



Mildura Rural City Council

# **AGENDA**

## **Ordinary Meeting of Council**

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**5.00pm Thursday 25 May 2017**

**VENUE:**

**Committee & Council Room  
76 Deakin Ave, Mildura**

**NEXT ORDINARY COUNCIL MEETING**

**5.00pm Thursday 22 June 2017**

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can be obtained online at [www.mildura.vic.gov.au](http://www.mildura.vic.gov.au)

# Prayer

Almighty God,

We who are gathered together in Council,  
pledge ourselves to work in harmony for  
the welfare and development of our Rural City.

Guide us, we pray, in our deliberations,  
help us to be fair in our judgement and  
wise in our actions,  
so that prosperity and happiness  
shall be the lot of our people.

Amen.

# Acknowledgement of Country

“I would like to acknowledge the traditional custodians of  
the land on which we are meeting, the Latji Latji people,  
and pay my respects to Elders both past and present.”

# Note to Councillors

## Declaration of Interest

Councillors should note that in accordance with Section 77A of the Local Government Act 1989, there is an obligation to declare a conflict of interest in a matter before Council.

A conflict of interest can be a direct or indirect interest in a matter.

A person has a direct interest if:

1. There is a reasonable likelihood that the benefits, obligations, opportunities or circumstances of the person would be directly altered if the matter is decided in a particular way;
2. There is a reasonable likelihood that the person will receive a direct benefit or loss that can be measured in financial terms if the matter is decided in a particular way;
3. There is a reasonable likelihood that the residential amenity of the person will be directly affected if the matter is decided in a particular way.

A person has an indirect interest if the person has:

1. A close association whereby a "family member" of the person has a direct or indirect interest or a "relative" has a direct interest, or a member of the person's household has a direct interest in a matter;
2. An indirect financial interest in the matter;
3. A conflicting duty;
4. Received an "applicable" gift;
5. Become an interested party in the matter by initiating civil proceedings or becoming a party to civil proceedings in relation to the matter; or
6. A residential amenity affect.

## Disclosure of Interest

A Councillor must make full disclosure of a conflict of interest by advising the class and nature of the interest immediately before the matter is considered at the meeting. While the matter is being considered or any vote taken, the Councillor with the conflict of interest must leave the room and notify the Chairperson that he or she is doing so.

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**GERARD JOSÉ**

**CHIEF EXECUTIVE OFFICER**

**1 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY**

**2 OPENING AND WELCOME**

**3 PRESENT**

**4 APOLOGIES**

**5 CONFIRMATION OF MINUTES**

**Ordinary Council Meeting Held on 27 April 2017**

*That Council confirm the minutes of the Ordinary Council Meeting of 27 April 2017 as a correct record*

**Special Council Meeting Held on 4 May 2017**

*That Council confirm the minutes of the Special Council Meeting of 4 May 2017 as a correct record*

## **6 CONFIRMATION OF ASSEMBLY OF COUNCILLORS**

In accordance with Section 80A of the Local Government Act 1989 (the Act), records of Assemblies of Councillors must be reported at the next practicable Council meeting and recorded in the minutes.

An Assembly of Councillors is defined in Section 76AA of the Act as a meeting at which matters are considered that are intended or likely to be the subject of a Council decision or the exercise of a delegated authority and which is either of the following:

- A meeting of an advisory committee where at least one Councillor is present; or
- A planned or scheduled meeting that includes at least half the Councillors and at least one Council officer.

The record is therefore presented for Council's noting.

### **Recommendation**

**That Council note the Assembly of Councillors records from the meetings held on:**

- **13 April 2017**
- **20 April 2017**
- **24 April 2017**
- **1 May 2017**
- **10 May 2017**

**RECORD OF ASSEMBLIES OF COUNCILLORS**

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
Council Forum 13 April 2017	Cr Greg Brown (1.20pm) Cr Anthony Cirillo Cr Simon Clemence Cr Ali Cupper (2.25pm) Cr Mark Eckel Cr Glenn Milne Cr Jason Modica Cr Min Poole Cr Max Thorburn (1.10 to 3.30pm)	Gerard José, Chief Executive Officer Chris Parham, General Manager Corporate Martin Hawson, General Manager Community Matt George, Acting General Manager Development Richard Sexton, Manager Corporate Administration	<ol style="list-style-type: none"> <li>1. Monthly Management Report</li> <li>2. Hard Rubbish Collection</li> <li>3. Mildura South Regional Sporting Precinct</li> <li>4. People and Parks</li> <li>5. Draft Reconciliation Action Plan</li> <li>6. Mildura City Heart Half Yearly Report</li> <li>7. Australian Inland Botanic Gardens</li> <li>8. Sister City Relationships</li> <li>9. Councillor's Issues</li> </ol>	Nil
Mildura Arts and Culture Advisory Committee 20 April 2017	Cr Jason Modica	Antonette Zema, Arts and Culture Development Manager Huw Greenhough, Administration Officer Arts and Culture Development Mark Jenkins, Manager Community Futures Heather Lee, Gallery and Heritage Team Leader Helen Piscioneri, Marketing & Development Team Leader	<ol style="list-style-type: none"> <li>1. Gallery and Performing Arts Programs</li> <li>2. Gallery Passenger Lift</li> <li>3. Selection of Chair and Deputy Chair of Committee</li> <li>4. Mildura Arts Centre Operations</li> <li>5. Committee Operations</li> <li>6. 444 Foundation</li> </ol>	Nil
Planning Forum 24 April 2017	Cr Anthony Cirillo Cr Simon Clemence Cr Ali Cupper Cr Mark Eckel	Gerard José, Chief Executive Officer Mandy Whelan, General Manager Development Andrew Millen, Manager Development	<ol style="list-style-type: none"> <li>1. Planning Application Number 005.2017.00000045.001 – 588 Wentworth Road Yelta Subdivision – Realignment of Boundary</li> </ol>	Nil

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
	Cr Glenn Milne Cr Jason Modica Cr Min Poole Cr Max Thorburn	Services Damien Sutton, Statutory Planning Coordinator		
Disability Access Advisory Committee 1 May 2017	Cr Ali Cupper	Jeni Snadden, Rural Access Worker Jacqueline Murnane, Administration Officer Strategic Planning	<ol style="list-style-type: none"> <li>1. Closing of Irymple Library</li> <li>2. Lift for Art Centre Gallery and Theatre</li> <li>3. Upstart Group – Employment</li> <li>4.</li> </ol>	Nil
Mildura Recreation Reserve Advisory Board 10 May 2017	Cr Mark Eckel	Scott Umback, Recreation Development Coordinator Caitlin Simmons, Community Recreation Officer	<ol style="list-style-type: none"> <li>1. Signage Policy</li> <li>2. Mildura Recreation Reserve Redevelopment Project</li> <li>3. Lighting at Eleventh St. Gate</li> <li>4. Emergency Signage</li> <li>5. Mapping of Underground Services</li> <li>6. Traffic Barriers</li> <li>7. Storm Activity</li> <li>8. Mildura Fire Brigade Maintenance Items</li> <li>9. Water Tank Relocation</li> <li>10. South Mildura Sporting Club Umpire’s Change Facilities</li> <li>11. Thanks to South Mildura Sporting Club</li> <li>12. No. 3 Oval Wicket</li> <li>13. Dogs at the Reserve</li> <li>14. Storage Under the Tote Building</li> </ol>	Nil

Assembly Details	Councillor Attendees	Officer Attendees	Matters Discussed	Conflict of Interest Disclosures
			15. Access to the Reserve during Football Events 16. Football Sirens 17. Harness Track Parking	

**7 NOTIFICATION OF ABSENCE**

Nil

## 8 MAYORAL REPORT

### 8.1 MAYOR'S REPORT APRIL 2017

**File Number:** 02/01/06

#### 1. Summary

The following is a report on the activities and functions attended by the Mayor during the month of April 2017.

#### 2. Recommendation

**That Council note the contents of this report.**

#### 3. Comments

- Meeting with ratepayers
- Rail Freight Alliance Meeting, Melbourne
- Opening of Spectral Ecologies Exhibition
- Murray Mallee Community Legal Service 21<sup>st</sup> Birthday Celebrations
- Cullulleraine Music Festival
- Provide Welcome - Mildura RSL RAAF Anniversary
- Present Trophy – Mildura Pacing Cup
- Wreath Laying Ceremony – RAAF Memorial & Museum
- Finance Portfolio Meeting
- Presentation to Loddon Mallee Regional Development Committee on Priorities for Mildura Rural City Council
- Financial Advisory Committee Meeting
- Officially Open Show and Shine Event
- Provide Opening Address – Mildura Community Easter Egg Hunt
- Mildura Population Policy Forum
- Mallee Area Community Sector Forum
- Provide Welcome for ARB Sunraysia 400
- Opening Ceremony for Relay for Life
- Tour of Region with CEO
- Wreath Laying at Mildura ANZAC Day Dawn Service
- Wreath Laying at Mildura ANZAC Day Commemoration Service
- Red Cliffs ANZAC Day Service
- Special Audit Committee Meeting
- Mildura South Sporting Precinct Meeting
- Law Enforcement Torch Run Cauldron Lighting Ceremony
- Officially Launch SARG Paws Along the Murray Walk

## 9 COUNCILLORS REPORTS

### 9.1 COUNCILLORS' REPORT APRIL 2017

**File Number:** 02/01/06

#### 1. Summary

The following is a report on the activities and functions attended by Councillors during the month of April 2017.

#### 2. Recommendation

**That Council note the contents of this report.**

#### 3. Comments

##### **Cr Greg Brown**

- Cullulleraine Music Festival
- Mildura RSL RAAF Anniversary

##### **Cr Anthony Cirillo**

- Environmental Services Portfolio Meeting
- Mildura and District Ratepayer's Association AGM
- Tree Planting Event, Mildura South Wetlands

##### **Cr Simon Clemence**

- Special Meeting, Aboriginal Action Committee
- YMCA Parliament Selection Panel (day 1)
- YMCA Parliament Selection Panel (day 2)
- Council Plan Key Result Area Workshop – Community Safety
- Council Plan Key Result Area Workshop – Community Health & Wellbeing
- Reconciliation Plan Meeting

##### **Cr Ali Cupper**

- Disability Access Advisory Meeting
- YMCA Parliament Selection Panel (day 1)
- YMCA Parliament Selection Panel (day 2)
- Community Wellbeing & Services Portfolio Meeting
- Aboriginal Action Committee Meeting

##### **Cr Mark Eckel**

- Meeting regarding Road Signage Complaint, Eleventh Street
- Family Violence Strategy Meeting
- Sunraysia Academy of Sports Presentation
- Media Opportunity – South Mildura Sports Precinct
- Murray Mallee Community Legal Service Family Violence Unit Celebration
- Economic Development Meeting with Jenny Garonne
- Opening of Spectral Ecologies Exhibition
- Recreation & Sport Economic Development Meeting

- Murray Mallee Community Legal Service 21<sup>st</sup> Birthday Celebrations
- Cullulleraine Music Festival
- Present Awards at Elm Tree Gardens
- Chaffey Trail Meeting
- Mildura Family Violence Plan Meeting
- Economic Development Hearing re Solar
- Inspection of Yelta Planning Issue
- Riverfront Mural Pump House Inspection
- Mildura and District Ratepayer's Association AGM
- Family Violence in our Community Conference
- Old Aerodrome Capital Works Meeting
- Psyche Bend Historical Reserve Meeting
- Mildura South Sporting Precinct Meeting
- Officially Open Sunraysia Football Federation Season

**Cr Jason Modica**

- Meeting with CEO
- Arts and Culture Portfolio Meeting
- Mildura Arts Centre Bon Appétit Media Opportunity
- Meeting and Greet Man with a Trolley
- Officially Open Spectral Ecologies Exhibition
- Eisteddfod Meeting with Richard Turk
- Officially Open Cullulleraine Music Festival
- Australian Inland Botanic Gardens Meeting
- Finance Portfolio Meeting
- Mildura / Wentworth Easter Rowing Regatta Dinner
- Solar Economic Development Meeting
- Mildura Arts Centre Advisory Committee Meeting
- Wreath Laying ANZAC Day, Merbein
- Red Cliffs / Millewa Cricket Club Meeting
- Special Audit Committee Meeting
- Tongan Sister City Discussion
- Officially Open Lunar Festival

**Cr Min Poole**

- Mildura 100 Ski Race
- Presented Awards at Mildura Lawn Tennis Open
- Sunassist Rainbow Run
- Recreation & Sport Portfolio Meeting
- Community Development Portfolio Meeting
- Grant Briefing – Community Partnerships
- Grant Briefing – Rural Access

**Cr Max Thorburn**

- Refer to the following table.

This table represents attendances by two or more Councillors at the following functions, as advised by Councillor acceptances for such functions:

Function Attended	COUNCILLOR (✓)								
	Brown	Cirillo	Clemence	Cupper	Eckel	Milne	Modica	Poole	Thorburn
Council Forum	✓	✓	✓	✓	✓	✓	✓	✓	✓
Ordinary Council Meeting	✓	✓	✓	✓	✓	✓	✓	✓	✓
Draft 2017/18 Budget Document Discussion	✓	✓	✓		✓	✓	✓	✓	
Development Contributions Plan Discussion			✓	✓	✓	✓	✓	✓	
Mildura Rural City Council Youth Awards Presentation			✓		✓	✓	✓	✓	
La Trobe University Graduation and Prize Presentation			✓		✓	✓	✓	✓	
Planning Forum			✓	✓	✓	✓	✓	✓	
Councillors / CEO Issues of Interest		✓	✓	✓	✓	✓	✓	✓	✓
Council Briefing – MAV Asset Management Step Program				✓	✓	✓	✓	✓	
Law Enforcement Torch Run						✓	✓	✓	
Sunraysia Academy of Sport 2016 Awards Evening			✓		✓	✓		✓	
Council Plan Key Result Area Workshop – Communication & Engagement						✓	✓		
Council Plan Key Result Area Workshop – Organisational Management					✓	✓	✓		
Council Plan Key Result Area Workshop – Community Safety				✓		✓	✓		
Council Plan Key Result Area Workshop – Parks						✓	✓		
Council Plan Key Result Area Workshop – Waste					✓	✓	✓		
Council Plan Key Result Area Workshop – Infrastructure, Assets & Facilities				✓	✓	✓	✓		
Council Plan Key Result Area Workshop – Financial Sustainability				✓	✓	✓	✓		
Council Plan Key Result Area Workshop – Community Development						✓	✓	✓	
Council Plan Key Result Area Workshop – Arts, Culture & Heritage					✓	✓	✓	✓	
Council Plan Key Result Area Workshop – Strategic Land Use						✓	✓	✓	
Council Plan Key Result Area Workshop – Environmental Sustainability						✓	✓		
Council Plan Key Result Area Workshop – Recreation & Sport					✓	✓	✓	✓	
Council Plan Key Result Area Workshop – Leadership & Representation					✓	✓	✓	✓	

Function Attended	COUNCILLOR (✓)								
	Brown	Cirillo	Clemence	Cupper	Eckel	Milne	Modica	Poolle	Thorburn
Council Plan Key Result Area Workshop – Economic Development & Tourism					✓	✓	✓	✓	
Council Plan Key Result Area Workshop – Community Services				✓		✓	✓	✓	
Council Plan Key Result Area Workshop – Community Health & Wellbeing				✓	✓	✓	✓	✓	

**Attachments**

There are no attachments for this report.

## 10 RESPONSES TO COUNCILLORS QUESTIONS

### 10.1 CR MAX THORBURN - CIVIC RECEPTIONS POLICY

**Record Number:** 02/03/01

*“My question is in two parts. The first part of my question is:  
What is the current policy on the holding of Civic Receptions and why did we come to refuse a request to acknowledge the Southern Cross Quilters Annual Retreat which was held at the weekend, which attracted Facebook group quilters from New Zealand, Singapore and all parts of Australia? Or did we fail to identify or understand the social media aspect of the growing online culture?*

*The second part of my question is:*

*Do we have a reasonable amount of funding set aside in the 2017-2018 budget for Civic and Mayoral Receptions?”*

This matter was addressed by Gerard José, CEO in a memorandum provided to Councillors dated 1 May 2017 as attached.

#### **Attachments**

- 1 Response to Cr Question - Civic Receptions

**MEMORANDUM**

TO: Councillors  
COPY TO: Executive Management Team  
FROM: Chief Executive Officer  
PHONE: 5018 8189  
DATE: 1 May 2017  
FILE: 18/02/01

---

**QUESTION FROM CR THORBURN – CIVIC RECEPTIONS POLICY**

I refer to the question from Cr Thorburn at the April 26, 2017 Ordinary Council Meeting as follows:

*“My question is in two parts. The first part of my question is:*

*What is the current policy on the holding of Civic Receptions and why did we come to refuse a request to acknowledge the Southern Cross Quilters Annual Retreat which was held at the weekend, which attracted Facebook group quilters from New Zealand, Singapore and all parts of Australia? Or did we fail to identify or understand the social media aspect of the growing online culture?*

*The second part of my question is:*

*Do we have a reasonable amount of funding set aside in the 2017-2018 budget for Civic and Mayoral Receptions?”*

In response, I provide attached copies of both the correspondence request and response, noting that until Cr Thorburn's question, no contact had been received from the group after the response was sent.

To further explain however Council's approach to Civic Receptions, there is adequate funding budgeted for this purpose and the following list reflects some of the Receptions conducted over the last year.

- 9<sup>th</sup> International Conference on Aeolian Research
- 20<sup>th</sup> Anniversary Australian Bravery Association
- Court Network for Mildura Court Network Volunteers
- State Fire Brigade Championships – Volunteer Fire Brigades
- Governor General of Australia
- Consul General Chengdu China

Currently, requests for such events are considered on a case by case basis and require both Chief Executive Officer and Mayoral approval to proceed.

Such decisions are by their very nature subjective in both financially responsible and community benefit contexts. To date, the amount of Facebook followers or members is not a primary consideration for hosting a Civic Reception.

In concluding, I wish to make three final points to Councillors in relation to this question and indeed the purpose more broadly of Section 11, Councillor Questions within the Monthly Ordinary Meeting Agenda:

1. Firstly, I do not believe that questions such as this need to be publically canvassed within the Council Meeting environment. I have previously advised Councillors of the administrative mechanisms already in place to deal immediately with Councillor concerns, or to receive CRMs, that such matters don't have to wait for a monthly meeting to be held. Whilst it is the prerogative of any Councillors to seek answers, it is also incumbent on each Councillor to recognise the additional administrative processes that are required to be effected once a question has been asked.
2. Questions should not be intended to embarrass decisions made.
3. Councillors need to remain mindful that when raising questions on behalf of community members, friends or family, there could be a perception of conflict of interest; a perception that could be avoided by a more considered approach.



**GERARD JOSÉ**  
**CHIEF EXECUTIVE OFFICER**

Enc x2

GJ/hj

**11 QUESTIONS FROM COUNCILLORS**

**12 NOTICES OF MOTION**

Nil

## **13 PETITIONS**

### **13.1 PETITION - RIVERFRONT ARTS AND COFFEE SHOP CAR PARK**

**File Number:** 13/03/08  
**Officer:** General Manager Corporate

#### **1. Summary**

A petition has been received requesting that the car park at the Riverfront Arts and Coffee Shop be sealed.

The petition contains 236 signatures.

A copy of the petition has been distributed directly to Councillors because of privacy issues that prevent inclusion within the Agenda.

