that a road is reasonably required for general public use	DAS	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	DAS	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	DAS	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	DAS	where council is the coordinating road authority
s.18(1)	power to designate ancillary area	DAS	where council is the coordinating road authority, and obtain consent in circumstances specified in section 18(2)
s.18(3)	duty to record designation in public roads register	DAS,ME	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	DAS,ME	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.19(4)	duty to specify details of discontinuance in public roads register	DAS;ME	
s.19(5)	duty to ensure public roads register is available for public inspection	DAS;ME	
s.21	function of replying to request for information or advice	DAS;ME;MPW	obtain consent in circumstances specified in section 11(2)
s.22(2)	function of commenting on proposed direction	DAS	
s.22(4)	duty to publish a copy or summary of any direction made under section 22 by the Minister in its annual report	DAS	
s.22(5)	duty to give effect to a direction under this section.	DAS;ME;MPW	
s.40(1)	duty to inspect, maintain and repair a public road.	DAS;ME;MPW	
s.40(5)	power to inspect, maintain and repair a road which is not a public road	DAS;ME;MPW	
s.41(1)	power to determine the standard of construction, inspection, maintenance and repair	DAS	
s.42(1)	power to declare a public road as a controlled access road	DAS	power of coordinating road authority and Schedule 2 also applies
s.42(2)	power to amend or revoke declaration by notice published in Government Gazette	DAS	power of coordinating road authority and Schedule 2 also applies
s.42A(3)	duty to consult with VicRoads before road is specified	DAS	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	DAS	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)	DAS	where council is the responsible road authority, infrastructure manager or works manager





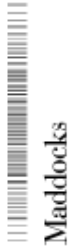
ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.48M(3)	function of consulting with the Secretary for purposes of developing guidelines under section 48M	DAS	
s.48N	duty to notify the Secretary of the location of the bus stopping point and the action taken by council	DAS	
s.49	power to develop and publish a road management plan	DAS	
s.51	power to determine standards by incorporating the standards in a road management plan	DAS	
s.53(2)	power to cause notice to be published in Government Gazette of amendment etc of document in road management plan	DAS	
s.54(2)	duty to give notice of proposal to make a road management plan	DAS	
s.54(5)	duty to conduct a review of road management plan at prescribed intervals	DAS	
s.54(6)	power to amend road management plan	DAS	
s.54(7)	duty to incorporate the amendments into the road management plan	DAS	
s.55(1)	duty to cause notice of road management plan to be published in Government Gazette and newspaper	DAS	
s.63(1)	power to consent to conduct of works on road	DAS	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	DAS	where council is the infrastructure manager
s.64(1)	duty to comply with clause 13 of Schedule 7	DAS	where council is the infrastructure manager or works manager
s.66(1)	power to consent to structure etc	DAS	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	DAS	where council is the coordinating road authority
s.67(3)	power to request information	DAS;ME	where council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.68(2)	power to request information	DAS;ME	where council is the coordinating road authority
s.71(3)	power to appoint an authorised officer	DAS	
s.72	duty to issue an identity card to each authorised officer	DAS	
s.85	function of receiving report from authorised officer	DAS;ME	
s.86	duty to keep register re section 85 matters	DAS;ME	
s.87(1)	function of receiving complaints	DAS;ME	
s.87(2)	duty to investigate complaint and provide report	DAS;ME	
s.112(2)	power to recover damages in court	DAS;ME	
s.116	power to cause or carry out inspection	DAS;ME	
s.119(2)	function of consulting with VicRoads	DAS	
s.120(1)	power to exercise road management functions on an arterial road (with the consent of VicRoads)	DAS	
s.120(2)	duty to seek consent of VicRoads to exercise road management functions before exercising power in section 120(1)	DAS	
s.121(1)	power to enter into an agreement in respect of works	DAS	
s.122(1)	power to charge and recover fees	DAS	
s.123(1)	power to charge for any service	DAS	
Schedule 2 Clause 2(1)	power to make a decision in respect of controlled access roads	DAS	
Schedule 2 Clause 3(1)	duty to make policy about controlled access roads	DAS	
Schedule 2 Clause 3(2)	power to amend, revoke or substitute policy about controlled access roads	DAS	
Schedule 2 Clause 4	function of receiving details of proposal from VicRoads	DAS	



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 2 Clause 5	duty to publish notice of declaration	DAS	
Schedule 7, Clause 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	DAS;ME;MPW	where council is the infrastructure manager or works manager
Schedule 7, Clause 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	DAS;ME;MPW	where council is the infrastructure manager or works manager
Schedule 7, Clause 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	DAS;ME;MPW	where council is the infrastructure manager or works manager responsible for non-road infrastructure
Schedule 7, Clause 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	DAS;ME;MPW	where council is the infrastructure manager or works manager
Schedule 7, Clause 10(2)	where Schedule 7 Clause 10(1) applies, duty to, where possible, conduct appropriate consultation with persons likely to be significantly affected	DAS;ME;MPW	where council is the infrastructure manager or works manager
Schedule 7 Clause 12(2)	power to direct infrastructure manager or works manager to conduct reinstatement works	DAS;ME;MPW	where council is the coordinating road authority
Schedule 7 Clause 12(3)	power to take measures to ensure reinstatement works are completed	DAS;ME;MPW	where council is the coordinating road authority
Schedule 7 Clause 12(4)	duty to ensure that works are conducted by an appropriately qualified person	DAS;ME;MPW	where council is the coordinating road authority
Schedule 7 Clause 12(5)	power to recover costs	DAS;ME;MPW	where council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7, Clause 13(1)	duty to notify relevant coordinating road authority within 7 days that works have been completed, subject to Schedule 7, Clause 13(2)	DAS;ME;MPW	where council is the works manager
Schedule 7 Clause 13(2)	power to vary notice period	DAS	where council is the coordinating road authority
Schedule 7, Clause 13(3)	duty to ensure works manager has complied with obligation to give notice under Schedule 7, Clause 13(1)	DAS	where council is the infrastructure manager
Schedule 7 Clause 16(1)	power to consent to proposed works	DAS	where council is the coordinating road authority
Schedule 7 Clause 16(4)	duty to consult	DAS	where council is the coordinating road authority, responsible authority or infrastructure manager
Schedule 7 Clause 16(5)	power to consent to proposed works	DAS	where council is the coordinating road authority
Schedule 7 Clause 16(6)	power to set reasonable conditions on consent	DAS	where council is the coordinating road authority
Schedule 7 Clause 16(8)	power to include consents and conditions	DAS	where council is the coordinating road authority
Schedule 7 Clause 17(2)	power to refuse to give consent and duty to give reasons for refusal	DAS	where council is the coordinating road authority
Schedule 7 Clause 18(1)	power to enter into an agreement	DAS	where council is the coordinating road authority
Schedule 7 Clause 19(1)	power to give notice requiring rectification of works	DAS	where council is the coordinating road authority
Schedule 7 Clause 19(2) & (3)	power to conduct the rectification works or engage a person to conduct the rectification works and power to recover costs incurred	DAS	where council is the coordinating road authority
Schedule 7 Clause 20(1)	power to require removal, relocation, replacement or upgrade of existing non-road infrastructure	DAS	where council is the coordinating road authority



ROAD MANAGEMENT ACT 2004			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
Schedule 7A Clause 2	power to cause street lights to be installed on roads	DAS	power of responsible road authority where it is the coordinating road authority or responsible road authority in respect of the road
Schedule 7A Clause 3(1)(d)	duty to pay installation and operation costs of street lighting - where road is not an arterial road	DAS	where council is the responsible road authority
Schedule 7A Clause 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	DAS	where council is the responsible road authority
Schedule 7A Clause (3)(1)(f).	duty to pay installation and percentage of operation costs of street lighting - for arterial roads in accordance with clauses 3(2) and 4	DAS	duty of council as responsible road authority that installed the light (re: installation costs) and where council is relevant municipal council (re: operating costs)



PLANNING AND ENVIRONMENT REGULATIONS 2005			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.6	duty of responsible authority to provide copy of matter considered under section 60(1A)(g) for inspection free of charge	DSD;MEG;MSS; TLP	
r.7	duty of responsible authority to provide copy information or report requested by Minister	DSD;MEG;MSS; TLP	
r.22	power of responsible authority to require verification of information (by statutory declaration or other written confirmation satisfactory to the responsible authority) in application for permit or to amend a permit or any information provided under section 54 of the Act	DSD;MEG;MSS; TLP	
r.55	duty of responsible authority to tell Registrar of Titles under r 183 of the Act of the cancellation or amendment of an agreement	DSD;MEG;MSS; TLP	



PLANNING AND ENVIRONMENT INTERIM (FEES) REGULATIONS 2013			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS AND LIMITATIONS
r.16	power to waive or rebate a fee other than a fee relating to an amendment to a planning scheme	DSD;MEG;MSS; TLP	
r.17	power to waive or rebate a fee relating to an amendment of a planning scheme	DSD;MEG;MSS; TLP	
r.18	duty to record matters taken into account and which formed the basis of a decision to waive or rebate a fee under r.16 or 17	DSD;MEG;MSS; TLP	



RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.7	function of entering into a written agreement with a caravan park owner	DSD;MSS;EHO	
r.11	function of receiving application for registration	DSD;MSS;EHO	
r.13(1)	duty to grant the registration if satisfied that the caravan park complies with these regulations	DSD;MSS;EHO	
r.13(2)	duty to renew the registration if satisfied that the caravan park complies with these regulations	DSD;MSS;EHO	
r.13(4) & (5)	duty to issue certificate of registration	DSD;MSS;EHO	
r.15(1)	function of receiving notice of transfer of ownership	DSD;MSS;EHO	
r.15(3)	power to determine where notice of transfer is displayed	DSD;MSS;EHO	
r.16(1)	duty to transfer registration to new caravan park owner	DSD;MSS;EHO	
r.16(2)	duty to issue a certificate of transfer of registration	DSD;MSS;EHO	
r.17(1)	power to determine the fee to accompany applications for registration or applications for renewal of registration	DSD;MSS;EHO	
r.18	duty to keep register of caravan parks	DSD;MSS;EHO	
r.19(4)	power to determine where the emergency contact person's details are displayed	DSD;MSS;EHO	
r.19(6)	power to determine where certain information is displayed	DSD;MSS;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	<b>DSD;MEG;MSS;TLP</b>	
r.22A(2)	duty to consult with relevant emergency services agencies	<b>DSD;MEG;MSS;TLP</b>	
r.23	power to determine places in which caravan park owner must display a copy of emergency procedures	DSD;MSS;EHO	
r.24	power to determine places in which caravan park owner must	DSD;MSS;EHO	





RESIDENTIAL TENANCIES (CARAVAN PARKS AND MOVABLE DWELLINGS REGISTRATION AND STANDARDS) REGULATIONS 2010			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.25(3)	display copy of public emergency warnings		
r.26	duty to consult with relevant floodplain management authority	DSD;MSS;EHO	
r.28(c)	duty to have regard to any report of the relevant fire authority	DSD;MSS;EHO;MFPO	
r.39	power to approve system for the collection, removal and disposal of sewage and waste water from a movable dwelling	DSD;MSS;EHO	
r.38(b)	function of receiving notice of proposed installation of un-registrable movable dwelling or rigid annexe	DSD;MSS;EHO;MBS	
r.40(4)	power to require notice of proposal to install un-registrable movable dwelling or rigid annexe	DSD;MSS;EHO;MBS	
r.42	function of receiving installation certificate	DSD;MSS;EHO;MBS	
Schedule 3 clause 4(3)	power to approve use of a non-habitable structure as a dwelling or part of a dwelling	DSD;MSS;EHO;MBS	
	power to approve the removal of wheels and axes from un-registrable movable dwelling	DSD;MSS;EHO;MBS	



ROAD MANAGEMENT (GENERAL) REGULATIONS 2005			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.301(1)	duty to conduct reviews of road management plan	DAS;ME	
r.302(2)	duty to give notice of review of road management plan	DAS	
r.302(5)	duty to produce written report of review of road management plan and make report available	DAS	
r.303	duty to give notice of amendment which relates to standard of construction, inspection, maintenance or repair under section 41 of the Act	DAS	
r.306(2)	duty to record on road management plan the substance and date of effect of amendment	DAS	
r.501(1)	power to issue permit	DAS;ME	where council is the coordinating road authority
r.501(4)	power to charge fee for issuing permit under regulation 501(1)	DAS;ME	where council is the coordinating road authority
r.503(1)	power to give written consent to person to drive on road a vehicle which is likely to cause damage to road	DAS;ME	where council is the coordinating road authority
r.508(3)	power to make submission to Tribunal	DAS;ME	where council is the coordinating road authority
r.509(1)	power to remove objects, refuse, rubbish or other material deposited or left on road	DAS;ME;MPW	where council is the responsible road authority
r.509(2)	power to sell or destroy things removed from road or part of road (after first complying with regulation 509(3))	DAS;ME	where council is the responsible road authority
r.509(4)	power to recover in the Magistrates' Court, expenses from person responsible	DAS;ME;MSS	



ROAD MANAGEMENT (WORKS AND INFRASTRUCTURE) REGULATIONS 2005			
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
r.10	power to exempt a person from requirement under clause 13(1) of Schedule 7 to the Act to give notice as to the completion of those works	DAS	where council is the coordinating road authority and where consent given under section 63(1) of the Act
r.18(2)	power to waive whole or part of fee in certain circumstances	DAS	where council is the coordinating road authority



**Maddocks**

Maddocks Delegations and Authorisations

*S11A. Instrument of Appointment and Authorisation (Planning and Environment Act 1987)*



**Strathbogrie Shire Council**

**Instrument of Appointment and Authorisation**

***(Planning and Environment Act 1987 only)***

**December 2013 Update**



Maddocks

**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Phil Howard, Director Sustainable Development [DSD]  
Emma Kubeil, Manager Economic Growth [MEG]  
Steven Hicks, Manager Statutory Services [MSS]  
Jennifer Dowling, Team Leader - Planning [TLP]  
Avril Young, Environmental Health Officer [EHO]

By this instrument of appointment and authorisation Strathbogie Shire Council -

1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be authorised officers for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and [DSD,MEG, MSS, TLP & EHO]
2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations described in this instrument.

It is declared that this instrument -

- (a) comes into force immediately upon its execution;
- (b) remains in force until varied or revoked.

This instrument is authorised by a resolution of the Strathbogie Shire Council  
on

**The Common Seal of Strathbogie Shire Council**

Was affixed this ..... day of ..... 2013

In the presence of:

..... Mayor

..... Councillor

..... Chief Executive Officer

### **9.7.3 Financial Report – November 2013**

#### **Author / Department**

Director, Corporate and Community / Corporate and Community Directorate

#### **Disclosure of Interest**

No officers providing advice in relation to this report have a direct or indirect interest, as provided in accordance with the Local Government Act 1989.

#### **Summary**

Appended to the Agenda is a copy of Council's Financial Report for the period ending 30 November 2013.

The report contains the Standard Income Statement, Balance Sheet, Cash Flow Statement, Statement of Capital Works, and Schedule of Investments.

The operating surplus for the five month period ending 30 November 2013 was \$12,206,752. The variance to budget is detailed in the Financial Overview.

As at 30 November 2013, total capital works was \$1,514,341. This is under budget by \$ 931,741.

#### **RECOMMENDATION**

**That the Financial Report for the ~~fifth-month~~ *five months* ended 30 November 2013 be noted.**

*17/14 CRS WILLIAMS/STORER : That the Recommendation be adopted, subject to amendment to terminology in Recommendation (as shown by italics and strike through).*

**CARRIED**

#### **Background**

Council considers and notes quarterly Financial Reports in accordance with the Local Government Act 1989 (Act). Under Section 137 and 138 of the Act, Council must establish and maintain a budgeting and reporting framework that is consistent with the principles of sound financial management. This report satisfies those requirements.

#### **Alternative Options**

Officers providing advice in relation to this report have considered potential alternative courses of action. No feasible alternatives have been identified as the report is consistent with the Local Government Act 1989 obligations.

#### **Risk Management**

Regular Financial Reporting in accordance with the Local Government Act 1989 support Council's focus on Risk Management.

#### **Strategic Links – Policy implications and relevance to Council Plan**

The report is consistent with Council Policies, key strategic documents and the Council Plan.

### 9.7.3 Financial Report – November 2013 (cont.)

#### **Best Value / National Competition Policy (NCP) / Competition and Consumer Act 2010 (CCA) implications**

The report is consistent with Best Value, National Competition Policy and Competition and Consumer Act 2010 requirements.

#### **Financial / Budgetary Implications**

The attached report, in conjunction with the detailed briefing to Council, considers all Financial and Budgetary implications for the Financial Year ending 30 June 2014.

#### **Economic Implications**

The attached report, in conjunction with the detailed briefing to Council, considers all Economic implications for the Financial Year ending 30 June 2014.

#### **Environmental / Amenity Implications**

The recommendation in this report has no significant environmental or amenity implications for Council or the broader community.

#### **Community Implications**

This report has no significant community or social implications for the Council or the broader community.

#### **Victorian Charter of Human Rights and Responsibilities Act 1006**

This report does not limit any human rights under the Victorian Charter of Human Rights and Responsibilities Act 1006.

#### **Legal / Statutory Implications**

Consideration and adoption of quarterly Financial reports as per the Local Government Act 1989 ensures Council complies with its Legal and Statutory obligations.

#### **Consultation**

The author of this report considers that the matter under consideration did not warrant a community consultation process.

#### **Attachments**

November Financial Report

**FINANCIAL OVERVIEW - FIVE MONTHS ENDED 30 NOVEMBER 2013**

The Financial Overview to 30 November 2013 identifies total revenue \$21,311,077 with expenditure \$9,104,324 resulting in a surplus to date of \$12,206,752. The YTD November variation of budget to actual is \$1,674,740. This is made up of a number of variances that are outlined below.

Capital works budgeted to 30 November \$2,446,082 achieved expenditure \$1,514,341 resulting in a variation to the budget of \$931,741. Most variations are due to timing issues. As reported last month it is now expected that part of the flood mitigation projects will be carried over into 2014/15 due to the scoping of works for contract preparation. These works are fully funded by grants. Year end review of forecasts identified in October concerning issues for projects which are still reliant on receiving grant funds remain an issue. Major variations to the Capital Works Program will be required if the funding is not confirmed in the current year.

Delays on commencement dates for Nagambie Main Street, Violet Town Library Complex, Euroa Seven Creek Park Facilities and Saleyards Improvements may require budgets to be carried forward to the 2014/15 Capital Works Program or the re allocation of budgets as part of the Mid-Year Review.