#### **2. Recommendation**

**That Council note the petition and that this matter be considered within the June Ordinary Meeting of Council.**

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## 14 MANAGEMENT REPORTS

### 14.1 COUNCILLORS EXPENSE REPORT 1 JANUARY - 31 MARCH 2017

**File Number:** 02/01/06  
**Officer:** General Manager Corporate

#### 1. Summary

In accordance with Council's Councillor Support and Expenses Policy CP012, Councillors expenses are to be reported quarterly to an Ordinary Council Meeting. Figures for the period 1 January – 31 March 2017 are therefore provided within this report.

#### 2. Recommendation

**That Council note the contents of this report.**

#### 3. Background

This report has been prepared in accordance with Council's Councillor Support and Expenses Policy CP012.

#### 4. Consultation Proposed/Undertaken

Councillors have been provided with summary reports detailing their expenses on a monthly basis.

#### 5. Discussion

Summarised in the document attached are the figures for allowances and expenses for the Mayor and Councillors for the period 1 January – 31 March 2017.

#### 6. Time Frame

The figures for allowances and expenses for the Mayor and Councillors are for the period 1 January - 31 March 2017.

#### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

##### 4.4 Financial Sustainability

Goals to be achieved:

- meets the community's need in a financially responsible manner

#### 8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report aligns with Council's Councillor Support and Expenses Policy CP012.

**Legal/Statutory**

There are no legal/statutory implications associated with this report.

**Financial**

Costs were contained within Council's 2016/17 Operational Budget.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Councillors Expenses 1 January-31 March 2017

**Councillor Expenses for the period 1 January - 31 March 2017**

Councillor	1. Allowance	2. Travel & Accommodation	3. Car Mileage	4. Information & Communication	5. Conferences & Training	6. Catering / Meals	7. Misc
Cr Greg Brown	6,769.89	689.09	1,504.80	66.00			
Cr Anthony Cirillo	6,769.89		58.05	66.00			50.00
Cr Simon Clemence	6,769.89		873.84	202.36	53.15		74.55
Cr Ali Cupper	6,769.89			66.00			
Cr Mark Eckel	6,769.89		403.92	265.46			50.00
Cr Jason Modica	6,769.89	921.75	649.44	270.54	853.15		
Cr Glenn Milne	20,947.74	4,710.98		536.63	736.55	312.39	500.00
Cr Min Poole	6,769.89			270.54	53.15		50.00
Cr Max Thorburn	6,769.89			379.64			

**Definition of Expenses**

1. Mildura Rural City Council is a Category Two Council and must set allowances in line with the Local Government Act 1989. An adjustment is made annually and gazetted by the Minister. Allowances must also include amount in lieu of superannuation.
2. Travel Costs include cost of flights, taxis, public transport fees, and accommodation etc associated with undertaking duties of a Councillor
3. Car Mileage recognises the private vehicles costs associated with Councillors travelling and fulfilling Council duties
4. Communication expenses include costs associated with provision of equipment (l-pad, fax, phone), phone reimbursements and monthly telecommunications charges
5. These include registration fees, educational / training costs and meeting expenses
6. Catering costs associated with undertaking responsibilities of Councillor including meal reimbursements,
7. Includes carer expenses, printing, and other expenditure / reimbursements associated with responsibilities in performing Councillor role

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## 14.2 ARTS DEVELOPMENT GRANT PROGRAM 2016-17 (FEBRUARY ROUND)

**File Number:** 16/02/19  
**Officer:** Chief Executive Officer

### 1. Summary

The purpose of this report is to consider recommendations for funding through the Arts Development 2016–17 (February Round) grant program.

### 2. Recommendation

**That Council approve the following grant applications totalling \$10,195 for funding through the Arts Development Grant Program 2016–17 (February Round) as presented in the table below:**

Applicant	Project or Event Title	Description	Recommended Funding
Mallee Family Care  (Danielle Hobbs)	False Flag (Working Title)	As Mildura continues to grow in population and diversify, the community is continually readjusting our understanding of individual and collective identity within the place we reside. The project using flags as signifier for place and centres on the interpretation of Aboriginal language-knowledge of the word 'Mildura' – Place of Red Dirt – into the language of local ethnic and cultural groups.	\$2,000
Headspace Mildura  (Mildura Base Hospital)	Therapeutic Drumming at headspace Mildura	This project will establish an ongoing drumming program at headspace Mildura for young people aged 12–25. The aim of the program is to offer a creative and interactive way for people to connect with our service, build individual's confidence, as well as exploring aspects of healthy relationships, communication methods and understanding others.	\$2,000
Mildura Ballet & Dance Guild Inc	Turning with strength	To purchase strengthening and turning equipment. This equipment will enhance our current dance programs and further enforce turning and strengthening exercises. It is a matter of ensuring the physical safety of our students at all times whilst performing turning and strengthening techniques.	\$1,895

Red Cliffs Secondary College	Red Cliffs Secondary College Variety Night	To extend the opportunity to engage with primary schools and the specialist school to participate in this year's themed production, "True Blue" which will be an all Australian show. This project targets schools who may not be able to host a production of this kind. This project aims at immersing young people in the arts, building confidence, self, life skills and working within a team.	\$2,000
Mildura Print Triennial Inc	Mungo Prints	Eight pre-eminent Australian landscape printmaking artists will travel to the region explore the unique landscape and to subsequently communicate that experience on works of paper. Accompanied by 22 local artists or student artists who will also respond to the landscape through art. This provides artists and students with the opportunity for an extended engagement with the regional landscape, through workshops, mentoring and shared explorations and techniques.	\$2,000
Mallee Folk Club	Community Connections through music and singing	The Rio Vista Social Club is a group of people from across the municipality, from teenagers to 70 years plus, who gather together on a monthly basis. The group actively foster friendship through the arts and encourages community development through singing and music.	\$300
<b>Total Funding Recommended:</b>			<b>\$10,195</b>

**3. Background**

Council's Arts Development grant program is designed to provide financial assistance to local community organisations to participate in and experience the arts – be it performing or visual arts activities including artistic and production skills development), establishment of new arts organisations, audience and market development, educational opportunities, conservation and preservation of cultural heritage, as well as professional assistance.

Arts Development grants are made available once per financial year, with funding up to \$2,000.

#### 4. Consultation Proposed/Undertaken

Our community and relevant groups were notified about the Arts Development grant program through the following communication methods:

- Media releases
- Council's website
- Mildura Arts Centre's website
- Council's and Mildura Arts Centre's Social Media Networks
- Local radio and newspaper advertising
- Council staff networks

Grants Information Sessions were also held on Tuesday 31 January in Mildura.

Potential applicants were encouraged to discuss their project with Council's Arts and Culture Development Manager prior to submitting an application, and assistance was available upon request throughout the grant application period.

Following the Council meeting, all grant applicants will be notified and unsuccessful applicants will be encouraged to seek feedback on their application if desired.

#### 5. Discussion

A total of six applications was received for this round, with a total value of \$10,195 (GST exclusive) requested from applicants.

A pre-eligibility check of all applications was undertaken prior to the compliant applications being formally assessed by the selected grants assessment panel (assessment panel).

This check identified all applications as being compliant.

The assessment panel for this round was made up of the following Council officers:

- Grants Project Officer
- Acting Technical Service Team Leader
- Project Officer

Compliant applications were individually scored by the panel against the selection criteria as outlined in the grant program guidelines (copy attached to this report) and then ranked according to the panel's combined total scores.

Recommendations for funding were made based on a combination of both the available budget and the application's overall assessment score and were presented to the Secondary Portfolio Councillor for Arts and Culture, and Manager Community Futures.

As a result of this process all applications are being recommended for funding.

## 6. Time Frame

Applications opened on Monday, 6 February and closed Monday, 20 March 2017.

Subject to approval by Council, applicants will be notified in June 2017.

All grants are to be spent within 12 months of receiving the funds.

## 7. Strategic Plan Links

This report relates to the Council Plan 2013–17 in the Key Result Area:

### 1.5 Arts and Cultural Heritage

Goals to be achieved:

- everyone has access to diverse range of arts and cultural experiences and opportunities;
- the significance of our region's Indigenous culture is recognised through arts and cultural experiences; and
- a community that values and embraces its history and diverse cultural heritage.

## 8. Asset Management Policy/Plan Alignment

If applying for funding to undertake a construction project, applicants were required to supply evidence of the relevant land owner's consent to carry out such works.

All approved projects will need to meet Asset Management plans and policies.

## 9. Implications

### **Policy**

The Arts Development grant program aligns with Council's Grants Policy CP021 and its associated guidelines along with the Arts Development Grants Policy CP054.

### **Legal/Statutory**

Compliance with *Disclosure of Interest Section 79* – Local Government Act.

### **Financial**

The Arts Development 2016–17 (February Round) grant program is within Council's operational budget financial year 2016–17.

### **Environmental**

There are no environmental implications associated with this report.

### **Social**

The grants provide opportunities for community development, engagement and participation in arts and culture activities within our municipality.

### **Economic**

There are no economic implications associated with this report

**10. Risk Assessment**

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
An Organisation may question why their application was not successful	Grant applications are assessed against compliance requirements and a set criterion in order to ensure a transparent and accountable assessment process. Unsuccessful applicants are provided with an explanation why their application was unsuccessful based on the set criterion in Council's adopted Policy.	Low
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low

**11. Conflicts of Interest**

A conflict of interest was declared by Portfolio Councillor for Arts and Culture and as a result the Secondary Portfolio Councillor was appointed to assist in finalising the recommendations for funding.

A conflict of interest was declared General Manager Community and as a result the Manager Community Futures was appointed to assist in finalising the recommendations for funding.

No further conflicts of interest were declared during this round.

The Arts and Culture Development Manager provided relevant information and assistance to applicants during the application process and was therefore not involved in the assessment process.

**Attachments**

- 1 Arts Development Grant Program - Grant Guidelines



Mildura Rural City Council

## Arts Development Grants Guidelines

## Introduction

Arts Development grants provide opportunities for our community to participate in and experience the arts - be it performing or visual arts activities (including artistic and production skills development), establishment of new arts organisations, audience and market development, educational opportunities, conservation and preservation of cultural heritage, as well as professional assistance.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email [antonette.zema@mildura.vic.gov.au](mailto:antonette.zema@mildura.vic.gov.au)

## Who can apply?

To be eligible to apply for an Arts Development Grant you must:

- Have a project taking place between **1 July 2017 – 30 June 2018 (inclusive)**.
- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and activities within these boundaries (or propose to).
- Schools can only apply for grants that benefit the school on a non-infrastructure basis and demonstrate that they are separate to the normal school curriculum e.g. a program that introduces behavioural change.

## What will be funded?

Arts Development Grants are made available to support the goals of our Council Plan 2013-17. To achieve this, through this program we want to fund projects or programs that:

1. Everyone has access to a diverse range of arts and cultural experiences and opportunities.
2. The significance of our region's Indigenous cultural is recognised through arts and cultural experiences.
3. A community that values and embraces its history and diverse cultural heritage.

Priority will be given to projects catering for a demonstrated community need.

## Potential Projects

Examples of projects or events that may be eligible for funding include:

- The establishment of new arts groups and/or support for established groups
- Collaborations with or fees for arts professionals
- Programs and activities promoting the arts, culture and heritage
- Exhibition development and displays
- Artistic and Production development (events, festivals or performing arts)
- Opportunities for engagement and participation in visual or performing arts, history and heritage.
- Education, workshops or mentoring opportunities in arts, culture and heritage
- Professional Development and Skill Development including artistic, production, governance, or safety training
- Venue hire and/or production costs (e.g. materials, sets, props, framing etc.)
- Advertising and promotion
- Subsidised costs for disadvantaged participants

## What will not be funded?

You cannot apply for an Arts Development grant if:

- Re-current or ongoing funding from Council is needed.
- You could fully fund the project from other sources (e.g. user fees, fundraising, other funding bodies, business or other sponsorship).
- Your organisation has significant infrastructure and resources - unless the project is unique, not your core business and provides an additional service with demonstrated high community need.
- The service or project is the responsibility of another level of government or services abandoned by state or federal government (cost shifting).
- You receive funding for the project through another Council grant program.
- A clear statement of your organisation's financial position can't be provided on request.
- You wish to fund management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power or labour costs not directly associated with your project.

- You wish to fund computer products for administration use that does not contribute directly to the grant program.
- You wish to fund the replacement of consumable items and/or equipment.
- The purpose of your project is of a political nature.
- The purpose of your grant is for a religious group or purpose - unless the project is non-denominational and demonstrates a broader community benefit.
- You wish to fund assistance to an individual person.
- You are a commercial enterprise or Government entity (not applicable to Events).
- Your project intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit.
- You want to fund general fundraising campaigns, activities and appeals.
- Your organisation supports or the intended purpose of your project promotes gambling or alcohol, drugs or tobacco use.
- You wish to fund travel, study or conferences (including feasibility studies).
- Your organisation has not satisfactorily acquitted a previous grant.
- Your project replicates a service or program that already exist within the community (projects that compliment or expand the capability of existing programs will be considered).
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish fund the costs associated with preparing a grant application and/or the sourcing of quotes.

## How much can I apply for?

Funding is up to \$2,000.

## How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal [www.mrcc.smartygrants.com.au](http://www.mrcc.smartygrants.com.au).

## Important Milestones

1. **Grant round open.** Monday 6 February 2017.
2. **Submit your application.** By 4pm, Monday 20 March 2017.
3. **Applications assessed.**
4. **Council Meeting (decision).** Thursday 25 May 2017.
5. **Applicants notified.** Early June 2017.

## How will my project be assessed?

Once your application has been submitted, it will be assessed on the following weighted criteria:

### **What is your project idea? (50%)**

- An overall description of the objectives and aims of the project.
- How does your project contribute to the achievement of objectives outlined in the Arts and Cultural Heritage section of the Council Plan?
- Does your project have a focus on arts, culture or heritage development and ongoing benefits to the community?
- Does your project have a degree of innovation to provide an example for others in the community?
- Project demonstrates a commitment to addressing access to arts participation and engagement within the community.
- Project contribution to youth development with particular emphasis on the engagement of young people and youth.
- Have you demonstrated your project's ability to achieve and demonstrate outcomes?
- Have you demonstrated how the project will have long term benefit and become self-reliant into the future?

### **Who will carry out the project? (15%)**

- A clearly outlined project management team who will deliver project is in place.
- Clearly defined accountability and governance structures and delegations are in place.

### **How will the project be carried out? (10%)**

- Have you demonstrated the ability to complete the project within budget and within the designated timeframe?
- Are there any social and environmental considerations associated with any procurement of goods and services?

**What partnerships do you have? (10%)**

- What partnerships have been explored with other community groups to deliver the project as part of a wider community project?

**Timeline and Budget (10%)**

- Has a detailed budget that articulates all monetary and in-kind support been provided?
- Has a timeline that estimates when key objectives and tasks will be undertaken and completed by been provided?

## Application Conditions

### Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.

### General Conditions

- Late applications will not be accepted.
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land.
- A copy of your organisation's most recent bank statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

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### 14.3 COMMUNITY PARTNERSHIP GRANT PROGRAM 2017-19 (FEBRUARY ROUND)

**File Number:** 16/02/03  
**Officer:** Chief Executive Officer

#### 1. Summary

The purpose of this report is to consider recommendations for funding through the Community Partnership Grant Program 2017-19 (February Round).

#### 2. Recommendation

**That Council approve the following grant applications totalling \$321,060 (to be distributed over a three year period) for funding through the Community Partnership Grant Program 2017-19 (February Round) as presented in the table below:**

Applicant	Project Title	Description	Recommended Funding
Neighbourhood Watch Mildura	Neighbourhood Watch Koori Cubs Program (Expansion)	Engaging and mentoring Aboriginal Youth in after School activity. Providing a positive social and learning environment.	\$15,580
Mallee Accommodation and Support Program Ltd.	MASP Kokoda Youth Mentoring Program	Kokoda (KYMP) provides local disengaged and disadvantaged youth with an opportunity to re-connect with education, employment, family, the community and to reach their full potential.	\$30,000
Zoe Support Australia	Great Expectations: Reclaiming Education for Teenage Mothers	Life skills programs to gain independence and confidence in parenting and continue to further education and or employment to reduce welfare dependency.	\$30,000

Sacred Heart Parish	Sacred Heart Soup Kitchen	Expansion of the services offered in the existing program to include clothes washing and drying facilities and support to access showering facilities.	\$29,980
Northern Mallee Community Partnerships	Shared Measurement System for Hands Up Mallee	Hands Up Mallee needs a shared measurement approach to inform the mutually reinforcing activities and ensure open and continuous communication with partners and community.	\$29,500
Pink Lake Pantry	Pink Lakes Pantry	The service is being set up to provide a service to sell basic food items, newspapers and groceries for the Underbool Community.	\$30,000
Sunassist Volunteer Helpers Inc	Community Meals & Entertainment	An opportunity for elderly and disabled people to socialise whilst enjoying a freshly cooked 3 course meal in the community along with some light entertainment.	\$30,000
Christie Centre Inc	My time	An after school option for young people with disabilities to participate in independent living skills opportunities.	\$30,000
Living Waters Community Care Centre Inc	Living Waters Community Care Centre Inc	Provide free food parcels to disadvantaged people in community, safe place to come for food and referral to other organizations and service providers in community.	\$30,000
Diggerland Community Services	Rookie Entrepreneurs Mentoring Program	The program mentors young leaders in business and enterprise development in alignment with their skills and the needs, potential and opportunities in the Sunraysia Region.	\$30,000

Sunraysia Information & Referral Service Inc.	Sunraysia Information & Referral Service Inc.	Our project is the ongoing maintenance of services that have been delivered to the people of Sunraysia by our volunteers for over 40 years.	\$30,000
Portsea Camp - Mildura Support	Portsea Camp – Mildura Support	To provide financial support for families in need to enable the child/ren to attend the Camp in April	\$6,000
<b>Total Funding Recommended:</b>			<b>\$321,060 (over a 3 year period)</b>

**3. Background**

Mildura Rural City Council’s Community Partnership Grants Program is designed to create partnerships between Council and local, community based agencies through the delivery of a particular service or program being delivered to the community. Programs need to be targeted to areas where Council has identified and acknowledged community need. The Community Partnership Grant is looking to enhance programs and services rather than being the sole funders.

The Community Partnership Grants are made available once every three years and applicants can apply for funding of up to \$30,000.

**4. Consultation Proposed/Undertaken**

Our community and relevant groups were notified about Community Partnership Grant program through the following communication methods:

- Media releases
- Council’s website
- Social Media (Facebook)
- Local radio and newspaper advertising
- Council staff networks

A grants Information Sessions was also held on 31 January in Mildura.

Applicants were encouraged to contact Community Development Officers, Renée Ficarra and Toni Mottram prior to submitting an application and assistance was available upon request throughout the grant application period.

Following the Council meeting, all grant applicants will be notified and unsuccessful applicants will be encouraged to seek feedback on their application if desired.

## 5. Discussion

A total of 13 applications was received for this round, with a total value of \$351,060 (GST exclusive) requested from applicants.

A pre-eligibility check of all applications was undertaken prior to the compliant applications being formally assessed by the selected grants assessment panel (assessment panel).

This check identified all applications as being compliant.

The assessment panel for this round was made up of the following Council officers:

- Senior Customer Service Officer Arts Centre – Sally Freeman
- Environmental Sustainability Project Officer - Thomas Stevenson
- Environmental Sustainability Coordinator – Bonnie Pettett

Compliant applications were individually scored by the panel against the selection criteria as outlined in the grant program guidelines (copy attached to this report) and then ranked according to the panel's combined total scores.

Recommendations for funding were made based on a combination of both the available budget and the application's overall assessment score and were presented to the Portfolio Councillor for Community Development Min Poole, Acting General Manager Community, Mark Jenkins and Manager Leisure and Cultural Services Ray Lyons at a meeting held on Wednesday, 26 April 2017.

As a result of this process 12 out of 13 applications are being recommended for funding. Details of the 1 application not recommended for funding is contained in a separate Confidential Memorandum which will be distributed to Councillors prior to the May 2017 Ordinary Council meeting.

## 6. Time Frame

Applications opened on Monday, 6 February 2017 and closed Monday, 20 March 2017.

Subject to approval by Council, applicants will be notified in June 2017

The total amount approved for grant applicants will be equally distributed throughout the three years. Each amount is to be expended within 12 months, with an acquittal requested at the end of each year. The next instalment will be given once this acquittal is approved.

**7. Strategic Plan Links**

Programs/services being recommended for funding in this round align with the Council Plan 2013-17 in the Key Result Areas:

**1.2 Community Development**

Goals to be achieved:

- facilities, services and activities are accessible to everyone; and
- everyone feels part of the community and can participate in community life.

**8. Asset Management Policy/Plan Alignment**

If applying for funding to undertake a construction project, applicants were required to supply evidence of the relevant land owner's consent to carry out such works.

No projects fell within this category.

**9. Implications****Policy**

The Community Partnership Grants program aligns with Council's Grants Policy CP021 and its associated guidelines along with the Community Development Grants Scheme CP052

**Legal/Statutory**

Compliance with *Disclosure of Interest Section 79* – Local Government Act.

**Financial**

The Community Partnership Grant 2017-19 (February Round) grant program is within Council's operational budget financial year 2016-17 (for the first year of the three year grant period)

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
An Organisation may question why their application was not successful	Grant applications are assessed against compliance requirements and a set criterion in order to ensure a transparent and accountable assessment process.  Unsuccessful applicants are provided with an explanation why their application was unsuccessful based on the set criterion in Council's adopted Policy.	Low
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low

**11. Conflicts of Interest**

A conflict of interest was declared by General Manager Community, Martin Hawson as he was a Board Member on the Executive of an applicant. As a result the Acting General Manager, Mark Jenkins was appointed to assist in finalising the recommendations for funding.

No further conflicts of interest were declared during this round.

The Community Development Officer, Renee Ficarra and Toni Mottram provided relevant information and assistance to applicants during the application process and was therefore not involved in the assessment process.

**Attachments**

- 1 Community Partnership Grant Program - Grant Guidelines 2017-2019



Mildura Rural City Council

## Community Partnership Grants Guidelines

## Introduction

The aim of the Community Partnership Grants is to create partnerships between Council and local, community based agencies through the delivery of a particular service or program being delivered to the community. Programs need to be targeted to areas where Council has identified and acknowledged community need. The Community Partnership Grant is looking to enhance programs and services rather than being the sole funders.

You are encouraged to read the guidelines and discuss your program/service idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email [renee.ficarra@mildura.vic.gov.au](mailto:renee.ficarra@mildura.vic.gov.au) or [toni.mottram@mildura.vic.gov.au](mailto:toni.mottram@mildura.vic.gov.au).

## Who can apply?

To be eligible to apply for a Community Partnership Grant you must:

- Have a project taking place between **30 June 2017 – 30 June 2020**.
- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and activities within these boundaries (or propose to).
- Schools can only apply for grants that benefit the school on a non-infrastructure basis and demonstrate that they are separate to the normal school curriculum e.g. a program that introduces behavioural change.

## What will be funded?

Community Partnership Grants are made available to support the goals in the Mildura Rural City Council Plan 2013-17. To achieve this we want to fund programs or services that support the following goals:

- People feel and are safe in our community.
- Facilities, services and activities are accessible to everyone.
- Everyone feels part of the community and can participate in community life.
- Everyone has opportunities to help shape their community.
- Everyone has access to education opportunities.
- There are high levels of community health and wellbeing.
- Young people have opportunities for the best start in life and youth are supported to reach their full potential.
- Older people and people with a disability have access to quality services.

Priority will be given to programs/services catering for a demonstrated community need.

## Potential Projects

Examples of programs or services that may be eligible for funding include:

- Programs and activities promoting health and wellbeing.
- Purchase of equipment to run a service or program.
- A program/service to support people from different cultures to participate fully in community life.
- A program/service that will help support children and young people to reach their full potential.
- A program/service to help people feel safer in our community.
- A program/service that builds on or enhances already established services.

## What will not be funded?

You cannot apply for a Community Partnership grant if:

- Re-current or ongoing funding from Council is needed.
- You could fully fund the program/service from other sources (e.g. user fees, fundraising, other funding bodies, business or other sponsorship).
- Your organisation has significant infrastructure and resources - unless the project is unique, not your core business and provides an additional service with demonstrated high community need.
- The program/service is the responsibility of another level of government or services abandoned by state or federal government (cost shifting).
- You receive funding for the program/service through another Council grant program.
- A clear statement of your organisation's financial position can't be provided on request.
- You wish to fund management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power or labour costs not directly associated with your program or service.
- You wish to fund computer products for administration use that does not contribute directly to the program/service.
- You wish to fund the replacement of consumable items and/or equipment.
- The purpose of your program/service is of a political nature.
- The purpose of your grant is for a religious group or purpose - unless the project is non-denominational and demonstrates a broader community benefit.
- You wish to fund assistance to an individual person.
- You are a commercial enterprise or Government entity.
- Your program/service intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit.
- You want to fund general fundraising campaigns, activities and appeals.
- Your organisation supports, or the intended purpose of your program or service, promotes gambling or alcohol, drugs or tobacco use.
- You wish to fund travel, study or conferences (including feasibility studies).
- Your organisation has not satisfactorily acquitted a previous grant.
- Your program/service replicates one that already exists within the community (projects that compliment or expand the capability of existing programs will be considered).

- Your program/service has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish to fund the costs associated with preparing a grant application and/or the sourcing of quotes.

## How much can I apply for?

Grants of up to \$30,000 are available and will be paid out over a three year period.

## How do I apply?

We encourage you to discuss your program/service idea with us before starting an application.

Applications must be submitted online via our grants portal [www.mrcc.smartygrants.com.au](http://www.mrcc.smartygrants.com.au).

## Important Milestones

- |                                      |                              |
|--------------------------------------|------------------------------|
| <b>1. Grant round opens</b>          | Monday 6 February 2017       |
| <b>2. Submit your application</b>    | by 4pm, Monday 20 March 2017 |
| <b>3. Applications assessed</b>      |                              |
| <b>4. Council Meeting (decision)</b> | 25 May 2017                  |
| <b>5. Applicants notified</b>        | June 2017                    |

## How will my application be assessed?

Once your application has been submitted, it will be assessed on the following weighted criteria:

### **Project Idea (55%)**

- An overall description of the objectives and aims of the program/service.
- Has a focus on community development.
- Has a clearly defined community consultation and engagement process.
- Targeted to areas deemed by Council through social research to have high needs. (Refer to Mildura Social Indicators Report).
- There will be a clear benefit from assisting the targeted group with high needs.
- Demonstrate how the program/service will develop and benefit the community.
- Has a focus on community development.
- Contributes to the achievement of Council Plan objectives.
- The program/service is primarily a self-help project.
- Demonstrate how the program/service will have long term benefit and become self-reliant into the future.

### **Project Delivery (25%)**

- Ability to achieve and demonstrate outcomes.
- A demonstrated proven track record of delivering accredited programs/services in partnership with the community.
- Partnerships have been explored with other local agencies to deliver the program/service as part of a wider community program/service.
- Clearly defined accountability and governance structures and delegations.
- Clearly outlines the project management team who will deliver the program/service.

### **Timeline (10%)**

- A timeline that estimates when key objectives and tasks will be undertaken and completed by.

**Budget (10%)**

- A detailed budget that articulates all monetary and in-kind support.
- Ensure all other potential funding sources have been explored.
- If applicable, a plan for on-going alternative funding.
- Social and environmental considerations associated with any procurement of goods and services.

## Application Conditions

### Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your program/service must be detailed in your application form.

### General Conditions

- Late applications will not be accepted.
- Council approval (including necessary permits) must be gained for any programs/services being undertaken on Council owned or managed land.
- A copy of your organisation's most recent Bank Statement (less than 3 months old) and/or financial statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

## 14.4 EVENTS FUNDING AND SUPPORT GRANT PROGRAM 2017-18 (FEBRUARY ROUND) - RECOMMENDATIONS FOR FUNDING

**File Number:** 16/05/02  
**Officer:** General Manager Community

### 1. Summary

The purpose of this report is to consider recommendations for funding through the Events Funding and Support Grant Program 2017-18 (February Round).

### 2. Recommendation

**That Council approve the following grant applications totalling \$108,813 recommended for funding through the Events Funding and Support Grant Program 2017-18 (February Round) as presented in the tables below:**

#### Tier 1 – Major Event Sponsorship Applications

Applicant	Event	Recommended Funding
Mildura Ski Club	2018 Mildura 100 Ski Race	\$37,500
<b>Total</b>		<b>\$37,500</b>

#### Tier 2 – Major Event Sponsorship Applications

Applicant	Event	Recommended Funding
Mildura City Heart	2018 Easter Power Sports Show and Shine	\$10,000
Tennis Australia	2018 Mildura Grand Tennis International	\$10,000
Sunraysia Motor Sport Club	2018 ARB Sunraysia 400	\$7,500
<b>Total</b>		<b>\$27,500</b>

**Tier 3 - Community Event Grant Applications**

<b>Applicant</b>	<b>Event</b>	<b>Recommended Funding</b>
Mildura Field Days	2018 Mildura Field Days	\$3,750
Sunraysia Golf Tours	2018 Shane Doherty Memorial – Tri-State Masters	\$3,850
Mildura Eisteddfod Society	2018 Sunraysia Daily 40 <sup>th</sup> Mildura Eisteddfod	\$4,000 (Infrastructure support in conjunction with partnership with Mildura Arts Centre)
Football Federation Sunraysia	2018 Female Football Week Tournament	\$2,100
Mildura Harness Racing Club	2018 Mildura Pacing Cup	\$4,100
Mildura Bowls Club	2018 May Carnival	\$2,800
Sunraysia Animal Rehousing Group	2018 Paws Along the Murray	\$513 (Infrastructure support)
Love Our City	2018 Mildura Community Easter Egg Hunt	\$3,650
Coomealla Triathlon Club	2018 Summer Series	\$1,600
Mildura Lawn Tennis Club	2018 Easter Open Tennis Tournament	\$2,600
Ouyen Harness Racing Club	2018 Ouyen Pacing Cup	\$3,400
Mildura Racing Club	2018 Euston Club Resort Mildura Cup	\$2,700
Rotary Club of Red Cliffs	2018 Red Cliffs Lunarfest	\$3,550
Mallee Family Care	2018 Tour De Murray	\$2,000 (Infrastructure support)
Mildura Rowing Club	2018 Easter Rowing Regatta	\$3,200
<b>Total</b>		<b>\$43,813</b>

### 3. Background

Council's Events Funding and Support grant program is designed to provide financial assistance to local event organisers to support events that generate economic and tourism activity, enhance the profile and appeal of our region and contribute to our community's liveability and wellbeing.

\$275,000 of funding is allocated through Council's operational budget for the Events Funding and Support grants program each financial year.

Funding through this round is for events being held between 1 January 2018 - 30 June 2018.

### 4. Consultation Proposed/Undertaken

Our community and relevant groups were notified about the Events Funding and Support grant program through the following communication methods:

- Media releases
- Council's website
- Social Media (Facebook)
- Newspaper advertising
- Council staff networks.

A grants information session was held on 31 January 2017 in Mildura. Potential applicants were encouraged to discuss their event with Council's Events and Projects Unit prior to the round opening. Once the round was open, assistance from Council's Senior Administration Tourism Officer was available upon request.

Following the Council meeting, all grant applicants will be notified and unsuccessful applicants will be encouraged to seek feedback on their application if desired.

### 5. Discussion

A total of 25 grant applications were received, with a total value of \$231,866 (GST exclusive) requested from applicants. The grants are made available twice per financial year and are comprised of the following tier categories as listed within the Events Funding and Support Policy CP010.

#### Tier 1 - Major Event Sponsorship

Eligible for one year funding from \$0 - \$50,000 per year. Events with demonstrated capacity to achieve a significant tourism and economic impact greater than \$1 million **and one or more of the following criteria:**

- Over 6,000 event attendees
- Over 3,000 bed nights
- A substantial national or international profile.

**Tier 2 - Major Event Sponsorship**

Eligible for one year funding from \$0 - \$20,000 per year. Events with demonstrated capacity to achieve major tourism and economic impacts greater than \$500,000 **and one or more of the following criteria:**

- Over 3,000 event attendees
- Over 1,000 bed nights
- A substantial state, regional, national or international profile.

**Tier 3 - Community Event Grants**

Eligible for one year funding from \$0 - \$5,000 (including Council 'in-kind' services). Community events with outcomes including the following criteria:

- Contributing to making Mildura a great place to live, creating a sense of pride and cultural identity.
- Bringing people together for celebrations, commemorations or to share meaningful experiences.
- Providing opportunities for participation and engagement.
- Creating mechanisms to deliver important messages, share information and knowledge.
- Creation and delivery of new and innovative programming.
- Contribution to the development and capacity of the community.

**Pre Eligibility Check**

A pre-eligibility check of all applications is undertaken prior to being formally assessed by staff.

The purpose of the pre-eligibility check is to check that applicants and their events meet the eligibility criteria as outlined in the grant's guidelines and Events Funding and Support Policy (CP010).

This check identified that six applications were not eligible for funding in this round and further discussion will be held with them for future applications.

**Pre-Assessment Check**

Upon the closure of the application process, a pre-assessment of applications is undertaken by staff and applicants are provided the opportunity to further enhance their funding application.

## Assessment

Following the pre-assessment check being undertaken, eligible applications were then formally assessed by an independent grants assessment panel.

The assessment panel for this round was made up of the following council officers:

- Events and Projects Coordinator
- Events and Projects Officer (Economic Projects Focus)
- Events and Projects Officer (Events Focus)
- Events and Projects Officer (Business Conferencing)
- Team Leader Visitor Information Centre
- Building and Property Coordinator.

*It should be noted that members of the assessment panel were not involved in the provision of any advice to applicants during the application process.*

Each application was individually scored against the selection criteria as outlined in the grant guidelines. Applications were then ranked using a formulae to determine funding allocation based on the panel's assessment. Final recommendations for funding have then been made based on the available budget.

The outcome of the formal assessment process resulted in 19 out of 25 applications being recommended for funding.

## 6. Time Frame

Applications for the current grant round opened on Monday, 6 February 2017 and closed on Monday, 20 March 2017. Subject to approval by council, applicants will be notified of the outcome of their application in June 2017.

## 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

### 3.2 Tourism and Events

Goals to be achieved:

- quality tourism services, experiences and events to attract visitors; and
- quality events and festivals.

## 8. Asset Management Policy/Plan Alignment

If applying for funding to undertake an event on Council land, applicants are required to supply evidence of the relevant land owner's consent to carry out such works.

All approved events will need to meet Asset Management and Risk Management plans and policies.

**9. Implications**

**Policy**

The Events Funding and Support Grant Program and assessment process aligns with the following policies and associated guidelines:

- Grants Policy CP021
- Events Funding and Support Policy CP010
- Events Funding and Support Grant Program Guidelines.

**Legal/Statutory**

Compliance with *Disclosure of Interest Section 79* – Local Government Act.

**Financial**

\$275,000 of funding is available through Council’s Draft operational budget for the Events Funding and Support Grants Program 2017-18.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
An Organisation may question why their application was not successful	Grant applications are assessed against compliance requirements and a set criterion in order to ensure a transparent and accountable assessment process.  Unsuccessful applicants are provided with an explanation why their application was unsuccessful based on the set criterion in Council's adopted Policy.	Low
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low

**11. Conflicts of Interest**

No conflict of interest were declared during the preparation of this report. Council's Senior Administration Tourism Officer provided relevant information and assistance to applicants during to the application process and was therefore not involved in the assessment or recommendation processes.

**Attachments**

- 1 Events Funding and Support Grant Program - Grant Guidelines



Mildura Rural City Council

## Arts Development Grants Guidelines

## Introduction

Arts Development grants provide opportunities for our community to participate in and experience the arts - be it performing or visual arts activities (including artistic and production skills development), establishment of new arts organisations, audience and market development, educational opportunities, conservation and preservation of cultural heritage, as well as professional assistance.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email [antonette.zema@mildura.vic.gov.au](mailto:antonette.zema@mildura.vic.gov.au)

## Who can apply?

To be eligible to apply for an Arts Development Grant you must:

- Have a project taking place between **1 July 2017 – 30 June 2018 (inclusive)**.
- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and activities within these boundaries (or propose to).
- Schools can only apply for grants that benefit the school on a non-infrastructure basis and demonstrate that they are separate to the normal school curriculum e.g. a program that introduces behavioural change.

## What will be funded?

Arts Development Grants are made available to support the goals of our Council Plan 2013-17. To achieve this, through this program we want to fund projects or programs that:

1. Everyone has access to a diverse range of arts and cultural experiences and opportunities.
2. The significance of our region's Indigenous cultural is recognised through arts and cultural experiences.
3. A community that values and embraces its history and diverse cultural heritage.

Priority will be given to projects catering for a demonstrated community need.

## Potential Projects

Examples of projects or events that may be eligible for funding include:

- The establishment of new arts groups and/or support for established groups
- Collaborations with or fees for arts professionals
- Programs and activities promoting the arts, culture and heritage
- Exhibition development and displays
- Artistic and Production development (events, festivals or performing arts)
- Opportunities for engagement and participation in visual or performing arts, history and heritage.
- Education, workshops or mentoring opportunities in arts, culture and heritage
- Professional Development and Skill Development including artistic, production, governance, or safety training
- Venue hire and/or production costs (e.g. materials, sets, props, framing etc.)
- Advertising and promotion
- Subsidised costs for disadvantaged participants

## What will not be funded?

You cannot apply for an Arts Development grant if:

- Re-current or ongoing funding from Council is needed.
- You could fully fund the project from other sources (e.g. user fees, fundraising, other funding bodies, business or other sponsorship).
- Your organisation has significant infrastructure and resources - unless the project is unique, not your core business and provides an additional service with demonstrated high community need.
- The service or project is the responsibility of another level of government or services abandoned by state or federal government (cost shifting).
- You receive funding for the project through another Council grant program.
- A clear statement of your organisation's financial position can't be provided on request.
- You wish to fund management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power or labour costs not directly associated with your project.

- You wish to fund computer products for administration use that does not contribute directly to the grant program.
- You wish to fund the replacement of consumable items and/or equipment.
- The purpose of your project is of a political nature.
- The purpose of your grant is for a religious group or purpose - unless the project is non-denominational and demonstrates a broader community benefit.
- You wish to fund assistance to an individual person.
- You are a commercial enterprise or Government entity (not applicable to Events).
- Your project intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit.
- You want to fund general fundraising campaigns, activities and appeals.
- Your organisation supports or the intended purpose of your project promotes gambling or alcohol, drugs or tobacco use.
- You wish to fund travel, study or conferences (including feasibility studies).
- Your organisation has not satisfactorily acquitted a previous grant.
- Your project replicates a service or program that already exist within the community (projects that compliment or expand the capability of existing programs will be considered).
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish fund the costs associated with preparing a grant application and/or the sourcing of quotes.