**Income Statement (Fav) / Unfav. Variance for 30 November 2013****Income**

<u>Rates</u>	<u>93,385</u>	2014 supplementary valuations yet to be finalised. Rates Arrears November 1,850K (12/13 1,440K)  Fire services Property levy raised \$1.6 million as part of rate 2013/14 (held in Trust in Balance Sheet)
<u>User Fees</u>	<u>98,619</u>	Timing variances in delivery of HACC programs 12.5k, user fees 50k Saleyards as sales income will be recognized in December. Permanent variation.
<u>Contributions</u>	<u>(126,449)</u>	Favourable payments towards new infrastructure assets. Private works 23k and temporary holding of share services funding arrangements 100k.
<u>Grants - Recurrent</u>		
• Boho Fire 2013	<u>75,000</u>	Unfavourable timing variation.
• Grants Commission	<u>62,762</u>	Permanent variation – reduction in grant.
• Local Roads Grants	<u>(18,428)</u>	Permanent variation – increase in grant.
<u>Grants - Non-Recurrent</u>		
• 2012 Flood Recovery Grant	<u>(397,974)</u>	Favourable timing variation claimed worked completed in 2013.
• Local Government Infrastructure Program	<u>(469,000)</u>	Timing variation – grant received in advance.
• Heritage Study grant	<u>(16,000)</u>	Grant received for 2013 and 2014
• Destination Planning For the Goulburn River Valley region Project	<u>(45,000)</u>	Timing variation – grant received in advance.
• Grant LGEEP Hot Water Systems	<u>(15,587)</u>	Grant received work now included Capital Works 2014



**FINANCIAL OVERVIEW - FIVE MONTHS ENDED 30 NOVEMBER 2013**

Other Revenue

- Interest on Investments (12,701) Permanent variation expected.
- Insurance Recovery (19,423) Permanent variation – offset to expenditure.

**Expense**

Employee (132,021) Corporate and Community 50k savings in salary to be redirected to contract and materials as alternate delivery method.

Contracts and Materials

Shire wide Economic Development Strategy	(55,000)	Timing variance
Repositioning Nagambie Post Bypass	(20,000)	Timing variance
Compliance Contract	(19,206)	Timing of payment.
Annual Maintenance ICT Software& Systems	(88,000)	Timing of payment
Nagambie Main Street	(159,000)	Funding issue and timing variance
Condition assessments various reports	(23,332)	Timing variance
Fire Access tracks	(30,000)	Timing of works variation.
Garbage Collection	(30,289)	Timing variance in contract payments
Recycling Collection	(22,141)	
HACC Program costs	(81,000)	Timing variation - expenditure YTD down on service budget.
Meals on Wheels	(23,797)	Billing variance
Parks and reserves operations	(100,000)	Billing variance
Roads and Bridges Maintenance	(104,000)	Timing variance
Roadside Pest & Weed Management	(31,384)	Works yet to occur
Works Unit Depot Maintenance	(33,000)	Timing variance
Income Protection Insurance	71,000	Timing variance paid insurance for discount

**STRATHBOGIE SHIRE COUNCIL****Profit and Loss Statement 2013/2014**

	<b>Adopted Budget 2013/2014</b>	<b>YTD Budget 30 Nov 2013</b>	<b>YTD Actual 30 Nov 2013</b>	<b>Variance 30 Nov 2013</b>
<b>REVENUE</b>				
Rates and Charges	15,237,300	15,237,300	15,143,915	93,385
Statutory Fees & Fines	297,900	114,997	136,249	(21,252)
User Fees	1,311,400	484,314	385,611	98,703
Contributions	113,330	74,995	201,444	(126,449)
Grants - Recurrent	4,800,971	2,049,800	2,134,281	(84,481)
Grants - Non-recurrent	3,988,700	2,150,244	3,031,717	(881,473)
Other Revenue	218,700	117,375	185,241	(67,866)
Operating Revenue Total	<b>25,968,301</b>	<b>20,229,025</b>	<b>21,218,458</b>	<b>(989,433)</b>
Net Loss on Disposal Assets	(551,000)	544,822	-	544,822
Proceeds from sale of assets	-	-	92,619	(92,619)
Total Revenue	<b>25,417,301</b>	<b>20,773,847</b>	<b>21,311,077</b>	<b>(537,230)</b>
<b>EXPENDITURE</b>				
Employee	9,609,200	<b>4,003,825</b>	3,871,804	(132,021)
Contracts, Materials & Services	11,325,505	<b>4,368,981</b>	3,317,666	(1,051,315)
Depreciation	4,693,900	<b>1,789,111</b>	1,789,897	786
Finance	149,884	<b>62,454</b>	64,481	2,027
Other Expenses	170,800	13,972	60,477	46,505
WDV Infrastructure Renewed	400,000	3,492	-	(3,492)
	<b>26,349,289</b>	<b>10,241,835</b>	<b>9,104,325</b>	<b>(1,137,510)</b>
<b>Surplus/Deficit</b>	<b>(931,988)</b>	<b>10,532,012</b>	<b>12,206,752</b>	<b>(1,674,740)</b>

**STRATHBOGRIE SHIRE COUNCIL****Balance Sheet 2013/2014**

	<b>Adopted Budget 2013/2014</b>	<b>November 2013</b>
<b><u>Current Assets</u></b>		
Cash and cash equivalents	5,123,000	12,214,772
Trade and other receivables	1,597,000	9,764,467
Other Assets	351,000	1,325
Inventories	118,000	13,504
Non- current assets for resale	-	-
<b>Total Current Assets</b>	<b><u>7,189,000</u></b>	<b><u>21,994,068</u></b>
<b><u>Non-Current Assets</u></b>		
Financial assets	2,000	2,032
Investments in associates	156,000	212,251
Property, plant and equipment,infrastructure	224,495,000	225,294,657
<b>Total Non-Current Assets</b>	<b><u>224,653,000</u></b>	<b><u>225,508,940</u></b>
<b>Total Assets</b>	<b><u>231,842,000</u></b>	<b><u>247,503,008</u></b>
<b><u>Current Liabilities</u></b>		
Trade and other payables	2,007,000	256,164
Trust funds and deposits	420,000	486,528
Fire Services Property Levy Provisions	-	1,284,608
Provisions	2,273,000	2,747,289
Interest bearing loans and borrowings	611,000	275,472
<b>Total Current Liabilities</b>	<b><u>5,311,000</u></b>	<b><u>5,050,061</u></b>
<b><u>Non-Current Liabilities</u></b>		
Trust funds and deposits	68,000	67,980
Provisions	590,000	393,471
Interest bearing loans and borrowings	2,137,000	1,948,076
<b>Total Non-Current Liabilities</b>	<b><u>2,795,000</u></b>	<b><u>2,409,527</u></b>
<b>Total Liabilities</b>	<b><u>8,106,000</u></b>	<b><u>7,459,588</u></b>
<b>Net Assets</b>	<b><u>223,736,000</u></b>	<b><u>240,043,420</u></b>
<b><u>Equity</u></b>		
Accumulated Surplus	73,969,000	73,736,341
Reserves	150,699,000	154,099,552
<b>Total Equity</b>	<b><u>224,668,000</u></b>	<b><u>227,835,893</u></b>

**STRATHBOGRIE SHIRE COUNCIL****Cash Flow Statement for 5 Months ended 30 November 2013**

	<b>Budget \$'000</b>	<b>Nov-13</b>
	<b>Inflows (Outflows)</b>	<b>Inflows (Outflows)</b>
<b>Cash flows from operating activities</b>		
Rates and charges	15,237	7,839,199
Statutory fees and fines	298	136,249
User fees	1,311	369,321
Contributions	115	201,444
Grants	8,789	5,165,998
Interest	200	185,242
Other receipts	19	
Net GST refund/overpayment	0	467,574
Payments to suppliers	(11,048)	(3,898,427)
Payments to employees (including redundancies)	(9,737)	(3,871,804)
Other payments	(319)	(60,477)
<b>Total cash outflows from operating activities</b>	<b>4,865</b>	<b>6,534,319</b>
<b>Cash flows from investing activities</b>		
Payments for property, plant and equipment, infrastructure	(8,909)	(1,741,943)
Payments for landfill rehabilitation	(525)	-
Proceeds sales of property, plant and equip, infrastructure	1,450	92,619
<b>Net cash used in investing activities</b>	<b>(7,984)</b>	<b>(1,649,324)</b>
<b>Cash flows from financing activities</b>		
Finance costs	(150)	(64,482)
Trust funds and deposits	-	-
Proceeds from interest bearing loans and borrowings	800	-
Repayment of interest bearing loans and borrowings	(468)	(193,093)
<b>Net cash provided by (used in) financing activities</b>	<b>182</b>	<b>(257,575)</b>
Net cash provided by (used in) financing activities		
<b>Net decrease in cash and cash equivalents</b>	<b>(2,937)</b>	<b>4,627,420</b>
<b>Cash and cash equivalents at 30/06/2013</b>	<b>8,060</b>	<b>7,587,352</b>
<b>Cash and cash equivalents at end of year/month</b>	<b>5,123</b>	<b>12,214,772</b>