## How much can I apply for?

Funding is up to \$2,000.

## How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal [www.mrcc.smartygrants.com.au](http://www.mrcc.smartygrants.com.au).

## Important Milestones

1. **Grant round open.** Monday 6 February 2017.
2. **Submit your application.** By 4pm, Monday 20 March 2017.
3. **Applications assessed.**
4. **Council Meeting (decision).** Thursday 25 May 2017.
5. **Applicants notified.** Early June 2017.

## How will my project be assessed?

Once your application has been submitted, it will be assessed on the following weighted criteria:

### **What is your project idea? (50%)**

- An overall description of the objectives and aims of the project.
- How does your project contribute to the achievement of objectives outlined in the Arts and Cultural Heritage section of the Council Plan?
- Does your project have a focus on arts, culture or heritage development and ongoing benefits to the community?
- Does your project have a degree of innovation to provide an example for others in the community?
- Project demonstrates a commitment to addressing access to arts participation and engagement within the community.
- Project contribution to youth development with particular emphasis on the engagement of young people and youth.
- Have you demonstrated your project's ability to achieve and demonstrate outcomes?
- Have you demonstrated how the project will have long term benefit and become self-reliant into the future?

### **Who will carry out the project? (15%)**

- A clearly outlined project management team who will deliver project is in place.
- Clearly defined accountability and governance structures and delegations are in place.

### **How will the project be carried out? (10%)**

- Have you demonstrated the ability to complete the project within budget and within the designated timeframe?
- Are there any social and environmental considerations associated with any procurement of goods and services?

**What partnerships do you have? (10%)**

- What partnerships have been explored with other community groups to deliver the project as part of a wider community project?

**Timeline and Budget (10%)**

- Has a detailed budget that articulates all monetary and in-kind support been provided?
- Has a timeline that estimates when key objectives and tasks will be undertaken and completed by been provided?

## Application Conditions

### Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.

### General Conditions

- Late applications will not be accepted.
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land.
- A copy of your organisation's most recent bank statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

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## 14.5 RECREATION GRANTS PROGRAM 2016-17 (FEBRUARY ROUND)

**File Number:** 16/03/01  
**Officer:** General Manager Community

### 1. Summary

The purpose of this report is to consider recommendations for funding through the 2016-17 Recreation Grant Program (February Round).

### 2. Recommendation

That Council approve the following grant applications totalling \$66,396 for funding through the 2016-17 Recreation Grant Program (February Round) as presented in the tables below:

#### Recreation Development Grant

Applicant	Project Title	Description	Recommended Funding
Merbein Junior Football Club	Football replacement	Purchase of club footballs	\$1,000
Sunraysia Residential Services Inc.	Get physical at Benetook Farm	Purchase of bikes and helmets for new recreational riding initiative	\$1,000
Red Cliffs Bowling Club Inc.	Rink score boards	Upgrade of rink score boards	\$1,000
Sunraysia Volleyball Inc.	Volleyball replacement	Purchase of club volleyballs	\$1,000
<b>Total Funding Recommended:</b>			<b>\$4,000</b>

#### Recreation Facilities Upgrade Grant

Applicant	Project Title	Description	Recommended Funding
Mildura Basketball Association	Lighting upgrade	Upgrade of LED lighting within the stadium	\$6,000
Mildura Workers Bowls Club Inc.	Air-conditioning upgrade	Installation of reverse cycle air-conditioning in club rooms	\$6,000
Sunraysia Field and Game Inc.	Septic upgrade	Upgrade of septic system	\$4,396
Red Cliffs Lawn Tennis Club	Shade area upgrade	Installation of shade shelters for players	\$6,000
Nangiloc District Football Netball Club	Kitchen upgrade	Upgrade of kitchen to meet relevant standards	\$6,000

Mildura Lawn Tennis Club	Kitchen upgrade	Upgrade of kitchen servery area	\$4,000
Merbein Football Netball Club	Netball court upgrade	Preparation of detailed design plans for construction of a new netball court and lighting	\$6,000
Mildura Rowing Club Inc.	Racking arms	Purchase of racking arms for storage of boats	\$6,000
Imperial Football Netball Club Inc.	Grandstand seating	Installation of grandstand seating at Mildura Recreation Reserve netball courts	\$6,000
North West Victorian Motorcycle Club	Septic Upgrade	Upgrade of septic system	\$6,000
Mildura Football Netball Club Inc.	Grandstand seating	Installation of grandstand seating at Mildura Recreation Reserve netball courts	\$6,000
<b>Total Funding Recommended:</b>			<b>\$62,396</b>
<b>TOTAL GRANT VALUE RECCOMENDED FOR FUNDING (DEVELOPMENT + FACILITIES UPGRADE)</b>			<b>\$66,396</b>

**3. Background**

Council's Recreation Grants Program is designed to provide financial assistance to local sport and recreation groups to maintain and develop their facilities and also to develop the programs and opportunities they offer to the community.

The Recreation Grants Program is comprised of two funding streams, the Recreation Development Grant and the Recreation Facilities Upgrade Grant.

The Recreation Development Grant offers up to \$1,000 on a \$2:\$1 ratio and the Recreation Facilities Upgrade Grant offers up to \$6,000 on a \$2:\$1 ratio.

Grants are made available twice per financial year with the first round of funding opening in August and the second in February.

**4. Consultation Proposed/Undertaken**

Our community and relevant groups were notified about the Recreation Grants Scheme through the following communication methods:

- Media releases
- Council's website
- Social Media (Facebook)
- Local newspaper advertising
- Council staff networks
- Direct email

A Grants Information Session was held on 31 January 2017 in Mildura.

Potential applicants were encouraged to discuss their project with council's Community Recreation Officer prior to submitting an application and assistance was available upon request throughout the grant application period.

Following the council meeting, all grant applicants will be notified and unsuccessful applicants will be encouraged to seek feedback on their application if desired.

## **5. Discussion**

A total of 19 applications were received for this round, with a total value of \$82,146 (GST exclusive) requested from applicants.

A pre-eligibility check of all applications was undertaken prior to being formally assessed by the grants assessment panel.

This check identified four applications as being ineligible for assessment in this round.

The Assessment Panel for this round was made up of the following council officers:

- Executive Assistant General Manager Community
- Recreation Officer
- Youth Engagement Services Coordinator

Compliant applications were individually scored by the panel against the selection criteria as outlined in the grant program guidelines (copy attached to this report) and then ranked according to the panel's combined total scores.

Recommendations for funding were made based on the available budget and presented to the portfolio councillor on 5 May 2017.

As a result of this process 15 applications are being recommended for funding. Details of the applications not recommended for funding are contained in a separate Confidential Memorandum which will be distributed to Councillors prior to the May 2017 Ordinary Council meeting.

## **6. Time Frame**

Applications opened on Monday, 6 February 2017 and closed on Monday, 20 March 2017.

Subject to approval by council, applicants will be notified in May 2017.

All grants are to be spent within 12 months of receiving the funds.

## 7. Strategic Plan Links

This report relates to the Council Plan 2013-17 in the Key Result Area:

### 1.6 Recreation and Sport

Goals to be achieved:

- high participation rates in sport and recreation activities; and
- everyone has access to a diverse range of quality sporting and recreation facilities, programs and opportunities.

## 8. Asset Management Policy/Plan Alignment

If applying for funding to undertake a construction project, applicants were required to supply evidence of the relevant land owner's consent to carry out such works.

All approved projects will need to meet Asset Management plans and policies.

## 9. Implications

### **Policy**

The Recreation grants program and assessment process has been conducted in accordance with the following policies and guidelines:

- Grants Policy CP021; and
- Recreation Assistance Grant Schemes Policy OP073; and
- Recreation Facilities Upgrade Grant Guidelines; and
- Recreation Development Grant Guidelines

### **Legal/Statutory**

Compliance with *Disclosure of Interest Section 79* – Local Government Act.

### **Financial**

Recommendation for funding through the 2016-17 Recreation Grants Program (February Round) is within council's operational budget for 2016-17.

### **Environmental**

There are no environmental implications associated with this report.

### **Social**

There are no social implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
An Organisation may question why their application was not successful	Grant applications are assessed against compliance requirements and a set criterion in order to ensure a transparent and accountable process.  Unsuccessful applicants are provided with an explanation why their application was unsuccessful based on the set criterion in Council's adopted Policy.	Low
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report. The Community Recreation Officer provided relevant information and assistance to applicants during the application process and was therefore not involved in the assessment or recommendation processes.

**Attachments**

- 1 Recreation Development Grant Program - Grant Guidelines
- 2 Recreation Facilities Upgrade Grant Program - Grant Guidelines



Mildura Rural City Council

## Recreation Development Grant Guidelines

## Introduction

Recreation Development grants are designed to assist recreation groups to undertake projects that encourage new leisure initiatives with the potential to expand the range and quality of recreation opportunities or increase participation in a particular activity.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email [caitlin.simmons@mildura.vic.gov.au](mailto:caitlin.simmons@mildura.vic.gov.au).

## Who can apply?

To be eligible to apply for a Recreation Development grant you must:

- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area, and/or provide services and activities within these boundaries (or propose to).

## What will be funded?

Recreation Development Grants are made available to support the goals of the Council Plan 2013-2017. Through this program we aim to fund projects or programs that are targeted at:

1. Increasing participation in sport and recreation.
2. Ensuring our community has access to a diverse range of quality sporting and recreation facilities, programs and opportunities.

Priority will be given to projects catering for a demonstrated community need.

## Potential Projects

Examples of projects that may be eligible for funding include:

- Coaching clinics
- Training and development
- Purchase of minor equipment.

## What will not be funded?

You cannot apply for a Recreation Development grant if:

- Re-current or ongoing funding from Council is needed.
- Your project is eligible for funding under another government or statutory body.
- The request for funding is for a maintenance project, club administration costs, repair of equipment or payment of utilities (rent, power, telephone etc.).
- Your project has been funded through this grant program previously.
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish fund the costs associated with preparing a grant application and/or the sourcing of quotes.

## How much can I apply for?

Eligible groups can apply for up to \$1,000.

Recreation Development grants are paid on a '2 for \$1' basis (funding ratio) - meaning that for every \$2 provided by Council, successful applicants must contribute a minimum of \$1 towards the cost of a project.

Applicants can claim part of their required contribution as in-kind or voluntary support.

The following examples have been developed to assist you to understand funding ratios.

Council Grant	Your Contribution		Project Total	Eligible?	Details
	Cash	In-kind			
\$1,000	\$500	\$0	\$1,500	Yes	This project is eligible as the 2:1 funding ratio has been met and there is no in-kind support.
\$1,000	\$250	\$250	\$1,500	Yes	This project is eligible as the 2:1 funding ratio has been met and in-kind support does not exceed the permitted value.
\$1,000	\$0	\$500	\$1,500	No	This project is not eligible as there is no cash contribution from the applicant and in-kind support exceeds the permitted value.
\$1,000	\$200	\$300	\$1,500	No	This project is not eligible as in-kind support exceeds the permitted value.
\$1,000	\$750	\$0	\$1,750	Yes	This project is eligible as the 2:1 funding ratio has been exceeded by the applicant contributing more than 1/3 of the total project cost.

## How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal [www.mrcc.smartygrants.com.au](http://www.mrcc.smartygrants.com.au).

## Important Milestones

1. **Grant round open.** 6 February 2017
2. **Submit your application.** 4pm, Monday 20 March 2017
3. **Applications assessed.**
4. **Council Meeting (decision).** May 2017
5. **Applicants notified.** Early June 2017

## How will my project be assessed?

Once your application has been submitted, it will be assessed on the following criteria:

- Your project's potential to increase or maintain recreation opportunities available to the community.
- How well your project aligns to what is identified in Council's Recreation Strategy and/or relevant Master Plans.
- Evidence of adherence to social justice principles e.g. increased accessibility for people with disabilities, catering for juniors, cultural groups, etc.
- Organisational capacity (labour and/or finance). The applicant must show that it is capable of contributing the required funds or in-kind support to meet the funding ratio.
- Sustainability

## Application Conditions

### Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.
- For projects with a total cost of \$1,500 or less, in-kind support cannot exceed 50% of your required contribution. For projects with a total cost of \$1,501 or more the contribution cannot exceed 25%.

### General Conditions

- Late applications will not be accepted.
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land.
- A copy of your organisation's most recent Bank Statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.



Mildura Rural City Council

## Recreation Facilities Upgrade Grant Guidelines

## Introduction

Recreation Facilities Upgrade grants are designed to assist recreation groups to undertake projects that encourage new leisure initiatives with the potential to expand the range and quality of recreation opportunities or increase participation in a particular activity.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email [caitlin.simmons@mildura.vic.gov.au](mailto:caitlin.simmons@mildura.vic.gov.au).

## Who can apply?

To be eligible to apply for a Recreation Facilities Upgrade grant you must:

- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and activities within these boundaries (or propose to).

## What will be funded?

Recreation Facilities Upgrade Grants are made available to support the goals of the Council Plan 2013-2017. Through this program we aim to fund projects or programs that are targeted at:

1. Increasing participation in sport and recreation.
2. Ensuring our community has access to a diverse range of quality sporting and recreation facilities, programs and opportunities.

Priority will be given to projects catering for a demonstrated community need.

## Potential Projects

Examples of projects that may be eligible for funding include:

- Construction of new buildings/facilities
- Alterations/renovations or extensions to existing facilities (permanent fixtures)
- Construction of ramps or fencing
- Resurfacing of recreation areas e.g. Tennis courts
- Connection of water and/or electricity to an existing or new building
- Security for facilities
- Special projects may also be submitted for consideration, e.g. internal road works, hall improvements

## What will not be funded?

You cannot apply for a Recreation Facilities Upgrade grant if:

- Re-current or ongoing funding from Council is needed.
- Your project is eligible for funding under another government or statutory body.
- Your project is not located on municipal property, a Crown reserve, land owned by a public authority or land held for public purposes by an individual, group or trustees.
- The request for funding is for a maintenance project, club administration costs, repair of equipment, purchase of equipment such as tractors, mowers and sporting goods which are not a permanent fixture of the facility and/or the payment of utilities (rent, power, telephone etc.)
- Your project has been funded through this grant program previously.
- Your project has commenced or will commence before the grant funding is announced (we do not fund in retrospect).
- You wish fund the costs associated with preparing a grant application and/or the sourcing of quotes.

## How much can I apply for?

Eligible groups can apply for up to \$6,000.

Recreation Facilities Upgrade grants are paid on a ‘\$2 for \$1’ basis (funding ratio) - meaning that for every \$2 provided by Council, successful applicants must contribute a minimum of \$1 towards the cost of a project.

Applicants can claim part of their required contribution as in-kind or voluntary support.

The following examples have been developed to assist you to understand funding ratios.

Council Grant	Your Contribution		Project Total	Eligible?	Details
	Cash	In-kind			
\$6,000	\$3,000	\$0	\$9,000	Yes	This project is eligible as the 2:1 funding ratio has been met and there is no in-kind support.
\$6,000	\$1,500	\$1,500	\$9,000	Yes	This project is eligible as the 2:1 funding ratio has been met and in-kind support does not exceed the permitted value.
\$6,000	\$0	\$3,000	\$9,000	No	This project is not eligible as there is no cash contribution from the applicant and in-kind support exceeds the permitted value.
\$6,000	\$1,000	\$2,000	\$9,000	No	This project is not eligible as in-kind support exceeds the permitted value.
\$6,000	\$3,500	\$0	\$9,500	Yes	This project is eligible as the 2:1 funding ratio has been exceeded by the applicant contributing more than 1/3 of the total project cost.

## How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal [www.mrcc.smartygrants.com.au](http://www.mrcc.smartygrants.com.au).

## Important Milestones

1. **Grant round open.** 6 February 2017
2. **Submit your application.** 4pm, Monday 20 March 2017
3. **Applications assessed.**
4. **Council Meeting (decision).** May 2017
5. **Applicants notified.** Early June 2017

## How will my project be assessed?

Once your application has been submitted, it will be assessed on the following criteria:

- Your project's potential to increase or maintain recreation opportunities available to the community.
- How well your project aligns to what is identified in Council's Recreation Strategy and/or relevant Master Plans.
- Evidence of adherence to social justice principles e.g. increased accessibility for people with disabilities, catering for juniors, cultural groups, etc.
- Organisational capacity (labour and/or finance). The applicant must show that it is capable of contributing the required funds or in-kind support to meet the funding ratio.
- Permanency of proposed works including ongoing maintenance required by Council.

# Application Conditions

## Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.
- For projects with a total cost of \$9,000 or less, in-kind support cannot exceed 50% of your required contribution. For projects with a total cost of \$9,001 or more the contribution cannot exceed 25%.

## Special Conditions

- Approval must be given for any capital works projects on land or facilities owned or managed by Mildura Rural City Council. Groups must apply for and receive approved Land Manager Consent prior to submitting a grant application. The approval process may take up to 6 weeks from receipt of a completed application form. For further details please contact [caitlin.simmons@mildura.vic.gov.au](mailto:caitlin.simmons@mildura.vic.gov.au).
- Projects on land or facilities owned or managed by Mildura Rural City Council must be undertaken by a Council approved contractor and all quotes supplied within a grant application must be from approved contractors. For details on current approved contractors please contact [caitlin.simmons@mildura.vic.gov.au](mailto:caitlin.simmons@mildura.vic.gov.au).
- For projects on land or facilities not owned or managed by Mildura Rural City Council, evidence of approved land manager's consent from the relevant land owner must be submitted with a grant application.

## General Conditions

- Late applications will not be accepted.
- A copy of your organisation's most recent Bank Statement (less than 3 months old) and/or Financial Statement must be provided upon request.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

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## 14.6 RURAL ACCESS GRANT PROGRAM 2016-17 (FEBRUARY ROUND)

**File Number:** 12/13/04  
**Officer:** General Manager Community

### 1. Summary

The purpose of this report is to consider recommendations for funding through the Rural Access Grant Program 2016-2017 (February Round) grant program.

### 2. Recommendation

That Council approve the following grant applications totalling \$10,883 for funding through the Rural Access Grant Program 2016-17 (February Round) as presented in the table below:

Applicant	Project or Event Title	Description	Recommended Funding
Mildura Basketball for All Inc	Disability Basketballers attend AAA Tournament	Assistance to participate in All Abilities Basketball Event	\$3,000
Underbool Progress Group	Pink Lakes Pantry	Provide ramped access to Pink Lakes Pantry	\$3,000
Red Cliffs Community Resource Centre Inc	Making the Red Cliffs Resource Centre more accessible to more people	Provision of hearing loop, Custom rubber ramps, build disability toilet and railing	\$1,883
Sunassist Volunteer Helpers Inc	Accessible Transport	Handrails and steps to be installed in two community buses	\$3,000
<b>Total Funding Recommended:</b>			<b>\$10,883</b>

### 3. Background

Council's Rural Access grants program is designed to provide financial assistance to local, non-profit organisations and groups for locally based projects that meet the needs of people with a disability, their carers and families.

Rural Access grants are made available once per financial year with funding available of up to \$3000.