Strathbogie Shire Council 2014 Capital Works Program Actual / Budget Summary 30 November 2013	Adopted Budget Total 2013/14	YTD Budget 30/12/2013	YTD Actual 30/12/2013	YTD Variance	YTD Budget Variance %
<b>Capital</b>					
Underground Drainage	120,000	48,751	33,271	15,480	31.75
Waste Management	0	0	7,730	-7,730	(100.00)
Buildings - Municipal Properties	1,272,500	328,827	191,259	137,568	41.83
Bridge Construction	932,900	325,176	195,147	130,029	39.98
Land	1,913,540	407,150	344,350	62,800	15.42
Footpaths	54,000	22,500	23,207	-707	(3.14)
Plant & Machinery	667,000	226,752	115,448	111,304	49.08
Other Furniture and Equipment	111,270	46,365	154,711	-108,346	(233.68)
Information Technology	419,500	174,795	25,162	149,633	85.60
Reseals - Urban	0	0	616	-616	(100.00)
Reseals - Rural	1,474,351	304,351	33,256	271,095	89.07
Pavement Rehabilitation Program	1,085,286	300,000	0	300,000	100.00
Road General	627,393	261,415	127,067	134,348	51.39
Gravel Resheeting	231,130	0	0	0	0.00
Flood Restoration Works	0	0	45,782	-45,782	(100.00)
February 2012 Flood Restoration W	0	0	198,998	-198,998	(100.00)
Buildings - Municipal Properties	0	0	18,337	-18,337	(100.00)
<b>Total Capital</b>	<b>\$ 8,908,870</b>	<b>\$ 2,446,082</b>	<b>\$ 1,514,341</b>	<b>\$ 931,741</b>	<b>38.09</b>
<b>Asset Type Breakdown</b>					
Asset Renewal 2014	5,126,960	1,509,899	730,299		
Asset Upgrade 2014	1,761,640	397,902	424,643		
Asset New 2014	2,020,270	538,281	359,399		
	<b>\$ 8,908,870</b>	<b>\$ 2,446,082</b>	<b>\$ 1,514,341</b>		
<b>Report Total :</b>	<b>\$ 8,908,870</b>	<b>\$ 2,446,082</b>	<b>\$ 1,514,341</b>	<b>\$ 931,741</b>	<b>38.09</b>



**Strathbogrie Shire Council  
 Account Management Report  
 for year to November 2013 (actuals as at 06 December 13 - 42% of year)**

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Ann. Bud. Less YTD Actual
<b>Capital Land</b>					
22001 Euroa Flood Mitigation Works	\$66,000	\$27,500	\$10,443	\$17,057	\$55,557
22006 Violet Town Flood Mitigation Works: Stage 2	\$504,000	\$126,000	\$6,400	\$116,141	\$494,141
22008 Violet Town Flood Mitigation Works, Survey & Design Stage 1	\$61,600	\$25,655	\$33,520	-\$7,855	\$28,080
22009 Euroa Seven Creeks Park Replanting	\$10,700	\$2,676	\$3,829	-\$9,100	-\$1,076
22011 Land Purchases Capital Works 2013/14	\$240,000	\$60,000	\$37,000	\$23,000	\$203,000
22012 Euroa Saleyard Extension 2013/14	\$475,000	\$20,000	\$18,113	\$1,888	\$456,888
22013 Nagambie Depot Improvements/ Rehab	\$631,240	\$132,810	\$235,046	-\$154,158	\$244,272
22014 Euroa Bicentennial Park Fence	\$15,000	\$10,000	\$0	\$10,000	\$15,000
22015 Violet Town Tennis Court/Netball Court Drainage	\$10,000	\$2,469	\$0	\$2,498	\$10,000
<b>Total Land</b>	<b>\$1,913,540</b>	<b>\$407,160</b>	<b>\$344,350</b>	<b>-\$529</b>	<b>\$1,569,190</b>
<b>Buildings - Municipal Properties</b>					
20031 Euroa Depot - Toilet Block	\$3,800	\$951	\$0	\$951	\$3,800
20032 Violet Town Reserve - Toilets	\$3,000	\$1,250	\$0	\$1,250	\$3,000
20036 Euroa Caravan Park Site Development	\$25,000	\$10,415	\$8,522	\$1,053	\$15,638
20038 Euroa Saleyard Improvements	\$22,700	\$9,460	\$0	\$9,460	\$22,700
20042 Violet Town Library Complex	\$480,000	\$0	\$0	\$0	\$480,000
20043 Euroa Office Energy Retrofit	\$72,000	\$6,750	\$0	\$6,750	\$21,000
20047 Euroa Depot Relocation	\$30,000	\$30,000	\$27,750	\$2,250	\$44,250
20048 Violet Town Reserve Tennis Pavilion (White Ants)	\$26,000	\$16,561	\$5,416	\$11,085	\$20,584
20049 Violet Town - Swimming Pool - Shade Structure	\$8,000	\$6,000	\$0	\$6,000	\$8,000
20050 Violet Town Reserve Toilet Block	\$15,000	\$3,750	\$0	\$3,750	\$15,000
20051 Euroa Swimming Pool Filter Replacement	\$120,000	\$60,000	\$55,800	\$5,200	\$15,000
20052 Euroa Bowling Club - White Ants Stage 2	\$29,000	\$29,000	\$20,158	\$8,842	\$8,842
20053 Nagambie High Street Toilets Improvements	\$20,000	\$5,001	\$0	\$5,001	\$20,000
20054 Euroa Civic Centre - Aircon/Heating office	\$32,000	\$32,000	\$14,179	\$6,763	\$6,763
20055 Euroa Works Depot Sewer Reticulation Connection	\$30,000	\$7,500	\$0	\$7,500	\$30,000
20056 Nagambie RSL Roof, part replacement	\$15,000	\$3,750	\$0	\$3,750	\$15,000
20057 Nagambie Rec Reserve Floor covering	\$10,000	\$2,469	\$0	\$2,469	\$10,000
20058 Euroa Community Conference Centre	\$100,000	\$10,000	\$36,290	-\$26,290	\$26,290
20059 Euroa Cinema Upgrade	\$70,000	\$23,144	\$23,144	\$6,874	\$36,874
20060 Euroa Seventeen Creek Park Facilities Development	\$250,000	\$20,000	\$0	\$16,200	\$246,200
<b>Total Buildings - Municipal Properties</b>	<b>\$1,272,500</b>	<b>\$328,827</b>	<b>\$191,259</b>	<b>\$23,387</b>	<b>\$1,081,241</b>
<b>Furniture and Equipment (Inc. Info. Services)</b>					
<b>Other Furniture and Equipment</b>					
20046 Black Cavalier Statue (Grant Funded & Private Works)	\$75,270	\$31,365	\$138,894	-\$108,329	-\$54,424
26034 Nagambie Lakes Canoe Polo (grant funded)	\$36,000	\$15,000	\$15,817	-\$7,817	\$13,183
<b>Total Other Furniture and Equipment</b>	<b>\$111,270</b>	<b>\$46,365</b>	<b>\$154,711</b>	<b>-\$116,146</b>	<b>-\$43,441</b>
<b>Information Technology</b>					
26012 Hardware Replacement Program	\$132,200	\$55,065	\$18,659	\$36,386	\$113,501
26018 Regional Shared Services Infrastructure Including	\$15,000	\$6,250	\$0	\$6,250	\$15,000

**Strathbogie Shire Council**  
**Account Management Report**  
for year to November 2013 (actuals as at 06 December 13 - 42% of year)

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Ann. Bud. Less YTD Actual
Disaster Recovery					
26030 Aerial Photography	\$36,000	\$15,000	\$0	-\$10,883	\$10,317
26033 HACC Minor Grant (grant funded)	\$50,000	\$20,835	\$0	\$20,835	\$50,000
26036 Corporate Business Efficiency	\$139,800	\$58,250	\$6,483	\$51,787	\$133,337
26037 External Record Management	\$11,500	\$4,750	\$0	\$4,750	\$11,500
26038 Software Capital New Investment	\$35,000	\$14,385	\$0	\$14,385	\$35,000
<b>Total Information Technology</b>	<b>\$419,500</b>	<b>\$174,795</b>	<b>\$25,162</b>	<b>\$123,951</b>	<b>\$394,338</b>
<b>Total Furniture and Equipment (Inc. Info. Services)</b>	<b>\$530,770</b>	<b>\$221,160</b>	<b>\$179,873</b>	<b>\$7,804</b>	<b>\$350,897</b>
<b>Plant &amp; Machinery</b>					
28006 Plant Replacement (Strathcon)	\$500,000	\$125,001	\$0	\$125,001	\$500,000
28007 Motor Vehicle Fleet Replacement	\$167,000	\$101,751	\$115,448	-\$13,697	\$61,552
<b>Total Plant &amp; Machinery</b>	<b>\$667,000</b>	<b>\$226,752</b>	<b>\$115,448</b>	<b>\$111,304</b>	<b>\$551,552</b>
<b>Bridge Construction</b>					
23005 Mitchellstown Road Bridge	\$315,000	\$131,250	\$0	\$131,250	\$315,000
23006 Nelson's Road Bridge	\$58,000	\$12,888	\$66,535	-\$55,847	-\$10,535
23007 Horse Gully Road Bridge Replacement	\$90,000	\$37,500	\$0	\$37,500	\$90,000
23008 Heales Road - Deck Replacement	\$0	\$0	\$3,219	-\$3,219	\$3,219
23009 Walkers Road Bridge Replacement	\$87,900	\$28,280	\$114,063	-\$85,773	-\$46,163
23014 Leekies Rd Wooden Bridge	\$31,000	\$0	\$0	-\$37,273	-\$6,273
23015 Erosion & Kerb works	\$17,000	\$4,251	\$0	\$4,251	\$17,000
23016 Geodetic Rd Timber Deck	\$8,000	\$1,500	\$0	\$1,500	\$8,000
23017 Bridge Abutments & Pipes	\$43,000	\$10,749	\$0	\$10,749	\$43,000
23018 Delatite Country Road Bridge	\$30,000	\$9,330	\$0	\$9,330	\$30,000
23019 Harrison's Road Bridge Overlay	\$60,000	\$15,000	\$0	\$15,000	\$60,000
23020 Bridge Overlays	\$70,000	\$17,489	\$0	\$17,489	\$70,000
23021 Leekies Road Concrete Bridge Overlay	\$145,000	\$36,249	\$0	\$36,249	\$145,000
<b>Total Bridge Construction</b>	<b>\$932,900</b>	<b>\$325,176</b>	<b>\$195,147</b>	<b>\$85,620</b>	<b>\$737,753</b>
<b>Underground Drainage</b>					
24007 Negamble Industrial Area - Scooping	\$20,000	\$0	\$472	-\$472	\$19,528
24008 Negamble Industrial Area: Drainage	\$75,000	\$23,751	\$6,310	\$17,441	\$88,690
24011 Euroa Burns Avenue - Drainage Outfall	\$25,000	\$25,000	\$26,489	-\$1,489	-\$1,489
<b>Total Underground Drainage</b>	<b>\$120,000</b>	<b>\$48,751</b>	<b>\$33,271</b>	<b>\$15,480</b>	<b>\$86,729</b>
<b>Waste Management</b>					
27800 Violet Town Landfill Cap and Closure	\$0	\$0	\$7,730	-\$7,730	-\$7,730
<b>Total Waste Management</b>	<b>\$0</b>	<b>\$0</b>	<b>\$7,730</b>	<b>-\$7,730</b>	<b>-\$7,730</b>
<b>Footpaths</b>					
27003 Euroa Northern Town Entrance - Unsealed Footpath	\$0	\$0	\$23,207	-\$23,207	-\$23,207
27004 Euroa Weir Street Footpath	\$12,000	\$5,000	\$0	\$5,000	\$12,000
27005 Euroa Elliot Street Footpath	\$3,000	\$1,250	\$0	\$1,250	\$3,000

**Strathbogie Shire Council**  
**Account Management Report**  
**for year to November 2013 (actuals as at 06 December 13 - 42% of year)**

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Ann. Bud. Less YTD Actual
27006 Nagambie High Street Footpath	\$18,000	\$7,500	\$0	\$7,500	\$18,000
27007 Euroa Binney Street Footpath	\$21,000	\$8,750	\$0	\$8,750	\$21,000
<b>Total Footpaths</b>	<b>\$54,000</b>	<b>\$22,500</b>	<b>\$23,207</b>	<b>-\$707</b>	<b>\$30,793</b>
<b>Roads</b>					
<b>Roads and Street Resealing</b>					
<b>Reseals - Urban</b>					
25031.014 Barwon Street Ch 76 - 406	\$0	\$0	\$74	-\$74	-\$74
25031.0142 Blayney Lane Ch 632-795	\$0	\$0	\$37	-\$37	-\$37
25031.0143 Bryde Street Ch 0-128	\$0	\$0	\$37	-\$37	-\$37
25031.015 Henry Street Ch 470-639	\$0	\$0	\$270	-\$270	-\$270
25031.0155 Marie Street Ch 122-202	\$0	\$0	\$37	-\$37	-\$37
25031.0157 Park Street Ch 0-145	\$0	\$0	\$37	-\$37	-\$37
25031.0158 Park Street Ch 360-575	\$0	\$0	\$37	-\$37	-\$37
25031.016 Robinson Street Ch 0-222	\$0	\$0	\$37	-\$37	-\$37
25031.0162 Rose Street Nth Bnd Causeway Ch 244-309	\$0	\$0	\$48	-\$48	-\$48
<b>Total Reseals - Urban</b>	<b>\$0</b>	<b>\$0</b>	<b>\$616</b>	<b>-\$616</b>	<b>-\$616</b>
<b>Reseals - Rural</b>					
24999 Resealing Budget	\$1,474,351	\$304,351	\$0	\$304,351	\$1,474,351
25040.004 Avenel Longwood Road Ch 23895-24710	\$0	\$0	\$324	-\$324	-\$324
25040.005 Balmattum Church Road Ch 1750-1770	\$0	\$0	\$224	-\$224	-\$224
25040.006 Balmattum Church Road Ch 1770-2565	\$0	\$0	\$331	-\$331	-\$331
25040.007 Balmattum Church Road Ch 2565-2775	\$0	\$0	\$145	-\$145	-\$145
25040.008 Boho Church Road Ch 9015-9825	\$0	\$0	\$242	-\$242	-\$242
25040.01 Bonnie Doon Road Ch 0-1520	\$0	\$0	\$475	-\$475	-\$475
25040.011 Bonnie Doon Road Ch 1520-3250	\$0	\$0	\$1,388	-\$1,388	-\$1,388
25040.012 Boundary Hill Road Ch 1130-1360	\$0	\$0	\$214	-\$214	-\$214
25040.015 Creightons Creek Road Ch 15730-17210	\$0	\$0	\$600	-\$600	-\$600
25040.02 Euroa Strathbogie Road Ch 20180-21270	\$0	\$0	\$808	-\$808	-\$808
25040.027 Goulburn Weir Murchison Road Ch 1397-1620	\$0	\$0	\$793	-\$793	-\$793
25040.028 Goulburn Weir Murchison Road Ch 1640-2434	\$0	\$0	\$4,075	-\$4,075	-\$4,075
25040.029 Goulburn Weir Murchison Road Ch 2690-3343	\$0	\$0	\$1,351	-\$1,351	-\$1,351
25040.031 Goulburn Weir Murchison Road Ch 4010-4035	\$0	\$0	\$1,838	-\$1,838	-\$1,838
25040.032 Goulburn Weir Murchison Road Ch 4035-4326	\$0	\$0	\$1,834	-\$1,834	-\$1,834
25040.033 Goulburn Weir Murchison Road Ch 4326-4964	\$0	\$0	\$811	-\$811	-\$811
25040.035 Goulburn Weir Road Ch 75-1310	\$0	\$0	\$5,106	-\$5,106	-\$5,106
25040.037 Grimwade Road Ch 0-1285	\$0	\$0	\$37	-\$37	-\$37
25040.038 Grimwade Road Ch 1305-1485	\$0	\$0	\$1,350	-\$1,350	-\$1,350
25040.039 Grimwade Road Ch 1485-3115	\$0	\$0	\$37	-\$37	-\$37
25040.04 Grimwade Road Ch 3135-3215	\$0	\$0	\$74	-\$74	-\$74
25040.041 Harrys Creek Road Ch 12645-13610	\$0	\$0	\$1,161	-\$1,161	-\$1,161
25040.042 Harrys Creek Road Ch 15335-15430	\$0	\$0	\$145	-\$145	-\$145
25040.043 Harrys Creek Road Ch 15430-15450	\$0	\$0	\$48	-\$48	-\$48
25040.049 Longwood-Shepparton Road Ch 230-295	\$0	\$0	\$0	-\$0	-\$0
25040.05 McDiarmids Road Ch 3350-4730	\$0	\$0	\$556	-\$556	-\$556



**Strathbogie Shire Council**  
**Account Management Report**  
**for year to November 2013 (actuals as at 06 December 13 - 42% of year)**

	Annual Budget	YTD Budget	YTD Actual	Variance	YTD Ann. Bud. Less YTD Actual
25040.051	\$0	\$0	\$1,139	-\$1,139	-\$1,139
25040.054	\$0	\$0	\$329	-\$329	-\$329
25040.055	\$0	\$0	\$1,113	-\$1,113	-\$1,113
25040.056	\$0	\$0	\$869	-\$869	-\$869
25040.057	\$0	\$0	\$1,662	-\$1,662	-\$1,662
25040.06	\$0	\$0	\$800	-\$800	-\$800
25040.063	\$0	\$0	\$1,590	-\$1,590	-\$1,590
25040.101	\$0	\$0	\$33	-\$33	-\$33
25040.102	\$0	\$0	\$216	-\$216	-\$216
25040.103	\$0	\$0	\$67	-\$67	-\$67
25040.105	\$0	\$0	\$1,472	-\$1,472	-\$1,472
<b>Total Reseals - Rural</b>	<b>\$1,474,351</b>	<b>\$304,351</b>	<b>\$33,256</b>	<b>\$236,599</b>	<b>\$1,441,095</b>
<b>Pavement Rehabilitation Program</b>					
25920	\$1,085,286	\$300,000	\$0	\$300,000	\$1,085,286
<b>Total Pavement Rehabilitation Program</b>	<b>\$1,085,286</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$300,000</b>	<b>\$1,085,286</b>
<b>Total Roads and Street Resealing</b>	<b>\$2,559,637</b>	<b>\$604,351</b>	<b>\$33,872</b>	<b>\$535,993</b>	<b>\$2,525,765</b>
<b>Road General</b>					
23050	\$24,500	\$10,210	\$0	\$10,210	\$24,500
23051	\$75,000	\$31,250	\$0	\$31,250	\$75,000
23052	\$2,000	\$2,915	\$7,559	-\$4,644	-\$659
23053	\$25,000	\$10,415	\$0	\$10,415	\$25,000
23054	\$10,000	\$4,165	\$192	\$3,791	\$9,628
23055	\$80,000	\$33,335	\$0	\$33,335	\$80,000
23066	\$15,000	\$6,250	\$0	\$6,250	\$15,000
23904	\$0	\$0	-\$21	\$21	\$21
25905	\$0	\$0	\$1,440	-\$1,440	-\$1,440
25907	\$23,400	\$9,750	\$52,600	-\$42,850	-\$29,200
25908	\$20,000	\$6,335	\$26,158	-\$17,823	-\$6,158
25909	\$15,000	\$6,250	\$31,252	-\$25,002	-\$16,252
25910	\$8,300	\$3,460	\$0	\$3,460	\$8,300
25912	\$0	\$0	\$500	-\$500	-\$500
25913	\$20,000	\$6,335	\$7,093	\$1,243	\$12,908
25914	\$0	\$0	-\$248	\$248	\$248
25916	\$56,100	\$23,375	\$0	\$23,375	\$56,100
25917	\$15,000	\$6,250	\$0	\$6,250	\$15,000
25918	\$60,000	\$25,000	\$0	\$25,000	\$60,000
25919	\$60,000	\$25,000	\$0	\$25,000	\$60,000
25921	\$35,000	\$14,585	\$0	\$14,585	\$35,000
25950	\$21,293	\$8,870	\$0	\$8,870	\$21,293
25951	\$20,800	\$8,665	\$0	\$8,665	\$20,800
25952	\$11,000	\$4,585	\$0	\$4,585	\$11,000
25953	\$25,000	\$10,415	\$541	\$9,874	\$24,459