#### 4. Consultation Proposed/Undertaken

Our community and relevant groups were notified about the Rural Access grant program through the following communication methods:

- Media releases
- Council's website
- Social Media (Facebook)
- Local radio and newspaper advertising
- Council staff networks

Grants Information Sessions were also held 31 January in Ouyen and 1 February in Mildura.

Potential applicants were encouraged to discuss their project with Council's Rural Access Worker prior to submitting an application and assistance was available upon request throughout the grant application period.

Following the Council meeting, all grant applicants will be notified and unsuccessful applicants will be encouraged to seek feedback on their application if desired.

#### 5. Discussion

A total of 4 applications were received for this round, with a total value of \$10,883 (GST exclusive) requested from applicants.

A pre-eligibility check of all applications was undertaken prior to the compliant applications being formally assessed by the selected grants assessment panel.

This check identified all applications except Underbool Progress Group as being compliant. Underbool group only supplied one quote for the ramp, however a second quotation has now been provided.

The Underbool Progress Group have a meeting planned to discuss whether they may require an alternative site as the long term plans will not allow for the expansion to sell take-away food from their current site.

The assessment panel for this round was made up of the following Community and Council officers:

- Strategic Planning Assistant
- Council Grants Officer
- Disability Access Advisory Committee – Committee Member

Compliant applications were individually scored by the panel against the selection criteria as outlined in the grant program guidelines (copy attached to this report) and then ranked according to the panel's combined total scores.

Recommendations for funding were made based on a combination of both the available budget and the application's overall assessment score and were presented to the Portfolio Councillor for Community Development and General Manager Community at a meeting held 26 April 2017.

As a result of this process all applications are being recommended for funding.

## 6. Time Frame

Applications opened on Monday, 6 February 2017 and closed Monday, 20 March 2017.

Subject to approval by Council, applicants will be notified in June 2017.

All grants are to be spent within 12 months of receiving the funds.

## 7. Strategic Plan Links

This report relates to the Council Plan 2013 – 17 in the Key Result Areas:

### 1.2 Community Development

Goals to be achieved:

- facilities, services and activities are accessible to everyone;
- everyone feels part of the community and can participate in community life;
- everyone has opportunities to help shape their community a vibrant, diverse and progressive economy; and
- investment attraction and job creation.

### 1.6 Recreation and Sport

Goals to be achieved:

- everyone has access to a diverse range of quality sporting and recreation facilities, programs and opportunities.

## 8. Asset Management Policy/Plan Alignment

If applying for funding to undertake a construction project, applicants were required to supply evidence of the relevant land owner's consent to carry out such works.

All approved projects will need to meet Asset Management plans and policies.

## 9. Implications

### **Policy**

The Rural Access grant program aligns with Council's Grants Policy CP021 and its associated guidelines along with the Rural Access Grant Program Policy OP096.

### **Legal/Statutory**

Compliance with *Disclosure of Interest Section 79* – Local Government Act.

### **Financial**

The Rural Access 2016-2017 (February Round) grant program is within Council's operational budget financial year 2016-17.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting this report Council will be exposed to the following risks:

Risks	Controls	Residual Risk
An Organisation may question why their application was not successful	Grant applications are assessed against compliance requirements and a set criterion in order to ensure a transparent and accountable assessment process.  Unsuccessful applicants are provided with an explanation why their application was unsuccessful based on the set criterion in Council’s adopted Policy.	Low
Inappropriate use of Council funding	Successful applicants will be required to complete reporting and evaluation forms detailing expenditure and providing all receipts for monies spent after projects are completed.	Low

**11. Conflicts of Interest**

There were no conflicts of interest declared during this round.

The Rural Access Worker provided relevant information and assistance to applicants during the application process and was therefore not involved in the assessment process.

**Attachments**

- 1 Rural Access Grant Program - Grant Guidelines (2017)



Mildura Rural City Council

**Rural Access Grant  
Guidelines  
2017**

## Introduction

Rural Access grants (an initiative of the Department of Health and Human Services) are designed to assist community groups to develop and undertake projects that improve access for and meet the needs of people with a disability, their carers and their families.

You are encouraged to read the guidelines and discuss your project idea with us before starting an application.

For more information or to discuss your application please contact us on 03 5018 8100 or email [jeni.snadden@mildura.vic.gov.au](mailto:jeni.snadden@mildura.vic.gov.au).

## Who can apply?

To be eligible to apply for a Rural Access grant you must:

- Be a not-for-profit organisation/group and Incorporated Body (or be auspiced by one).
- Have Public Liability Insurance to the minimum of \$10 million.
- Be based within the Mildura Rural City Council Local Government Area and/or provide services and activities within these boundaries (or propose to).
- Schools can only apply for grants that benefit the school on a non-infrastructure basis and demonstrate that they are separate to the normal school curriculum e.g. a program that introduces behavioural change.

## What will be funded?

Through this program, we want to fund projects that extend, modify or improve *existing* facilities and increases accessibility to assist the aged, people with a disability and parents with prams / children.

## Potential Projects

Examples of projects that may be eligible for funding include:

- Creation of accessible routes of travel or disabled parking
- Removal of steps to create level access
- Permanent hearing loops
- Installation of accessible signage
- Fencing for safety
- Installation of accessible ramps, handrails, toilet facilities etc.
- Special projects may also be submitted for consideration e.g. hall improvements, minor equipment

## What will not be funded?

You cannot apply for a Rural Access grant if:

- Re-current or ongoing funding from Council is needed.
- You could fully fund the project from other sources (e.g. user fees, fundraising, other funding bodies, business or other sponsorship).
- Your organisation has significant infrastructure and resources - unless the project is unique, not your core business and provides an additional service with demonstrated high community need.
- The service or project is the responsibility of another level of government or services abandoned by state or federal government (cost shifting).
- You receive funding for the project through another Council grant program.
- A clear statement of your organisation's financial position can't be provided on request.
- You wish to fund management or administrative support, contributions to salary costs or ongoing operational costs such as annual rent, power or labour costs not directly associated with the implementation of the funded project.
- You wish to fund computer products for administration use that does not contribute directly to the grant program.

- You wish to fund the replacement of consumable items and/or equipment.
- The purpose of your project is of a political nature.
- The purpose of your grant is for a religious group or purpose - unless the project is non-denominational and demonstrates a broader community benefit.
- You wish to fund assistance to an individual person.
- You are a commercial enterprise or Government entity.
- Your project intends to manufacture products that create a direct commercial return that do not demonstrate a broader community benefit.
- You want to fund general fundraising campaigns, activities and appeals.
- Your organisation supports or the intended purpose of your project promotes gambling or alcohol, drugs or tobacco use.
- You wish to fund travel, study or conferences (including feasibility studies).
- Your organisation has not satisfactorily acquitted a previous grant.
- Your project replicates a service or program that already exist within the community (projects that compliment or expand the capability of existing programs will be considered).
- Your project will be completed before the grant funding is announced (we do not fund in retrospect).

## How much can I apply for?

Funding is up to \$3,000.

## How do I apply?

We encourage you to discuss your project idea with us before starting an application.

Applications must be submitted online via our grants portal [www.mrcc.smartygrants.com.au](http://www.mrcc.smartygrants.com.au).

## Important Milestones

1. **Grant round open.** Monday 6 February 2017.
2. **Submit your application.** By 4pm, Monday 20 March 2017.
3. **Applications assessed.**
4. **Council Meeting (decision).** 25 May 2017.
5. **Applicants notified.** Early June 2017.

## How will my project be assessed?

Once your application has been submitted, it will be assessed on the following weighted criteria:

### **What is your project idea? (50%)**

- An overall description of the objectives and aims of the project.
- Does your project have a focus on access and ongoing benefits to the community?
- Does your project provide the opportunity to offer new or extended range of opportunities for participation by local people with a disability, their families or carers?
- Does your project have an innovative focus?
- How does your project contribute to the achievement of the objectives outlined in our current Council Plan and/or Community Access and Inclusion Plan?
- Have you demonstrated how the project will develop and benefit the community?
- Are there any social and environmental considerations associated with any procurement of goods and services?
- Is the project primarily a self-help project?
- Have you demonstrated how there will be a clear benefit from assisting the targeted group with high needs?
- Have you demonstrated that how your project will have long term benefit and become self-reliant into the future?

### **Who will carry out the project? (15%)**

- A clearly outlined project management team who will deliver project is in place.
- Clearly defined accountability and governance structures and delegations are in place.

### **How will the project be carried out? (10%)**

- A clearly defined community consultation and engagement process is in place.
- Does the applicant have a demonstrated ability to achieve and demonstrate outcomes?

**What partnerships do you have? (10%)**

- Have all other potential funding sources have been explored?
- Have partnerships with other local agencies been explored to deliver the project as part of a wider community project?

**Timeline and Budget (15%)**

- Has a detailed budget that articulates all monetary and in-kind support been provided?
- Has a timeline that estimates when key objectives and tasks will be undertaken and completed by been provided?
- If applicable, a plan for on-going alternative funding been explored.

## Application Conditions

### Your application

- A copy of your current Public Liability Insurance Certificate (minimum \$10 million) must be submitted as part of your application.
- A recent bank statement (less than 3 months old) for your organisation must be submitted as part of your application.
- Two quotes need to be submitted as part of your application for any individual budget items over \$1,000. Additional quotes must be submitted upon request.
- Any in-kind contribution in support of your project must be detailed in your application form.

### General Conditions

- **Late applications will not be accepted.**
- Council approval (including necessary permits) must be gained for any projects being undertaken on Council owned or managed land.
- All infrastructure development design plans must meet the Australian Standards for Access (AS1428). You must also ensure that any infrastructure development would not give rise to a complaint under the *Disability Discrimination Act 1992*. It is advised that you discuss these requirements with your draughtsman/architect/designer/builder about this prior to submitting an application.
- To receive grant funds, successful applicants must enter into a Funding Agreement with Council and adhere to all conditions outlined in the agreement.
- Written confirmation from the supplier for any in-kind contribution detailed in your application must be provided to Council upon request.

## 14.7 LIBRARY SERVICES REVIEW

**File Number:** 12/14/26  
**Officer:** General Manager Community

### 1. Summary

The purpose of this report is for Council to consider the outcomes from the second round of community engagement undertaken for the review of Library Services in accordance with Council's Library Strategy 2014 and consider recommended actions for future Library Services for residents of Irymple, Mallee Track and the Millewa.

### 2. Recommendation

**That Council approve the following recommended actions from the review of the Library Services:-**

- i) **Develop the Mallee Track Library Service (MTLS) which comprises of:**
  - a place based Library from Council's Ouyen Service Centre;
  - a place-based Library Service from an existing building in Murrayville; and
  - a weekly Pop-up Library Service to Underbool and Walpeup.
- ii) **Develop a Millewa Library Service which delivers:**
  - a weekly Pop-up Library Service to Werrimull and Lake Cullulleraine.
- iii) **Discontinue the mobile library service to Nangiloc.**
- iv) **Establish an alternate Library Service model for Irymple including offering the current Library building to an interested local volunteer organisation to operate a community centre. This centre could include:**
  - a library agency, offering books, DVD's etc,
  - computers with internet access,
  - Wi-Fi
  - drop off and pick up point.

### 3. Background

At its Ordinary Council Meeting held Thursday, 26 May 2016, council considered the findings of the sustainability review undertaken for library services and resolved to implement an Engagement Plan to seek feedback from the community in relation to the new directions and alternative library services model proposed from the review.

The Sustainability Review acknowledged that libraries are an important part of our community and contribute significantly to the health and wellbeing of our residents but it also identified a shift in the way people access library resources.

Key points from the review reported to Council included:

- Our smaller library and the mobile library are experiencing a decrease in patronage at some locations and a significant increase in the cost of providing the services.

- Total operating costs for the library service for 2014–15 was \$1,972,520.
- The cost of the mobile library service in 2014-15 was \$227,861 which increased in 2015-16 to \$235,857.
- Over the past 30 years State Government funding to assist council to deliver library services has decreased from 50 percent to approximately 18 percent.

Based on the subsidy level of \$8.90 per loan (or \$14.79 per visit for the Irymple Library) and \$15.47 per loan (or \$41.79 per visit for the mobile service), alternative service delivery models were presented to council to address the increasing costs and make these services more sustainable. The subsidy level per mobile library active user is \$719 per user per year.

At the completion of the initial engagement with the community in relation to the proposed changes to services and seeking ideas from the community, a further report was considered by council at its Ordinary Meeting held 25 January 2017. That report included the feedback received from the community during the initial engagement process and separate direction papers were provided for consideration and recommended actions for each site. At this meeting council resolved to seek further feedback from the community before reporting back to council for further consideration.

**4. Consultation Proposed/Undertaken**

During February and March 2017 consultation sessions were conducted and the following table indicates the locations and attendance numbers:

LOCATIONS	ATTENDEES	APOLOGIES
Irymple	43	40
Ouyen	5	0
Underbool	13	3
Walpeup	10	0
Murrayville	12	3
Lake Cullulleraine / Werrimull	8	0
Nangiloc	2	0

These sessions included presentations from staff to inform the community of how the new model could look in the respective town and provided reasons and justification for the proposed changes to the service. The presentations included providing responses to the feedback received at the initial engagement sessions and provided the opportunity for residents to ask questions and comment on the proposals. Residents were also invited to submit formal feedback for council's further consideration. Formal submissions closed on 31 March 2017 and the following table identifies how many submissions were received from the respective towns.

TOWNS	SUBMISSIONS
Irymple	42
Ouyen	4
Underbool	12
Walpeup	5
Murrayville	4
Lake Cullulleraine	1
Werrimull	1
Nangiloc	0

Councillors have been sent copies of all submissions received. The attached 'Library Service Submissions and Responses' provides a summary of the themes received and relevant responses.

The Irymple Progress Association and Underbool Progress Association's Submissions are included as part of the Submission process.

A petition consisting of 98 signatures has also been received in relation to the Irymple Library which was presented to Council at its April 27 Meeting.

**5. Discussion**

As previously reported to council the Library Services Sustainability Review was undertaken to ensure the services are providing a sustainable service that is value for money to the community. It is also to ascertain if it is delivering services as efficiently as it can and is affordable into the future.

Achieving these objectives has remained a focus of the review and consideration has been given to the feedback received in both rounds of consultation and to the formal submissions received.

This report provides recommendations for consideration to implement an alternative service delivery model for future library services along the Mallee Track, Millewa and Irymple. The alternative service model being recommended is aimed to ensure the sustainability of library services while addressing the majority of issues raised by the community and consists of the following:

- The new model for the Mallee Track would include developing a place based library to operate from the existing Ouyen Service Centre providing increased access to Library Services from eight hours per week to 45 hours. This service would offer access to approximately 4,000 items, offer computers for use including Wi-Fi access and a self-loan machine would be available. Home library service and kinder visits would be available in addition to using the service centre space to operate library programs and activities. This service

would be supported by Ouyen service centre staff and library staff would be available for the initial training of staff and support on a weekly basis.

- A place based library would also be developed at Murrayville from an existing building and deliver 6 hours service per week operated by library services staff. Staff would also provide kindergarten visits and other programs and internet access would be included from this building.
- With the place based libraries at each end of the Mallee track this would support Pop-Up services at Walpeup and Underbool where materials would be delivered to a local building and 3 hours services operated from that building to continue to provide Library items to browse and borrowed. Internet access would also be provided and staff would offer visits for kindergartens and schools in these towns.
- The Pop-Up service would also be provided for the Millewa with stops at Werrimull and Lake Cullulleraine and the current service to Nangiloc would not continue.
- Depending on the eventual interest from residents in towns, the Pop-up service could be developed or refined.
- While the range of library materials previously carried by the mobile service will be decreased, the Pop-up service would be more flexible and deliver materials specifically targeted for users.
- The Irymple Library would change its operations from the current library model. The existing building would be offered via an expression of interest process to the local community for an interested volunteer organisation to operate a community centre which could include a library agency. This facility could be known as a community centre, resource centre, library agency or whatever is suggested by residents. Staff based at the Mildura Library would offer an enhanced home library service in Irymple, increase visits to kindergartens and provide technology services and programs.

The agency would provide book borrowing, but also DVD's, audio books, CD's and magazines. It could include a Drop off facility, Wi-Fi access and open hours that suits community needs. Programs offered by the Library Service, such as Story times and Digital Literacy training, could be provided from the agency or another suitable Council facility in Irymple.

Community Centres already operate in the Mildura Rural City Council and they are the East End Community House, Red Cliffs Community Resource Centre and Ouyen and Murrayville Neighbourhood Houses.

Examples of Library Agencies operating in Community Houses in Victoria include:

- Girgarre Community Cottage
- Inglewood Community Neighbourhood House
- Pyramid Hill Neighbourhood House
- Boort Resource and Information Centre
- Wedderburn Community Centre

It should be noted that this alternative model is reliant on the complete model being implemented as the amount of library materials currently held at the Irymple Library and Mobile Library Van would be made available for the Mallee Track and Millewa services and the Irymple Agency.

If the Irymple Library remained open in its current form the amount of materials would be limited for the other services and to make them successful, would require additional investment in Library materials.

### **Developer Contribution Impact**

Council's Developer Contribution Plan (DCP) exists for Irymple and proposes a number of development and community infrastructure projects that could be supported by DCP proceeds and one of the projects proposed was to expand the existing Irymple Library into an Internet Café Library. The DCP was developed in 2006 for the Irymple area and was based on forecast development growth rate.

According to recently released Australian Bureau of Statistics – (Statistical Areas Level 2 Estimated Resident Population 2006 – 16 - Irymple) details that the population increased in Irymple from 6,458 in 2006 to 6461 in 2016, which is an increase of 3 people. In this period, usage of the library has decreased from 18,328 loans to 9,855 loans (8,473 loans) and from 15,073 visits to 5,930 visits (9,143 visits).

This demonstrates that the DCP projections are totally irrelevant at this time and does not support the development of the existing facility. Also, based on average hourly visits of 4.5 people, the extension of the existing library is also not supported by demonstrated need. That is, the current facility can more than accommodate the one or two people that are in the facility at any given time.

A review of the DCP document has commenced to confirm projections and the nature of community services to be required including what is actually happening in terms of library services which are the subject of this review. Further to this the real trend for the population of Irymple residents is to use Mildura or Red Cliffs with 63 per cent of loans by members with an Irymple postcode currently using Mildura and Red Cliffs. Therefore, in the likelihood of a significant population increase, the majority would not likely attend Irymple Library.

The notion of an "internet café" is now not relevant as with the development of Wi-Fi technology having made internet café's, as they were then known, redundant. The proposed library agency coupled with current technology would enable the new model to provide access to the Internet. Wi-Fi access would be made available by Council in Irymple if required.

The DCP includes a framework and process to request alteration to the projects listed in the plan to adapt to changing community requirements and more current population growth projections. It would seem illogical for the Government to force council to build a facility, including a significant rate contribution, for a service that would not be used to the level that delivers a community benefit.

## 6. Time Frame

If council adopts the recommendations, it is proposed to implement the change over a 12-15 month period.

The Draft Budget for 2017-18 plans to continue current service levels which would allow the new model to be fully implemented from July 2018. The process to conduct an expression of interest process with the Irymple community regarding the proposed community use of the current library building would be the first stage from May 2017 and held over three to four months.

In the meantime, planning for the new placed based services in Ouyen and Murrayville would also commence.

## 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Areas:

### 4.4 Financial Sustainability

Goals to be achieved:

- financial sustainability;
- meet the community's needs in a financially responsible manner.

### 1.5 Arts and Cultural Heritage

Goals to be achieved:

- everyone has access to a diverse range of quality library materials, services and programs.

## 8. Asset Management Policy/Plan Alignment

Asset management will be addresses in subsequent reports to Council depending on final actions to be implemented.

## 9. Implications

### **Policy**

The Engagement Plan developed for the review process is in accordance with Council's Community Engagement Policy CP020.

### **Legal/Statutory**

Apart from those referred to in relation to the Developer Contribution Plan above, there are no legal/statutory implications associated with this report.

**Financial**

Costs to implement proposed model:

	<b>Establishment Costs</b>
<u>Ouyen Fit-out:</u> <ul style="list-style-type: none"> <li>• Building alterations, furniture and technology.</li> </ul>	\$84,500
<u>Murrayville:</u> <ul style="list-style-type: none"> <li>• Purchase and Fit-out of suitable building (includes furniture and equipment).</li> </ul>	\$50,000
<u>Vehicle for Pop Up Service Van:</u> <ul style="list-style-type: none"> <li>• Purchase and fit out</li> </ul>	\$29,000
<u>Irymple Fit out:</u> NB: Subject to interest from community to establish Community Centre.	\$4,000
<b>Total</b>	<b>\$167,500</b>

On-going Operational Annual Costs – Mallee Track and Millewa:

- Salaries: \$100,968
- Plant Hire: \$22,000 (Vehicle)
- Maintenance – Murrayville (Utilities, etc.) \$5,000
- Maintenance – Ouyen (Equipment) \$1,500
- Hall Hire \$10,000

On-going Operational Annual Costs – Irymple:

- Allowance for potential Community Centre/Agency costs \$4,000

**Savings:**

On-going cost savings per annum

- Salaries (Irymple): \$73,454
- Salaries (Mobile Library): \$17,216
- Staff Allowances: \$7,270
- Plant Hire: \$95,000 (Prime Mover and Mobile Library Trailer)

- Accommodation: \$12,000

Total Savings would be approximately \$190,000 per year.

Establishment costs are subject to the building required at Murrayville and building hire fees required for the Pop-Up Libraries.

Establishment costs would reduce savings in the first year however, grants will be sought to reduce these initial costs.

Discussions with Victorian State Government, indicate that implementing the recommendations would be eligible for grant funding through the Living Libraries Program on a \$2:\$1 local ratio.

Council should also note that the need to replace the Prime Mover and Mobile Library Trailer in the next few years has also been a consideration and this could be a further saving of at least \$800,000.

**Environmental**

There are no environmental impacts associated with this report.

**Social**

It is recognised that libraries provide opportunities for social interaction of clients in addition to other benefits. While this report proposes a new service model which may limit opportunities for some, there will be increased access for the majority of clients.

**Economic**

The opportunity for ongoing economic benefits are detailed in the above financial considerations.

**10. Risk Assessment**

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
Community dissatisfaction with proposed service changes.	Extensive consultation undertaken with affected communities and involvement in decision making.	Moderate

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Library Community Engagement - Submissions Received - Library Service Review - May 2017



Mildura Rural City Council

## **LIBRARY SERVICE SUSTAINABILITY REVIEW**

### **Community Engagement**

## **SUBMISSIONS RECEIVED AND RESPONSES**

### **Submission Period**

**March 2017**

## Engagement Undertaken

Formal Community Engagement Sessions were held at Irymple, Underbool, Walpeup, Ouyen, Murrayville and Lake Cullulleraine from Monday 20 February until Wednesday 8 March 2017 and then formal submissions invited from the community.

The themed submission responses are listed below:

### IRYMPLE LIBRARY

Number of submissions	Submission - Themes	Comments	Response
21	<p>Population increasing in Irymple</p> <p>Thriving community with many business and services</p>	<p>According to recently released Australian Bureau of Statistics – (SLA 2 Level Estimated Resident Population 2006 - 2016) between 2006 and 2016, the population increase in Irymple has been 6,458 people in 2006 to 6,461 in 2016, an increase of 3 people.</p> <p>In this period, usage of the library has decreased from 18,328 loans to 9,855 loans (8,473 loans) and from 15,073 visits to 5,930 visits (9,143 visits).</p> <p>Even though there have been new Businesses developed in Irymple, there has been no indication of increased use of the Irymple Library.</p>	<p>Given that the population has not grown in Irymple as expected and use of the Irymple Library has decreased over that period, this reaffirms that the current library model in Irymple is not viable. Therefore, a new model of delivering services via a Library Agency run by a Community organisation is recommended.</p>

Number of submissions	Submission - Themes	Comments	Response
6	Build new facility	The capital costs of replacing or upgrading the current Irymple Library building would be significant.	<p>The low usage rates and proximity of other libraries, does not support the investment required to build a new Library.</p> <p>The current building is functional as a Community facility and would support a Library Agency.</p> <p>The Irymple Library currently has on average approximately 4.5 visits an hour, therefore the size of the Library would not need to be increased.</p> <p>Most Government grants such as the Living Libraries programs require 1:1 or 2:1 funding, therefore Council would still require to contribute a significant amount from rates.</p>
6	Increase/Upgrade size of building		
1	Access Government grants		
8	Leave Irymple Library as it currently is.	Given the existing burden on Council's rate base, the ongoing costs of maintaining this service is not sustainable given the decreasing usage and the building not being fit for purpose as a modern library service.	The current building would be suitable as a Community facility ran by a Community organisation and it would support a Library Agency.
10	Social Engagement/ Meeting place	Noted	The proposed community centre and library service model for Irymple has the potential to enhance social engagement opportunities for residents.
2	Community Centre/Hub		

Number of submissions	Submission - Themes	Comments	Response
18	Increase opening hours, especially a Saturday morning, as current hours may not be suitable.	Noted.	The Community could have more flexibility and increase accessibility to the proposed Library Agency as it would be the Community operating the facility and determining hours of opening.
17	Accessibility and convenient. – Ability to walk, ride a bike to use the Library.		With this service delivery model, a library presence is still retained in Irymple.
3	Easy to access for people with a disability	The current building at Irymple has disabled access as well as the Mildura and Red Cliffs Libraries.	The Library would be accessible as an Agency and there is regular public transport available to Red Cliffs and Mildura Libraries from Irymple.
3	Not convenient to drive to Red Cliffs or Mildura Libraries		The Mildura Library is 7kms from Irymple and Red Cliffs Library is 10kms from Irymple. 63% of loans by members with an Irymple postcode are from the Mildura and Red Cliffs libraries which has the potential to increase.
6	Parking easier at Irymple Library	Noted.	
5	Parking at Mildura Library an issue		There is a variety of parking options at the Mildura Library with disabled parking available.
7	Require a Drop-off facility		A Drop off facility can be installed in the Library Agency if at low risk and there is room to do so.
3	Improve signage to Library and to parking at rear of building.	Noted	There is signage at the front of the Irymple Library and this could be improved depending on its future use.

Number of submissions	Submission - Themes	Comments	Response
4	Children use library for holiday programs,	Noted.	The proposed new model would offer programs for children.
3	Kindergarten classes visit the Library once a year and can walk to the Library		Staff of the Library Service would support the Library Agency and increase visits to the Irymple Kindergarten and could deliver programs from the proposed agency.
4	Important for Early Literacy		There would still be a library presence in Irymple through the Library agency, however modern library facilities can be accessed at the Mildura and Red Cliffs Libraries.
4	All age groups use Irymple Library from the elderly to children.		Home Library Service to Aged Care facility would not change.
1	Benefit for Aged Care Facility		
5	Building in disrepair/old, so other facilities could be used such as:- <ul style="list-style-type: none"> <li>• Senior Citizens</li> <li>• Irymple Community Leisure Centre</li> <li>• Ambulance Station</li> <li>• Community Library with Irymple Secondary College</li> </ul>	The Senior Citizens building is currently used to capacity and the Irymple Community Leisure Centre is not available during school hours. The Ambulance Station and Irymple Secondary College are not Council owned buildings.	The Service Review has identified that the building is not suitable as a modern library. The building is still functional and could be maintained to ensure it is suitable as a Community facility.

Number of submissions	Submission - Themes	Comments	Response
1	Collection of materials to browse	It is recognised that the collection would decrease in size if the Library Agency proceeds.	The smaller collection would be more specially tailored to the Community.
2	Can order books and then pick up	Noted.	This service is available online and via a phone call at all libraries and would continue at an Agency.
1	Library provides access to knowledge for University students	Noted.	Library Services does not support specific University courses and if information is not accessible – staff refer students to Sunitafe and LaTrobe University Library.
8	Internet and Wi-Fi access at Library	Noted.	The Internet and Wi-Fi access could still be provided through the Library Agency and the Mildura and Red Cliffs Libraries offer increased access to Computers and Wi-Fi.
2	Mildura Library – have to wait to use computers	Noted.	Customers can simply book a computer online or through a phone call.
3	Use volunteers to run library	Noted.	This supports the proposed Community Facility as it would utilise volunteers to run the Library Agency.
5	Staff excellent	Noted	Library Service staff would support the development of a Library Agency in Irymple.
1	Change how the Library is run	Noted.	

Number of submissions	Submission - Themes	Comments	Response
1	Local library is the hallmark of civilisation	Noted.	The proposed library service model is a way to make the Library Service's more sustainable into the future.
1	Road works may have an effect on data collected.	Data has been collected over 20 years and there has been a decreasing trend in loans and visits to the Irymple Library.	
1	No Salary savings	Not correct	Approximately \$73,000 savings in salaries has been identified from the proposed changes to the library service model in Irymple.
1	Value for money on a population basis		Service Reviews are being completed across all areas of Council and this has resulted in restructure in some cases and value for money is part of the consideration during these reviews.
1	Savings – suggest Council restructure		

Number of submissions	Submission - Themes	Comments	Response
3	Development Contribution Plan	<p>Council's Developer Contribution Plan (DCP) exists for Irymple and proposes a number of development and community infrastructure projects that could be supported by DCP proceeds and one of the projects proposed was to expand the existing Irymple Library into an Internet Café Library. The DCP was developed in 2006 for the Irymple area and was based on forecast development growth rate.</p> <p>According to recently released Australian Bureau of Statistics – (Statistical Areas Level 2 Estimated Resident Population 2006 – 2016 - Irymple) details that the population increased in Irymple from 6,458 in 2006 to 6461 in 2016, which is an increase of 3 people. In this period, usage of the library has decreased from 18,328 loans to 9,855 loans (8,473 loans) and from 15,073 visits to 5,930 visits (9,143 visits).</p>	<p>This demonstrates that the DCP projections are totally irrelevant at this time and does not support the development of the existing facility. Also, based on average hourly visits of 4.5 people, the extension of the existing library is also not supported by demonstrated need. That is, the current facility can more than accommodate the one or two people that are in the facility at any given time.</p> <p>A review of the DCP document has commenced to confirm projections and the nature of community services to be required including what is actually happening in terms of library services which are the subject of this review. Further to this the real trend for the population of Irymple residents is to use Mildura or Red Cliffs with 63% of loans by members with an Irymple postcode currently using Mildura and Red Cliffs. Therefore, in the likelihood of a significant population increase, the majority would not likely attend Irymple Library.</p> <p>The notion of an “internet café” is now not relevant as with the development of Wi-Fi technology having made internet café’s, as they were then known, redundant. The proposed library agency coupled with current technology would enable the new model to provide access to the Internet. Wi-Fi access would be made available by Council in Irymple</p>

			<p>if required.</p> <p>The DCP includes a framework and process to request alteration to the projects listed in the plan to adapt to changing community requirements and more current population growth projections. It would seem illogical for the Government to force Council to build a facility, including a significant rate contribution, for a service that would not be used to the level that delivers a community benefit.</p>
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**MOBILE Library - Ouyen**

Number of submissions	Submission - Themes	Comments	Response
1	Do not close Library at Ouyen	Noted.	
1	Leave Mobile Library Service as it currently operates	The ongoing costs of maintaining this service is not viable as the cost per loan and per visit continues to increase.	The Library would provide increased access to Library Services 5 days a week and increase opening hours from 8 hours per week to 45 hours. This service would offer access to approximately 4,000 items, offer computers for use including Wi-Fi access and a self-loan machine would be available.
1	Make Mobile Service fortnightly instead of weekly	Will not change costs greatly and reduces service	The proposed model is a more effective and efficient than the current Mobile Library Service, making this model more sustainable into the future and offer an increased access to library services.
1	Agree with proposal to have a place-based service at Ouyen and retain staff	Noted.	This is in support of the proposed model.
1	A smaller vehicle could be used to deliver services to the Mallee Track.		
2	Who will Staff the Place Based Libraries and Pop – Ups	Noted	An extra staff person will be employed for six hours at Murrayville.
	Will extra staff be employed?		The proposed Library uses trained library staff at Ouyen, Murrayville and for Pop-Up libraries. Service Centre staff at Ouyen will also be trained in Library operations and supported by Library Service staff.

Number of submissions	Submission - Themes	Comments	Response
1	Home Library Service  Story times for children	Noted	The proposed model includes the continuation of Home Library Service and children’s programs.  The use of increased space at the Ouyen Service Centre would allow for increased programs for children and adults.
1	Consider funding a new Centre to incorporate playgroups, local history Centre.	Funding a separate building is not necessary	As the Ouyen Service Centre is a Council facility, it is suitable to place the Library there and it is staffed appropriately.

**MOBILE Library - Murrayville**

Number of submissions	Submission - Themes	Comments	Response
2	The Library will be handed over to volunteers to run.	Not correct.	The proposed model uses trained library staff to provide service to residents of Murrayville and does not include the use of volunteers. However if the local community would like to extend hours, this could be considered.
1  1	Ensure facility provided to standard as currently provided.  Council reducing services	Noted.  Not correct.	The Library would be developed at Murrayville from an existing building and deliver 6 hours service per week, an increase of 1.5 hours and operated by library services staff. Staff would also provide kindergarten visits and other programs and internet access would be included from this building.
1	There are benefits for a placed based service at Murrayville and suggests the Commonwealth Bank building or Mallee Track Health and Community services building.	Noted	This supports the proposed Library model for the Murrayville Community.
1  1	Variety and high-turnover of materials will not be provided.  Free Wi-Fi in Murrayville would be beneficial.	Noted.	The permanent library in Murrayville may have a smaller stock than the previous mobile library. However, library materials would be exchanged regularly and collections will be supplemented by access to the larger collection at the Ouyen Service Centre.  The proposed model of a placed based library would offer free Wi-Fi.

Number of submissions	Submission - Themes	Comments	Response
1	Older people at Cowangie may not be able to access	Noted.	A drop off could be arranged for those older people in Cowangie if required.
1	Leave Mobile Library Service as it currently operates	The ongoing costs of maintaining this service is not viable as the cost per loan and per visit continues to increase.	Given the burden on Council's rate base, the ongoing costs of maintaining this service is not sustainable given the decreasing usage and the increasing costs to operate the Mobile Library. The proposed Library would continue to provide a library service in Murrayville and enhance the service provided.

**MOBILE Library - Underbool**

Number of Submissions	Submission - Themes	Comments	Response
1	Place Based Service at Ouyen is not a reliable solution for Underbool residents.	Noted.	The proposed model includes a three hour Pop-Up service to Underbool as well as access to a Place Based Service at Ouyen that is open 45 hours per week.
1	Downsize to a smaller vehicle to run the Mobile service such as a Heavy Rigid that Wimmera operates.	Noted.	The Pop-Up Library Service would be delivered using a small vehicle.
7	Children’s Programs, Author visits	Noted.	Programs cannot be held on the current Mobile Library, therefore a Pop-Up Library facility would allow these programs to be delivered in Underbool. Library staff would hold library activities and programs in Underbool. In addition, the Library Service could provide a variety of programs for children such as Story time and Holiday Activities from the facility.
1	Support for Primary School and Early Learning Centre.		The proposed model would support Primary School and Early Years Learning Centre.
5	No decrease in hours	Noted.	The Pop-Up library in Underbool would allow the same level of service as previously provided and although there would be a decrease in the size of the collection, stock would be more specifically tailored to the community.
1	No decrease in access to trained library staff		
3	Decrease in range of stock		

Number of submissions	Submission - Themes	Comments	Response
1	Active Members for Underbool site is high given number of population.	Active Members for Underbool is 45 people and 2011 population figures show 202 people residing in Underbool at that time, therefore approximately 22% of those people are Active users.	It is recognized that this is a high percentage rate in Underbool.
7	Place based Library, such as a Granny Flat, ran by Library staff and volunteers – (Agency/Depot arrangement)	Initial consultation had indicated opposition to the use of volunteers.	Proposed Pop-Up model will continue to provide library services in Underbool.  If in time volunteers came forward, a depot arrangement could be developed.
1	Have a building to store books in.		
2	Hall is a great location, but a better option could be to build a facility beside Hall		
2	Use Hall as a permanent Library. Would increase use of the Hall.		
1	Have a collection left in Underbool in a secure place as well as the Pop-Up.		
1	Permanent Library in Underbool would make Underbool more viable.		
1	Council owned building would be available for other Council users.		

Number of submissions	Submission - Themes	Comments	Response
1	Ageing population	Noted.	The proposed model continues library services in Underbool for the elderly.
4	Internet access would be required and Wi-Fi if possible.	Noted.	The proposed model would provide Internet access.
2	Geographic location. More isolated than Murrayville as those residents can access South Australian services.	Noted	Murrayville and Ouyen were chosen as the placed based locations to be the ends of the Mallee Track Library Service and to support the Pop-up libraries in the towns in between.
1	Consultation process was unclear in regards to budget figures and not allowing questions at meetings.	Not correct.	The consultation process provided detailed financial information to those that attended and both Engagement Sessions had opportunities for questions.
1	Increase marketing of Library Services.	Promotion of library services is a priority with a marketing plan produced annually. It is promoted through Television Advertisement, websites, Radio, Social Media, and Newspapers.	More specific promotion could be done with support and advice from local residents.
3	Leave Mobile Library Service as it currently operates.	The ongoing costs of maintaining this service is not viable as the cost per loan and per visit continues to increase.	Given the burden on Council's rate base, the ongoing costs of maintaining this service is not sustainable. The proposed Pop-Up Library model would continue to provide a library service to Underbool in an efficient manner.
2	Don't get much in return for rate dollars.	Noted	
2	During election campaign Councillors stated that they would keep the Mobile Library in its current form.	Noted.	These comments were reportedly made by Councillors to the media during the election period in some cases without knowledge of the information included in the Review or feedback from the engagement processes.



Number of submissions	Submission - Themes	Comments	Response
1	Expand current Mobile service to include author visits, technology workshops, Home Library service.	Noted.	The proposed model of using a building for a Pop-up Library service would allow this suggestion to work. The Pop-Up model would be more flexible in the delivery of programs and would work from a building rather than the small space on the Mobile Library.
1	Access to Computers and Wi-Fi		There will be access to computers and Wi-Fi through the Pop-up Library service.
3	Use trained library staff		Trained library staff would be delivering the Pop-Up service.
1	The removal or reduction of service will impact on health of those living remotely.	Noted.	The proposed model includes a weekly Pop-Up service to Walpeup for the same period as previously provided. The Pop-Up Library would utilise a building in Walpeup so residents can still continue to meet with each other and borrow from a range of materials.
5	Leave Mobile Library Service as it currently operates.	Noted.	Given the burden on Council's rate base, the ongoing costs of maintaining this service is not sustainable given the decreasing usage and the increasing costs to operate the Mobile Library. The proposed Pop-Up Library model would continue to provide a weekly library service in Walpeup.
1	Use Mobile Library to conduct other Council businesses.		
1	Cost savings are not a great amount overall compared to what is spent in the city.		
5	Don't get much in return for rate dollars and paying high rates.	Noted.	