**Strathbogie Shire Council**  
**Account Management Report**  
for year to November 2013 (actuals as at 06 December 13 - 42% of year)

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Ann. Bud. Less YTD Actual
<b>Gravel Resheeting</b>					
25202.004 Wathing-Euroa Road Ch 7830-8820	\$231,130	\$0	\$0	\$0	\$231,130
<b>Total Gravel Resheeting</b>	\$231,130	\$0	\$0	\$0	\$231,130
<b>Flood Restoration Works</b>					
2023044.064 Harry's Creek Road - 2010 Flood (Culverts)	\$0	\$0	\$6,576	-\$6,576	-\$6,576
2023334.0412 2010 Flood Saleyards Road (Culverts)	\$0	\$0	\$39,206	-\$39,206	-\$39,206
<b>Total Flood Restoration Works</b>	\$0	\$0	\$45,782	-\$45,782	-\$45,782
<b>February 2012 Flood Restoration Works</b>					
25510 Sugarloaf Road - 2012 Flood (Roads)	\$0	\$0	\$3,240	-\$3,240	-\$3,240
25584 Pranjip Road - 2012 Flood (Roads)	\$0	\$0	\$4,550	-\$4,550	-\$4,550
25608 Drysdale Road - 2012 Flood (Roads)	\$0	\$0	\$4,927	-\$4,927	-\$4,927
25610 Flood Damage Bridge repairs - Earthworks/Beaching - 2012 Flood (Roads)	\$0	\$0	\$11,958	-\$11,958	-\$11,958
25611 Flood Damage Bridge repairs - Culvert installation - 2012 Flood (Roads)	\$0	\$0	\$30,771	-\$30,771	-\$30,771
25612 Flood Damage Bridge repairs - Material Cartage - 2012 Flood (Roads)	\$0	\$0	\$270	-\$270	-\$270
25613 Flood Damage Bridge repairs - Signage - 2012 Flood (Roads)	\$0	\$0	\$1,671	-\$1,671	-\$1,671
25614 Flood Damage Bridge repairs - Handrails - 2012 Flood (Roads)	\$0	\$0	\$1,909	-\$1,909	-\$1,909
25615 Flood Damage Bridge repairs - Vegetation removal - 2012 Flood (Roads)	\$0	\$0	-\$121	\$121	\$121
25616 Flood Damage Bridge repairs - Bridge decking/abutment works - 2012 Flood (Roads)	\$0	\$0	\$13,500	-\$13,500	-\$13,500
25619 Painters Road - 2012 Flood (Roads)	\$0	\$0	\$11,050	-\$11,050	-\$11,050
25625 Longwood Gobur Road - 2012 Flood (Roads)	\$0	\$0	\$53,760	-\$53,760	-\$53,760
25626 Syms Road - 2012 Flood (Roads)	\$0	\$0	\$2,045	-\$2,045	-\$2,045
25627 Grimwade Road 2012 Flood (Roads)	\$0	\$0	\$29,625	-\$29,625	-\$29,625
25630 Crosbie Lane 2012 Flood (Roads)	\$0	\$0	\$2,080	-\$2,080	-\$2,080
25632 Longwood Mansfield Road 2012 Flood (Roads)	\$0	\$0	\$27,764	-\$27,764	-\$27,764
<b>Total February 2012 Flood Restoration Works</b>	\$0	\$0	\$198,998	-\$198,998	-\$198,998
<b>Total Roads</b>	\$3,418,160	\$865,766	\$405,719	\$346,704	\$3,012,441

**CAPEXP adjustments since adoption**

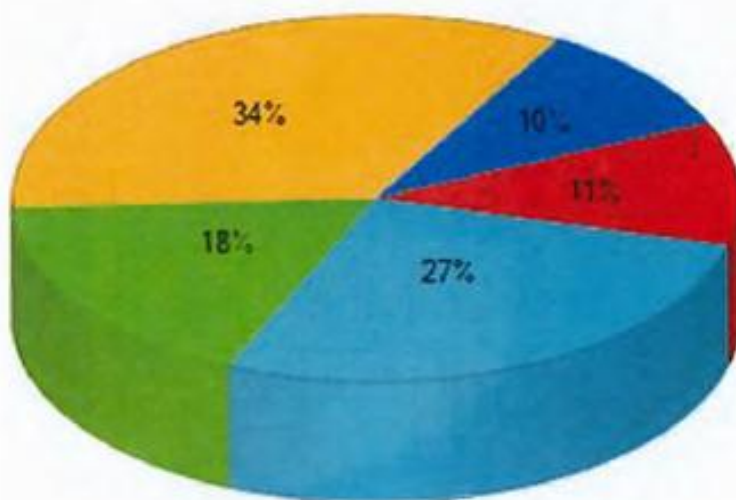
Buildings - Municipal Properties	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Ann. Bud. Less YTD Actual
20061 Boho Hall upgrade hot water LGEEP	\$0	\$0	\$3,572	-\$3,572	-\$3,572
20062 Gooram Hall upgrade hot water LGEEP	\$0	\$0	\$4,049	-\$4,049	-\$4,049
20063 Strathbogie Hall upgrade/install hot water system LGEEP	\$0	\$0	\$3,572	-\$3,572	-\$3,572
20064 Miespill Hall upgrade/install hot water system LGEEP	\$0	\$0	\$3,572	-\$3,572	-\$3,572
20065 Mielionemby Hall upgrade/install hot water system	\$0	\$0	\$3,572	-\$3,572	-\$3,572

**Strathbogie Shire Council**  
**Account Management Report**  
for year to November 2013 (actuals as at 06 December 13 - 42% of year)

	Annual Budget	YTD Budget	YTD Actual	YTD Variance	Ann. Bud. Less YTD Actual
LGEEP					
Total Buildings - Municipal Properties	\$0	\$0	\$18,337	-\$18,337	-\$18,337
Total CAPEXP adjustments since adoption	\$0	\$0	\$18,337	-\$18,337	-\$18,337
<b>Total Capital</b>	\$8,908,870	\$2,446,082	\$1,514,341	\$662,996	\$7,394,529
<b>Net Total</b>	<b>\$8,908,870</b>	<b>\$2,446,082</b>	<b>\$1,514,341</b>	<b>\$562,996</b>	<b>\$7,394,529</b>

**Strathbogie Shire Council**  
Cash and cash equivalents Sub Program  
Account Details  
For Period November

Investments 30 November 2013		YTD
Bank Account % split for Investments		Actual
60005 Investments: ANZ On-Call rates	10%	900,000.00
60006 Investments: ANZ Term Deposits	11%	1,000,000.00
60007 Investments: CBA Term Deposits	27%	2,500,000.00
60008 Investments: GMCU Term Deposits	18%	1,600,000.00
60009 Investments: NAB Term Deposits	34%	3,100,000.00
<b>Report Total :</b>		<b>\$9,100,000.00</b>



also 6 month investment Term \$1.2 Million LSL Investment Fund held with National Australia Bank

#### 9.7.4 Documents for Signing and Sealing

Documents are submitted for Council signing and sealing.

The details are as follows and are also included in Council's Seal Register:-

FILE NO.	DOCUMENT DESCRIPTION	NO. OF COPIES
Contract No. 13/14-04	Deed of Agreement between Strathbogie Shire Council and Kernow Environmental Services for 'Provision of Environmental Health Services'	2
Contract No. 12/13-05	Deed of Agreement between Strathbogie Shire Council and Edge Digital Technology for 'Euroa Community Cinema Digital Upgrade Project'	2
15613	Heads of Agreement between Strathbogie Shire Council and Hans Visser for 'Castle Creek Levy Bank Easement Agreement'	2

#### **RECOMMENDATION**

**That the Documents be signed and affixed with the Common Seal of Strathbogie Shire Council.**

*18/14 CRS FURLANETTO/LITTLE : That the Recommendation be adopted.*

**CARRIED**

### **9.7.5 Business Management System**

The December 2013 Business Management System Report includes reports as follows:-

- Building Department – November 2013 Statistics
- Planning Department – Planning Permit Activity Monthly Responsible Authority Report (*Please note: these monthly statistics were not available from the Department of Transport, Planning and Local Infrastructure*)
- Confirm Customer Enquiry Flow – Report for November 2013
- Actioning of Council Resolutions – Status Report
- Outstanding Actions of Council Resolutions to 30 November 2013
- Review of Council Policies – November / December 2013
- Record of Assemblies of Councillors
- Record of Meetings of Section 86 Committees of Council received in the past month

By reporting on a monthly basis, Council can effectively manage any risks that may arise. The Business Management System will also incorporate Council's corporate goals and objectives.