**MOBILE Library - Werrimull**

Number of submissions	Submission - Themes	Comments	Response
1	Leave Mobile Library Service as it currently operates.	Given the burden on Council's rate base, the ongoing costs of maintaining this service is not sustainable.	The proposed Pop-Up Library model would provide a library service in Werrimull.
1	Library is an essential service.	Noted	

**MOBILE Library – Lake Cullulleraine**

Number of submissions	Submission - Themes	Comments	Response
1	Agreement with proposal to have a Pop-Up Library at the Tennis Club rooms	Noted.	This is in support of the proposed model.

**MOBILE Library – Nangiloc**

**No Submissions received.**

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## 14.8 KUMATORI SISTER CITY VISIT 2017

**File Number:** 02/03/03  
**Officer:** General Manager Corporate

### 1. Summary

Council entered into a formal sister city relationship with Kumatori, Japan, in 1986. Since that time, there have been numerous reciprocal visits between Mildura and Kumatori and the last visit to Kumatori was in 2015.

This report seeks Council's approval of two Councillors to visit Kumatori in October 2017.

### 2. Recommendation

**That Council endorse the Mayor, Cr Glenn Milne and Deputy Mayor, Cr Jason Modica to visit Kumatori in October 2017.**

### 3. Background

In line with the long standing arrangements between the two cities, 2017 will see a visit to Kumatori by two Councillors from Mildura Rural City Council, and students and teachers from Chaffey Secondary College. This occurs every second year with a Kumatori delegation returning to Mildura every alternate year.

### 4. Consultation Proposed/Undertaken

Councillors have been canvassed to determine interest in attending Kumatori and following this process, it has been agreed that Cr Milne and Cr Modica be nominated to attend.

### 5. Discussion

The dates proposed by the Kumatori Town Office for the visit to Kumatori are from the 6 to 15 October 2017. The financial arrangements for the visit are that Mildura Rural City Council pays all airfares and sundry expenses for visiting Councillors and that the Kumatori Town Office pays for the touring/sightseeing activities and all meals included in the set itinerary, as well as the accommodation for the duration of the visit.

### 6. Time Frame

The timing of the visit will allow the Council delegation to participate in the traditional annual Danjiri Festival.

## 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Areas:

### 3.1 Economic Development

Goal to be achieved:

- a vibrant, diverse and progressive economy.

### 3.2 Tourism and Events

Goal to be achieved:

- quality tourism services, experiences and events to attract visitors.

## 8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

## 9. Implications

### **Policy**

This report is in accordance with Council's International Relations Policy (CP040).

This report also aligns with Council's Travel and Accommodation Policy (OP027), which requires that application forms for overseas travel/airfares be approved by the Chief Executive Officer.

### **Legal/Statutory**

There are no legal or statutory implications relating to this report

### **Financial**

Although the costs for the Kumatori visit have yet to be finalised, it is expected that the total cost will be in the vicinity of \$6,500. This includes economy airfares, corporate gifts and minor travelling expenses.

All costs associated with touring/sightseeing activities, all meals included in the set itinerary, as well as the accommodation for the duration of the visit are met by Kumatori Town Council..

### **Environmental**

There are no direct environmental implications associated with this report.

### **Social**

The Kumatori visit directly relates to cultural and social principles contained within Council's International Relations Policy (CP040) and is seen as a very important element to maintaining and strengthening Council's relationship with its Japanese Sister City.

**Economic**

Although the Kumatori 2017 visit largely aligns to cultural and social elements, there will be continuing discussions held throughout the visit to further advance the economic relationship between the two Councils.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

There are no attachments for this report.

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## 14.9 MILDURA AIRPORT ANNUAL BUSINESS PLAN 2017-2018

**File Number:** 19/01/01  
**Officer:** General Manager Corporate

### 1. Summary

This report presents the Mildura Airport Proprietary Limited's (MAPL) Annual Business Plan 2017-2018 to Council for endorsement in accordance with the Airport Operations and Management Deed currently in place between Council and MAPL.

### 2. Recommendation

**That Council endorse the Mildura Airport Proprietary Limited Annual Business Plan 2017-2018 as presented.**

### 3. Background

Clause 9.1 of the Airport Operations and Management Deed in place between Council and MAPL requires MAPL each year to present to Council within 90 days of the end of fiscal year, a Business (Annual) Plan that reflects the following:

- The financial budget for the upcoming fiscal year and a further 3 years
- The objectives and actions for the upcoming fiscal year
- Projected passenger numbers for the upcoming fiscal year
- A description of how the implementation of the current approved Master Plan is progressing

Clause 9.1 also states that the Council will confirm its acceptance or otherwise of the Business Plan once submitted.

### 4. Consultation Proposed/Undertaken

Following presentation of the Plan at the May Forum, no further consultation is required in this process.

### 5. Discussion

MAPL Chairman Peter O'Donnell and MAPL CEO Bill Burke attended the 11 May 2017 Council Forum to discuss and present the MAPL Annual Business Plan 2017-2018 as attached to this report.

The MAPL Annual Business Plan 2017-2018 represents the objectives and budget for the year ending 30 June 2018 and includes projected passenger numbers and updates on the actions and progress within the Airport Master Plan.

### 6. Time Frame

The MAPL Annual Business Plan 2017-2018 has been presented in accordance with the agreed timeframes.

**7. Strategic Plan Links**

This report relates to the Council Plan in the Key Result Area;

2.6 Transport

Goal to be achieved:

- road rail and air transport services and infrastructure that meets community needs.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

There are no policy implications associated with this report.

**Legal/Statutory Implications**

There are no legal or statutory implications associated with this report.

**Financial Implications**

There are no direct financial implications associated with this report.

**Environmental Implications**

There are no environmental implications associated with this report.

**Social Implications**

There are no social implications associated with this report.

**Economic**

There are no direct economic impacts associated with this report

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 MAPL Business Plan 2017-2018

BUSINESS PLAN 2018

MILDURA AIRPORT

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1. OBJECTIVES & ACTIONS

1.1. OBJECTIVES & ACTIONS FOR YEAR ENDING JUNE 2018

The 2018 budget period will see the completion of the major overlay and extension of main runway 09/27. This is a significant project for the Airport and ensures the ability to offer continuing high level services to the benefit of the surrounding community by facilitating the regular operation of large RPT jet services. Contributions to the Asset Renewal Fund continue to provide funds toward future required upgrades.

AIRSIDE PAVEMENT – RUNWAYS, TAXIWAYS & PARKING APRONS

- \* The Overlay & Extension of Main Runway 09/27 will be completed in this reporting period.
- \* Careful monitoring of the General Aviation Apron and runway 18/36 will continue and minor remedial work will be undertaken as required.
- \* Stage 1 of the new General Aviation Apron 4 precinct will progress. This area will comprise of new hangars for lease, with a grassed apron area. Expressions of interest for hangar space are invited, and hangars will be constructed based on demand.

BUILDINGS

- \* Capital improvements to the terminal will include upgraded exit point from the departure lounge and additional functional working spaces for traveling passengers.
- \* A refurbishment of the public area in the General Aviation terminal will be undertaken during the year. This area is used by local and transient general aviation community and works will ensure adequate facilities and comfort are available.

PARKING AND ACCESS ROADS

- \* Roads and parking areas will be continually assessed and remedial works will be carried out as required.

- \* Pay for parking system upgrades will allow for easier payment options such as tap and pay.

COMPUTER AND ASSOCIATED HARDWARE EQUIPMENT

- \* The main server will be updated to contemporary capabilities to continue to ensure a reliable and efficient IT system for Airport operations.
- \* IT backup capability will be improved with the installation of a Synology NAS.
- \* Internet security will be enhanced and offsite data backup system will continue.
- \* Replacement of outdated computer equipment will continue as required.

LANDSCAPING AND IRRIGATION

- \* Ongoing works to enhance the Airport drive from the front gate to the Terminal will continue with new plantings and garden beds. This will assist airport users to better navigate the airport precinct by highlighting the main direction of traffic.
- \* Irrigation plans will continue to be reviewed to use available irrigation water as efficiently and effectively as possible.

SECURITY

- A new perimeter fence will be erected. This had been previously planned to occur in stages, but further investigation found it to be more economical to complete in a single stage.

1.2. MASTER PLAN 2010

*The Master Plan 2010 is nearing the end of its life and will be superseded by the Master Plan 2017-2037. The Master Plan 2010 has been a successful and accurate document and much of the projected works have been completed. The Master Plan 2017 is in the final stages of revision.*

Works projected by the Airport Master Plan 2010:

*Upgrade and refit terminal cafe*  
Work Complete

*Extension of water harvesting program*  
Work Complete

*Install new emergency power generation capability*  
Work Complete

*Relocation of existing emergency power generator*  
Work Complete

Install shade sails over open air café area  
Not required due to Terminal upgrade

Upgrading of General Aviation area  
Constant review of the general aviation area continues and resealing and remedial works have been conducted.

Preparation of planning scheme revision for Airport  
The Airport Master Plan 2010 has been included in the MRCC Planning Scheme.

Replacement of flight information display system (FIDS)  
Work Complete

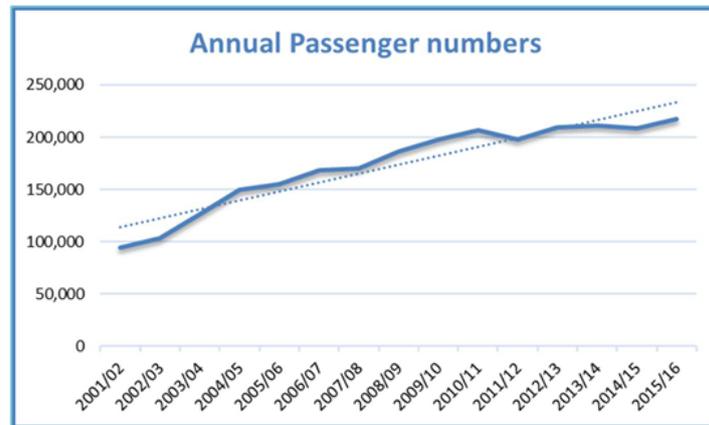
New Perimeter Fence  
The new chain-link security perimeter fence has not been erected as yet, as further investigation revealed the option to complete the project at one time, rather than in stages, will be more cost effective. The Office of Transport Security continues to have a high level of satisfaction with the airport managements approach to the control of potential security risk.

CASA (Civil Aviation Safety Authority) is satisfied with the airports Management of operational risk.



2. PROJECTED PASSENGER NUMBERS

Passenger numbers for 2016/17 have shown a consistent increase on the previous year and passenger numbers are forecast to reach 217,000 by the end of the current 2017 financial year. The moving annual total (MAT) currently remains above 217,000 passengers. Passenger growth over the last 20 years has been at an average of 5%.



Existing services continue to demonstrate high load factors, and passenger numbers will increase with increased capacity via additional services or larger aircraft being utilised on the existing sectors.

Virgin Australia continue to schedule the B737-800 regularly, replacing the E190, and this trend will continue with more frequency in the future. The high load factors for the daily jet service to & from Melbourne are expected to continue.

The services provided by Regional Express, to Melbourne, Adelaide, Sydney and Broken Hill continue to experience good loads.

Qantaslink services continue to be well utilised and maintain a high load factor on the Melbourne route.

Passenger numbers for the 2018 financial year have been forecast to increase by 2%, estimated to reach 218,700 passengers.



3. FINANCIAL FORECASTS

3.1. YEAR ENDING 30 JUNE 2018

- o Income Statement
- o Balance Sheet
- o Cash Flows
- o Capital Expenditure



Mildura Airport Business Plan 2018

2018 FORECAST INCOME STATEMENT

	Jul 17	Aug 17	Sep 17	Oct 17	Nov 17	Dec 17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	TOTAL
<b>Income</b>													
Aviation Income	360,437.03	361,632.14	356,566.92	371,885.00	363,974.71	352,404.47	325,369.75	332,906.71	373,214.97	369,843.04	369,319.94	348,448.15	4,286,002.81
Car Parking Revenue	46,086.43	48,258.03	47,927.55	47,704.09	49,352.76	48,729.94	46,399.06	41,254.15	44,363.69	49,537.87	49,494.79	49,018.82	568,126.57
Rental & Lease Fees	23,817.08	23,817.08	30,243.08	23,817.08	23,817.08	30,243.08	23,817.08	23,817.08	30,243.08	23,817.08	23,817.08	30,243.08	311,509.00
Cafe Sales	56,640.05	56,801.43	55,741.77	59,112.59	57,404.34	53,625.50	47,374.29	50,324.90	59,412.76	58,645.60	58,571.06	53,915.32	667,569.60
Other Income	4,253.21	4,299.04	4,344.88	4,390.71	4,436.54	4,482.38	4,528.21	4,574.04	4,619.88	4,665.71	4,711.54	4,757.42	54,063.56
<b>Total Income</b>	<b>491,233.80</b>	<b>494,807.72</b>	<b>494,824.20</b>	<b>506,909.47</b>	<b>498,985.43</b>	<b>489,484.77</b>	<b>447,488.39</b>	<b>452,876.88</b>	<b>511,854.38</b>	<b>506,509.31</b>	<b>505,914.41</b>	<b>486,382.79</b>	<b>5,887,271.55</b>
<b>EXPENDITURE</b>													
Employee Benefits	229,390.41	229,390.41	221,935.07	229,390.41	221,935.07	229,390.41	229,390.41	207,024.38	229,390.41	221,935.07	229,390.41	221,935.07	2,700,497.50
Materials, Contracts and Services	58,178.27	58,178.27	58,178.27	58,178.27	58,178.27	58,338.27	58,338.27	58,338.27	58,338.27	58,338.27	58,338.27	58,338.27	699,259.26
Utilities	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	12,805.67	153,668.00
Rates	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	15,936.23	191,234.70
Office Expenses	48,031.25	26,158.52	26,158.52	28,658.52	33,658.52	26,158.52	26,158.55	26,158.52	26,158.52	26,158.52	26,158.52	26,158.52	345,775.00
Cost of Sales	21,523.22	21,584.54	21,181.87	22,462.78	21,813.65	20,377.69	18,002.23	19,123.46	22,576.85	22,285.33	22,257.00	20,487.82	253,676.45
Total Expense	385,865.04	364,053.63	356,195.62	367,431.87	364,327.40	363,006.78	360,631.35	339,386.52	365,205.94	357,459.08	364,886.10	355,661.57	4,344,110.90
<b>Net Operating Profit (EBITA)</b>	<b>105,368.76</b>	<b>130,754.08</b>	<b>138,628.58</b>	<b>139,477.59</b>	<b>134,658.04</b>	<b>126,477.99</b>	<b>86,857.04</b>	<b>113,490.36</b>	<b>146,648.44</b>	<b>149,050.23</b>	<b>141,028.32</b>	<b>130,721.22</b>	<b>1,543,160.64</b>
less Depreciation	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	78,000.00	936,000.00
less Interest Expense	14,459.54	14,448.19	14,436.79	14,425.35	14,413.85	14,402.31	14,390.72	14,379.09	14,367.40	14,355.67	14,343.89	14,332.06	172,754.87
<b>Net Profit (before runway depreciation)</b>	<b>12,909.22</b>	<b>38,305.89</b>	<b>46,191.78</b>	<b>47,052.25</b>	<b>42,244.18</b>	<b>34,075.67</b>	<b>-5,533.68</b>	<b>21,111.27</b>	<b>54,281.03</b>	<b>56,694.56</b>	<b>48,684.43</b>	<b>38,389.16</b>	<b>434,405.77</b>
less Runway depreciation							41,667.00	41,667.00	41,667.00	41,667.00	41,667.00	41,667.00	250,002.00
<b>Net Income</b>	<b>12,909</b>	<b>38,306</b>	<b>46,192</b>	<b>47,052</b>	<b>42,244</b>	<b>34,076</b>	<b>-47,201</b>	<b>-20,556</b>	<b>12,614</b>	<b>15,028</b>	<b>7,017</b>	<b>-3,278</b>	<b>184,404</b>

**MILDURA AIRPORT PTY LTD  
2018 FORECAST BALANCE SHEET**

<b>CURRENT ASSETS</b>	
Cash and Cash Equivalents	374,866
Asset Renewal Fund	1,263,307
Receivables	797,320
Prepayments	57,620
<b>Total Current Assets</b>	<b>2,493,113</b>
<b>NON-CURRENT ASSETS</b>	
Property, Infrastructure, Plant & Equipment	51,020,850
<b>Total Non-Current Assets</b>	<b>51,020,850</b>
<b>TOTAL ASSETS</b>	
	53,513,963
<b>CURRENT LIABILITIES</b>	
Trade & Other Payables	260,713
Interest Bearing Loans & Borrowings	34,156
<b>Total Current Liabilities</b>	<b>294,869</b>
<b>NON-CURRENT LIABILITIES</b>	
Interest Bearing Loans & Borrowings	5,228,648
<b>Total Non-Current Liabilities</b>	<b>5,228,648</b>
<b>TOTAL LIABILITIES</b>	
	5,523,517
<b>NET ASSETS</b>	
	47,990,446
<b>EQUITY &amp; RESERVES</b>	
Share Issue	10
MRCC Asset Transfer	17,410,852
Retained Earnings	30,579,583
<b>TOTAL EQUITY</b>	<b>47,990,446</b>

**2018 FORECAST CASH FLOW**

	Jul-17	Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18
<b>INFLOWS</b>	452,467	494,880	500,424	519,607	486,718	473,536	484,019	427,151	424,231	481,586	457,351	489,555
<b>OUTFLOWS</b>												
Operating	364,342	342,469	335,014	344,969	342,514	342,629	342,629	320,263	342,629	335,174	342,629	335,174
Asset Renewal Fund	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Capex	79,000	100,000	70,000	77,500	275,000	67,500	50,000	70,500	53,000	22,500	40,000	90,000
MRCG Loan			41,769			41,769			41,769			41,769
<b>TOTAL OUTFLOWS</b>	493,342	492,469	496,783	472,469	667,514	501,898	442,629	440,763	487,398	407,674	432,629	516,943
<b>NET INCREASE/DECREASE IN CASH</b>	-40,875	2,411	3,641	47,138	-180,796	-28,362	41,389	-13,613	-63,167	73,912	24,722	-27,388
<b>OPENING CASH</b>	535,853	494,978	497,389	501,030	548,168	367,372	339,010	380,400	366,787	303,620	377,533	402,254
<b>FORECAST CLOSING BALANCE</b>	494,978	497,389	501,030	548,168	367,372	339,010	380,400	366,787	303,620	377,533	402,254	374,866

**2018 FORECAST CAPITAL EXPENDITURE**

<i>Information Technology &amp; Communication</i>	28,000
<i>Landscaping &amp; Irrigation</i>	111,000
<i>Carpark &amp; Access Roads</i>	38,000
<i>Buildings &amp; Facilities</i>	283,000
<i>Plant &amp; Equipment</i>	90,000
<i>Security</i>	275,000
<i>Runways, Taxiways &amp; Aprons</i>	150,000
<i>Master Plan</i>	20,000
<b>Total General Capex</b>	<b>995,000</b>