#### **RECOMMENDATION**

**That the report be noted.**

*19/14 CRS FURLANETTO/WILLIAMS : That the Recommendation be adopted.*

**CARRIED**

## BUILDING APPROVALS

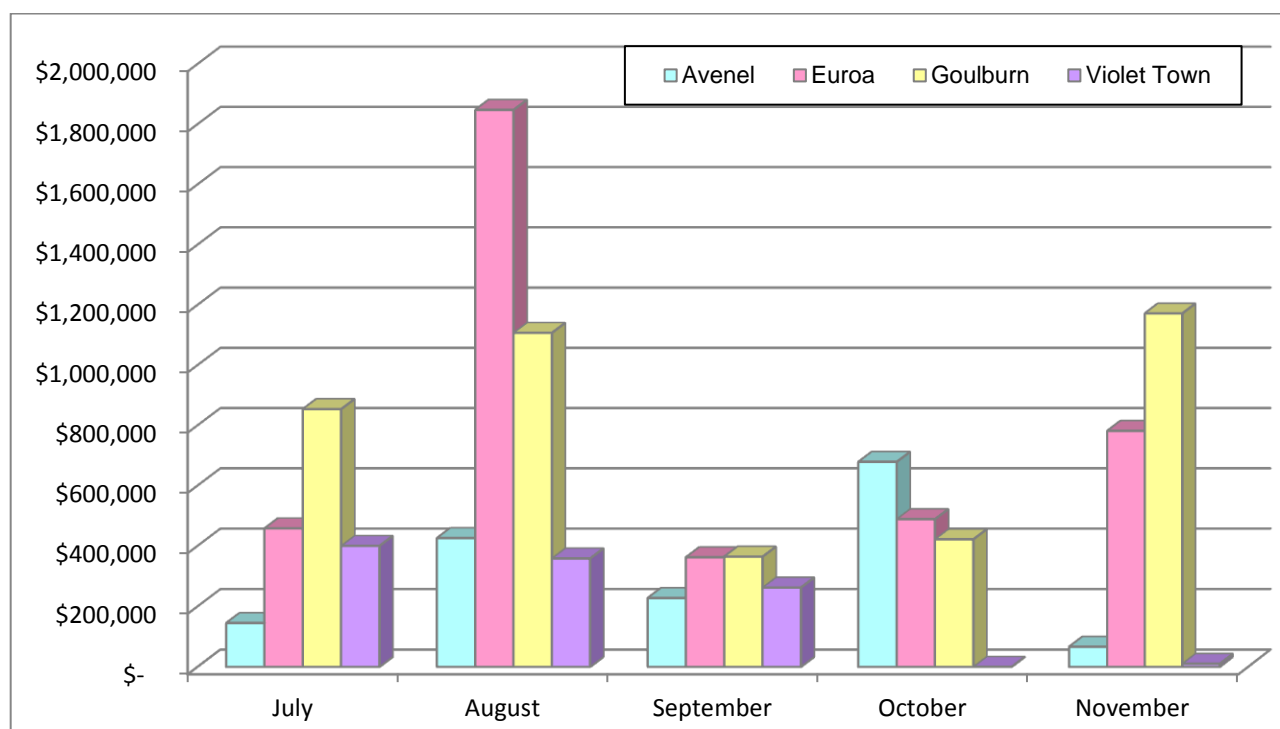
### NOVEMBER 2013

The value of Building approvals within the Shire of Strathbogie for the month of November totaled **\$2,029,429**

Expenditure involved largely works in the domestic sector with the majority of permits issued for dwellings and domestic sheds, 25 permits have been issued for the month.

Charts illustrating the distribution of building permit expenditure for 2013-2014 over the four localities within the Shire are below.

	July	August	September	October	November
<b>Avenel</b>	\$ 144,870	\$ 425,829	\$ 227,500	\$ 678,781	\$ 66,500
<b>Euroa</b>	\$ 457,865	\$ 1,847,657	\$ 362,506	\$ 488,549	\$ 781,534
<b>Goulburn</b>	\$ 853,901	\$ 1,107,093	\$ 364,439	\$ 421,849	\$ 1,171,395
<b>Violet Town</b>	\$ 400,006	\$ 358,584	\$ 262,218	\$ -	\$ 10,000
<b>Totals</b>	\$ 1,856,642	\$ 3,739,163	\$ 1,216,663	\$ 1,589,179	\$ 2,029,429



**CONFIRM CUSTOMER ENQUIRY FLOW**  
**- REPORT FOR NOVEMBER 2013**



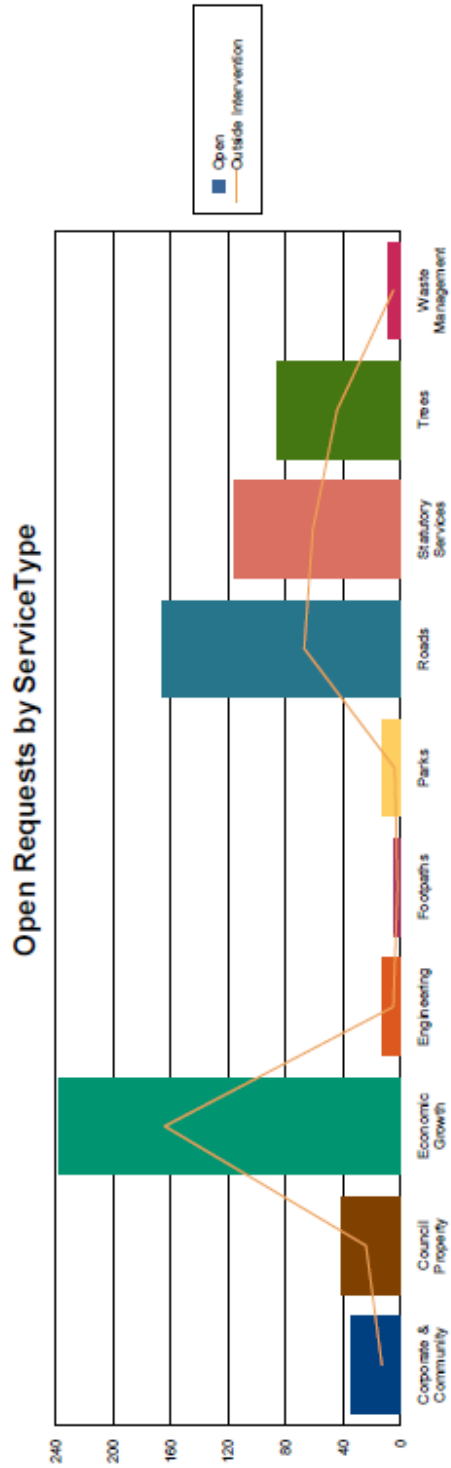
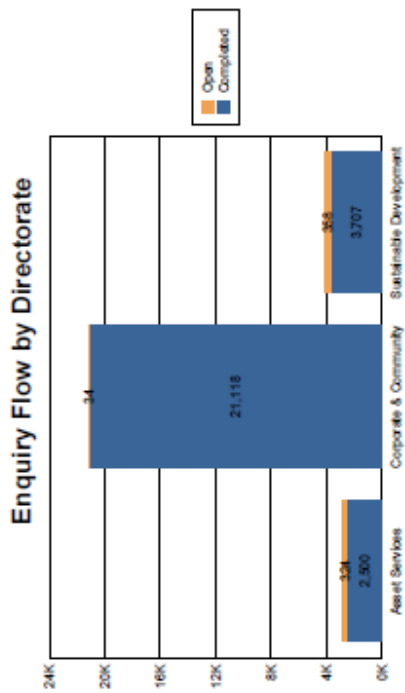
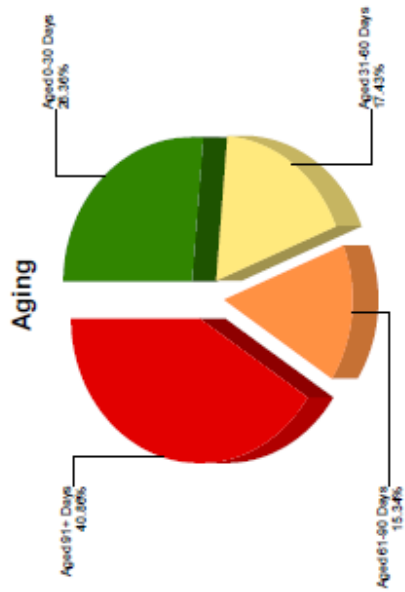
**Customer Enquiry Flow**

November 2013

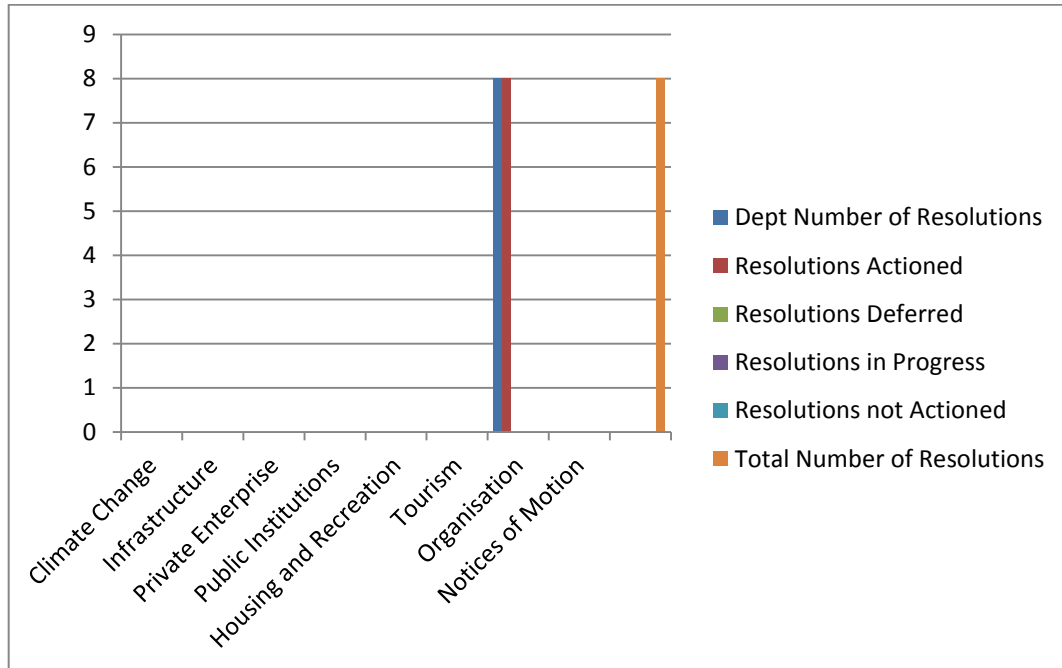
Service Type	Logged		Open		Logged		Open		Aged		Aged 91+	Open Outside Intervention
	Total	Open	Total	Open	2013-2014	2013-2014	2013-2014	Open	0-30	31-60		
Corporate & Community	21,152	34	1,699	15	9,049	30	15	2	11	6	13	
Council Property	470	41	32	16	203	32	16	9	3	13	24	
Economic Growth	1,928	237	124	48	762	211	48	61	49	80	164	
Engineering	135	12	8	1	64	10	1	3	3	5	5	
Footpaths	47	5	2	1	15	2	1	0	0	4	2	
Parks	83	12	3	2	29	8	2	3	2	5	4	
Roads	1,533	165	71	31	561	91	31	17	15	102	67	
Statutory Services	1,927	115	153	52	719	98	52	23	13	27	61	
Trees	328	86	27	22	98	50	22	6	11	47	44	
Waste Management	438	9	14	1	99	8	1	1	3	4	5	
	<b>28,041</b>	<b>716</b>	<b>2,133</b>	<b>189</b>	<b>11,599</b>	<b>540</b>	<b>189</b>	<b>125</b>	<b>110</b>	<b>293</b>	<b>389</b>	

Corporate & Community	Council Property Council Property Pest Control Public Art Public Lighting Safeyards Sign	Economic Growth	Events Planning Sub Divisions	Engineering	Engineering	Footpaths	Footpaths Furniture Road/Street/Footpaths	Open November	Parks	Parks Park/Reserve Playground State Forest/National Park	2013-2014	Roads	Bridges Drainage Emergency Call Out Naturestrip Roads Traffic Lights	2013-2014	Statutory Services	Building Animals - Domestic Animals - Other Environmental Protection Environmental Health Fire Grants Incident Infringement Review Local Laws Marine Safety Private Prop & Rural Roadside	2013-2014	Open 0-30	Aged 31-60	Aged 61-90	Aged 91+	Open Outside Intervention	Waste Management Waste Mngmt & Recycling	Tree
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**ACTIONING OF COUNCIL RESOLUTIONS**  
**COUNCIL MEETING – NOVEMBER 2013**



**OUTSTANDING ACTIONS OF COUNCIL RESOLUTIONS TO  
30 NOVEMBER 2013**

*This Report is to advise the Senior Management Team, Councillors and the community of the status of previous Council resolutions which are in progress but are yet to be finalised.*

Council Meeting Date	Item No. Description & Recommendation	Action to Date
<i>There are no report resolutions with outstanding actions yet to be finalised</i>		

**REVIEW OF EXISTING COUNCIL POLICIES  
AND ADOPTION OF NEW POLICIES**

Period of Review	Policy Name	Policy Number	Outcome
<i>There were no new Policies prepared or Policy reviews in the November / December period</i>			

## **RECORDS OF ASSEMBLIES OF COUNCILLORS**

### **For period 9 November to 6 December 2013**

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Councillors Forum

**Date of Meeting:** Thursday 7 November 2013

**Time:** 2.00 p.m. – 6.40 p.m.

#### **Attendees:**

##### Councillors

Debra Swan  
Colleen Furlanetto  
Malcolm Little  
Alister Purbrick (attended at 5.20 p.m.)  
Patrick Storer  
Graeme Williams  
Robin Weatherald

##### Officer/s

Chief Executive Officer  
Director, Asset Services  
Director, Corporate and Community  
Director, Sustainable Development  
Manager, Organisational Development

#### Matters discussed:

##### Declarations of Interest

1. Certificates of Service Presentations
2. Review of Local Laws
3. Euroa Medical Centre Concept Plan
4. Agenda Review
5. Assembly of Councillors
  - 5.1 Mayor & Chief Executive Officer Meetings Update / Other
  - 5.2 Councillors Meetings Attendances
  - 5.3 Matters raised by Councillors
  - 5.4 Gilberts Road, Longwood – Maintenance / Road Classification
  - 5.5 Expressions of Interest for Days Mill and Farm, Days Mill Historic Area, Murchison
  - 5.6 Cr Weatherald
    - Nagambie Locksley Road Widening Works
      - Response from Director, Asset Services
  - 5.7 Tender Evaluation for Euroa Swimming Pool
  - 5.8 Honouring our Heroes – potential removal of trees
  - 5.9 VC Goods and Services Auction – 16 November 2013
  - 5.10 Nagambie RSL – request for representative to attend Remembrance Day ceremony
6. Special / Statutory Meeting of Council

## Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Councillors Forum

**Date of Meeting:** Thursday 19 November 2013

**Time:** 1.30 p.m. – 7.00 p.m.

### **Attendees:**

#### Councillors

Debra Swan  
Colleen Furlanetto  
Malcolm Little  
Alister Purbrick (attended at 5.20 p.m.)  
Patrick Storer  
Graeme Williams  
Robin Weatherald

#### Officer/s

Chief Executive Officer  
Director, Asset Services  
Director, Corporate and Community  
Director, Sustainable Development  
Manager, Organisational Development

### Matters discussed:

#### Declarations of Interest

1. Councillors Discussions following Sustainability Workshop
2. Agenda Review
3. Briefing on Financial Report- October 2013
4. Assembly of Councillors
  - 4.1 Mayor & Chief Executive Officer Meetings Update / Other
  - 4.2 Councillors Meetings Attendances
  - 4.3 Matters raised by Councillors
  - 4.4 Gilberts Road, Longwood – letter of appreciation for maintenance / grading
5. Council Meeting

#### Declaration of Interest/s / Direct or Indirect

Matter No.	Names of Councillor/s who disclosed interest	Did the Councillor/s leave the meeting?
Item 2	Councillor Swan	Yes
Item 5 / 9.7.4	Councillor Swan	Yes

## Record of Assembly of Councillors

Record in accordance with sections 77 and 80A(1) of the *Local Government Act 1989*

*Note: Details of matters discussed at the meeting that have been designated confidential under section 77 of the Local Government Act 1989 are described in a separate "confidential addendum" that will be reported to the next closed Council meeting]*

**Name of Meeting:** Councillors Forum

**Date of Meeting:** Thursday 26 November 2013

**Time:** 1.15 p.m. – 4.30 p.m.

### **Attendees:**

#### Councillors

Debra Swan  
Colleen Furlanetto  
Malcolm Little  
Alister Purbrick (attended at 2.43 p.m.)  
Patrick Storer  
Graeme Williams  
Robin Weatherald

#### Officer/s

Chief Executive Officer  
Director, Asset Services  
Director, Corporate and Community  
Director, Sustainable Development  
Manager, Organisational Development

### Matters discussed:

#### Declarations of Interest

1. 'Operation Me to You' – presentation/briefing by Children, Youth and Families Co-Ordinator and Youth Committee members
2. Planning Agenda Review
3. Assembly of Councillors
  - 3.1 Mayor & Chief Executive Officer Meetings Update / Other
  - 3.2 Councillors Meetings Attendances
  - 3.3 Matters raised by Councillors
  - 3.4 MAV – Debt Procurement
  - 3.5 Praise for maintenance/upkeep of Euroa Memorial Oval ground and preparation of cricket wicket
  - 3.6 Cr Weatherald  
Violet Town Landfill Site Matters
  - 3.7 Proposed Item in Strathbogie Tableland Talk (Mt Wombat News) from Cr Weatherald
4. Citizenship Ceremonies
5. Planning Committee Meeting

**Record of Meetings of Section 86 Committees of Council**

**Minutes of Meetings received in the November / December 2013 Period**

<b>Name of Committee</b>	<b>Date of Meeting</b>
Ruffy Community Action Group	06/08/13
Longwood Action Group	02/10/13
Euroa Community Action Group	28/10/13 25/11/13

**10. NOTICES OF MOTION**

**11. CLOSURE OF MEETING TO THE PUBLIC**

**6.30 P.M.**

**CRS FURLANETTO/LITTLE -**

That Council, in conformance with Section 89(2) of the Local Government Act 1989, resolve to close the meeting to members of the public for the purpose of considering items relating to:-

- Ground(s) under section 89(2):  
89(2)(h): *Any other matter which the Council or Special Committee considers would prejudice the Council or any person*

20/14

**ON BEING PUT, THE MOTION WAS CARRIED**

**6.35 P.M.**

**CRS. WILLIAMS/LITTLE -**

That Council open the meeting to members of the public and resume normal business.

22/14

**ON BEING PUT, THE MOTION WAS CARRIED**

**12. URGENT BUSINESS**

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 6.38 P.M.**

Confirmed as being a true and accurate record of the Meeting

.....  
Chair

.....  
Date