3.2. ADDITIONAL 3 YEARS – 2019 THROUGH 2021

- o Income Statement
- o Balance Sheet
- o Cash Flows



o



**MILDURA AIRPORT PTY LTD**

**FORECAST INCOME STATEMENT 2019 - 2021**

	2019	2020	2021
<b>INCOME</b>			
<i>Aviation Income</i>	4,414,583	4,547,020	4,683,431
<i>Car Parking Revenue</i>	585,170	602,725	620,807
<i>Rent</i>	330,854	340,780	351,003
<i>Cafe Sales</i>	687,597	708,225	729,471
<i>Other Income</i>	56,226	57,913	59,650
<b>Total Income</b>	6,074,430	6,256,663	6,444,363
<i>Cost of Goods Sold</i>	258,750	263,925	269,203
<b>Gross Profit</b>	5,815,680	5,992,738	6,175,160
<b>Expense</b>			
<i>Employee Expenses</i>	<b>2,768,684</b>	2,824,057	2,880,539
<i>Operations Expense</i>	487,256	497,001	506,941
<i>Facilities</i>	528,197	538,760	549,536
<i>Administration</i>	388,835	396,612	404,544
<b>Total Expense</b>	4,172,972	4,256,431	4,341,560
<b>Net Operating Profit (EBITDA)</b>	1,642,709	1,736,307	1,833,600
<i>Financing Expenses</i>	182,226	187,693	193,324
<i>Depreciation Expense (General)</i>	954,720	973,814	993,291
<b>Operating Profit before runway dep'n</b>	505,762	574,800	646,985
<i>Depreciation Expense (Runway)</i>	500,000	500,000	500,000
<b>Total Comprehensive Result</b>	5,762	74,800	146,985

**MILDURA AIRPORT PTY LTD**  
**FORECAST BALANCE SHEET 2019 - 2021**

	2019	2020	2021
CURRENT ASSETS	3,757,549	4,521,655	5,217,170
NON-CURRENT ASSETS	50,820,130	50,526,316	50,153,025
<b>TOTAL ASSETS</b>	<b>60,238,971</b>	<b>55,992,709</b>	<b>57,492,084</b>
CURRENT LIABILITIES	235,250	221,324	551,397
NON-CURRENT LIABILITIES	5,193,399	4,876,713	4,514,211
<b>TOTAL LIABILITIES</b>	<b>5,428,648</b>	<b>5,098,038</b>	<b>5,065,608</b>
<b>NET ASSETS</b>	<b>54,810,323</b>	<b>50,894,671</b>	<b>52,426,476</b>
<b>TOTAL EQUITY</b>	<b>54,810,323</b>	<b>50,894,671</b>	<b>52,426,476</b>



**MILDURA AIRPORT PTY LTD**  
**FORECAST CASH FLOWS 2019 - 2021**

	2019	2020	2021
<b>INFLOWS</b>			
Net Forecast Income	5,762	74,800	146,985
Add back non-cash items	1,636,946	1,661,508	1,686,615
<b>TOTAL INFLOWS</b>	<b>1,642,709</b>	<b>1,736,307</b>	<b>1,833,600</b>
<b>OUTFLOWS</b>			
Loan repayments (prin & int)	206,328	515,894	524,485
Asset Renewal Fund	600,000	600,000	600,000
Capital Expenditure	754,000	680,000	620,000
<b>TOTAL OUTFLOWS</b>	<b>1,560,328</b>	<b>1,795,894</b>	<b>1,744,485</b>
Net Cash Flow	82,381	-59,587	89,115
Opening Cash	118,503	200,883	141,296
<b>Forecast Closing Balance</b>	<b>200,883</b>	<b>141,296</b>	<b>230,411</b>



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## 14.10 SPECIAL AUDIT COMMITTEE MEETING NO. 6/2016-2017 - MINUTES SUMMARY

**File Number:** 02/02/08  
**Officer:** General Manager Corporate

### 1. Summary

In line with the requirements of the Audit Committee Charter, the purpose of this report is to present to Council, for noting, a summary of the minutes of Special Audit Committee Meeting No. 6/2016-2017. The confidential minutes of Special Audit Committee Meeting No. 6/2016-2017, including key outcomes and recommendations of the meeting, have been distributed to Council under separate cover.

### 2. Recommendation

**That Council note the confidential minutes of Special Audit Committee Meeting No. 6/2016-2017 held on 27 April 2017.**

### 3. Background

The Audit Committee is an advisory committee to Council whose role is to oversee and monitor the effectiveness of Council in carrying out its responsibilities for accountable financial management, good corporate governance, maintaining an effective system of internal control and risk management, and fostering an ethical environment. The Audit Committee consists of three independent members:

- Ms Karen Hensgen (Chair)
- Mr Frank Piscioneri
- Mr Paul Grigg
- Mayor Cr Glenn Milne
- Deputy Mayor Cr Jason Modica

The Audit Committee meets bi-monthly in accordance with the Audit Committee Charter. Special meetings are also convened as required.

The Audit Committee Charter requires a summary of the minutes of Audit Committee meetings to be presented to Council for noting.

### 4. Consultation Proposed/Undertaken

There are no consultation implications associated with this report.

**5. Discussion**

At Special Audit Committee Meeting 6/2016-2017, the Committee received a presentation from the:

- Manager Financial Services and Financial Services Coordinator on the process for development of the Draft Budget 2017-2018, including timelines and key considerations, along with budget highlights.
- General Manager Corporate on the process and timelines for development of the Draft Community and Council Plan 2017 to 2021.

The Committee noted that the Draft Budget, and Community and Council Plan would be presented a Special Council Meeting on 4 May 2017 seeking approval to release the draft documents for public exhibition/comment.

**6. Time Frame**

There are no timeframe implications associated with this report.

**7. Strategic Plan Links**

This report relates to the Council Plan in the Key Result Area:

4.5 Organisational Management

Goals to be achieved:

- effectively manage risk.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications****Policy**

This report complies with the Audit Committee Charter.

**Legal/Statutory**

There are no legal/statutory implications associated with this report.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

There are no attachments for this report.

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## 14.11 ADOPTION OF INSTRUMENT OF DELEGATION (CHILDREN'S SERVICES LEGISLATION)

**File Number:** 18/02/05  
**Officer:** General Manager Corporate

### 1. Summary

In accordance with Section 98(1) of the *Local Government Act 1989* (the Act), Council may, by instrument of delegation delegate to a member of its staff any power, duty or function of a Council under this Act or any other Act.

This report presents the updated Instrument of Delegation (Children's Services VIC & NSW Legislation) for adoption.

### 2. Recommendation

**That Council:**

- (i) adopt the Instrument of Delegation (Children's Services VIC & NSW Legislation) as presented;**
- (ii) revoke the Instrument of Delegation (Children's Services VIC & NSW Legislation) executed by Council in October 2015; and**
- (iii) once adopted, authorise all powers be delegated to members of Council staff holding, acting in or performing the duties of officers or positions referred to in the attached instrument of delegation.**

### 3. Background

Council's solicitors Maddocks have provided an update to Council for the Instrument of Delegation document specifically related to Children's Services Legislation for both Victoria and New South Wales. This Instrument of Delegation was last updated in October 2015.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with senior management in the development of these delegations.

### 5. Discussion

Council operates child care facilities in both Victoria and New South Wales therefore both sets of legislation are required in the Delegation document.

### 6. Time Frame

If adopted by Council, the instrument of delegation will come into force once the Common Seal is affixed.

**7. Strategic Plan Links**

This report relates to the Council Plan in the Key Result Area:

**4.5 Organisational Management**

Goal/s to be achieved:

- effectively manage risk.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications****Policy Implication**

There are no policy implications associated with this report.

**Legal/Statutory Implications**

This report aligns with Section 98(1) of the *Local Government Act 1989*.

**Financial Implications**

There are no financial implications associated with this report.

**Environmental Implications**

There are no environmental implications associated with this report.

**Social Implications**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Instrument of Delegation (Children's Services Legislation)

***Instrument of Delegation – Members of Staff***



Mildura Rural City Council

**Instrument of Delegation**

**(Children's Services VIC & NSW Legislation only)**

**Document Control Page**

**Document Information**

	Information
TRIM File Number	18/02/05
Document Owner	General Manager Corporate
Last Update	<del>October 2015</del> <a href="#">March 2017</a>

**Document History**

Version	Issue Date	Changes
1.0	December 2011	Document created to cover Victorian and New South Wales Children's Services Legislation
2.0	July 2012	Changes implemented to relevant Legislation
3.0	February 2014	Update from Maddocks – February 2014
4.0	October 2015	Update from Maddocks – September 2015
<a href="#">5.0</a>	<a href="#">May 2017</a>	<a href="#">Update from Maddocks – March 2017</a>

**Instrument of Delegation**

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

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

CHC	means	Community Health Coordinator
EYC	means	Early Years Coordinator
FDCE	means	Family Day Care Educators
FDCTL	means	Family Day Care Team Leader
GMC	means	General Manager Community
GMCS	means	General Manager Corporate Services
KEO	means	Kindergarten Enrolment Officer
MCCS	means	Manager Community Care Services
MLCS	means	Manager Leisure & Cultural Services
PCD	means	Playalong Centre Director
YCM	means	Youth Case Manager
YDO	means	Youth Development Officer
YESC	means	Youth Engagement Services Coordinator
YPO	means	Youth Program Officer

3. declares that:
  - 3.1 this Instrument of Delegation is authorised by a resolution of Council passed on [25 May 2017 Thursday 22 October 2015](#); and
  - 3.2 the delegation:
    - 3.2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
    - 3.2.2 remains in force until varied or revoked;
    - 3.2.3 is subject to any conditions and limitations set out in sub-paragraph 3.3, and the Schedule; and
    - 3.2.4 must be red 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 if:
    - 3.3.1 the issue, action, act or thing is an issue, action or thing which Council has previously designated as an issue, action, act or thing which must be the subject of a Resolution of Council; or

- 3.3.2 if the determining of the issue, taking of the action or doing of the act or thing would or would be likely to involve a decision which is inconsistent with a
  - (a) policy; or
  - (b) strategy
 adopted by Council; or
- 3.3.3 if the determining of the issue, the taking of the action or the doing of the act or thing cannot be the subject of a lawful delegation, whether on account of section 98(1)(a)-(f) (inclusive) of the Act or otherwise.

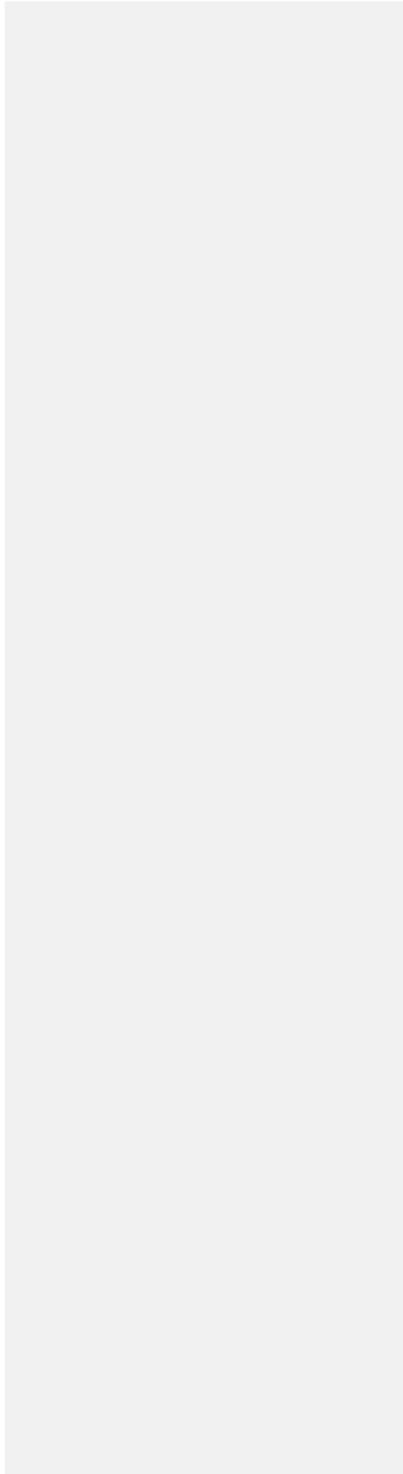
THE COMMON SEAL of the MILDURA RURAL CITY )  
 COUNCIL was affixed hereto by authority of the )  
 Council in the presence of: )  
 )

..... COUNCILLOR

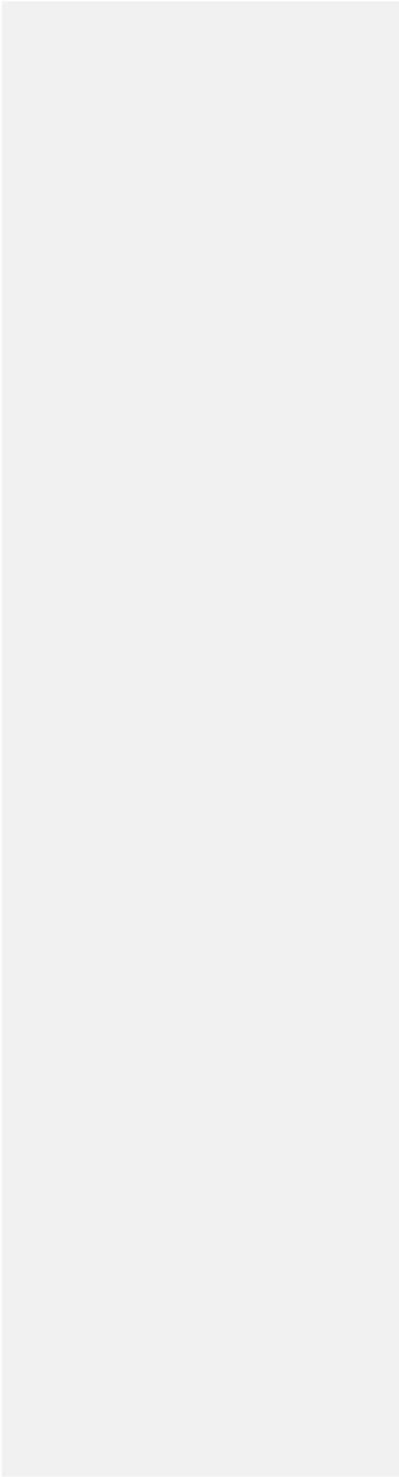
..... COUNCILLOR

..... CHIEF EXECUTIVE OFFICER

| 25 May 2017 ~~22-OCTOBER-2015~~ DATE



**SCHEDULE**



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<b>CHILD WELLBEING AND SAFETY ACT 2005 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.19	duty to comply with the Child Safe Standards	GMC, MCCS, EYC, CHC, DPELC, FDCTL, MLCS, YESC, YDO, YPO, YCM	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.25	function of receiving education and advice from the Commission for Children and Young People regarding the Child Safe Standards	GMC, MCCS, EYC, CHC, DPELC, FDCTL, MLCS, YESC, YDO	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.26	function of receiving request from the Commission for Children and Young People for any information or document	GMC, MCCS, EYC, CHC, DPELC, FDCTL, MLCS, YESC, YDO	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.27(1)	function of receiving request from a relevant authority to provide any information or document	GMC, MCCS, EYC, CHC, DPELC, FDCTL, MLCS, YESC, YDO	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.29(2)	function of receiving written notice and consenting to inspection of relevant premises by the Commission for Children and Young People	GMC, MCCS, EYC, CHC, MLCS, YESC	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.

s.29(3)	power to consent to inspection of relevant premises without written notice by the Commission for Children and Young People	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.30	duty to comply with notice to provide documents given under subsection (1)	GMC, MCCS, EYC, CHC, DPCLC, FDCTL, MLCS, YESC, YDO	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.31	duty to comply with notice to comply given under subsection (1)	GMC, MCCS, EYC, CHC, DPCLC, FDCTL, MLCS, YESC, YDO	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.36	duty to ensure that the Commission for Children and Young People is given any assistance reasonably required to perform functions	GMC, MCCS, EYC, CHC, DPCLC, FDCTL, MLCS, YESC, YDO	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.411	power to seek review by the Commission for Children and Young People of decision by the Commission to issue a notice to produce or a notice to comply	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.
s.41J	power to apply to VCAT for a review of the Commission for Children and Young People to issue a notice to comply	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' additional to its ordinary role as a council. Must have first exhausted all available avenues for review under s.411
s.41M	function of being given opportunity to comment on adverse comment or opinion to be included in annual report or further report	GMC, MCCS, MLCS	Where council functions as a 'category 1 entity' additional to its ordinary role as a council.

<b>CHILDREN'S SERVICES ACT 1996 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.9	Power to apply to Secretary for approval of premises and alterations to premises	GMC, MCCS	
s.15	Power to apply for licence to operate children's service	GMC, MCCS	
s.25G	Function of receiving copy of licence	GMC, MCCS	Function of licensee
s.25I	Function of being notified by Secretary	GMC, MCCS	Function of licensee
s.25K	Power to apply for approval of persons to control or manage the service	GMC, MCCS	Power of licensee
s.25N	Power to apply to Secretary for renewal of licence	GMC, MCCS	Power of licensee
s.25P(3)	Power to apply to Secretary to vary, revoke or impose a new condition, or to vary the time period of the licence	GMC, MCCS	Power of licensee
s.25P(5)	Function of receiving varied licence	GMC, MCCS	Function of licensee
s.25S	Power to apply for voluntary suspension of licence	GMC, MCCS	Power of licensee
s.25T	Power to apply for cancellation of licence	GMC, MCCS	Power of licensee
s.25W(2)(b)	Power to designate in writing a person as the primary nominee	GMC, MCCS	Power of approved provider
s.25X(1)	Power to apply to the Secretary for approval of new nominees and primary nominees	GMC, MCCS, EYC	Power of approved provider

<b>CHILDREN'S SERVICES ACT 1996 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.25X(3)	Function of receiving notice from the Secretary regarding approved nominees	GMC, MCCS, EYC	Power of approved provider
s.25Z	Function of receiving notice of decision from Secretary	GMC, MCCS	Power of approved provider
s.25ZA	Power to apply to the Secretary for suspension of service approval	GMC, MCCS	Power of approved provider
s.25ZB	Power to request cancellation of service approval	GMC, MCCS	Power of approved provider
ss.26 – 34A	Duty to comply with the obligations imposed on proprietors and licensees under Part 4 of the Act with respect to operation of children's services	GMC, MCCS, EYC	Duties of proprietor, licensee and approved provider of an approved associated children's service
s.36(3)	Power to consent (or to withhold consent) to authorised officer entering premises	GMC, MCCS, EYC, PCD	Power of occupier
s.36A	Function of providing information sought by Authorised Officer	GMC, MCCS, EYC, PCD	Function of licensee, staff member or nominee
ss.42A - 43AA	Function of responding to, or taking steps required by, the Secretary	GMC, MCCS, EYC	Function of licensee, proprietor and approved provider of an approved associated children's service
s.43A	Duty to comply with the direction of the Secretary	GMC, MCCS, EYC	Function of proprietor
s.45A	Function of receiving notice of Secretary's intention to cancel the service approval and function of making submissions to Secretary	GMC, MCCS	Power of approved provider

<b>CHILDREN'S SERVICES ACT 1996 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.53B	Function of receiving notice of Secretary's intention to publish information	GMC, MCCS, EYC	Function of licensee and approved provider
s.53C	Function of receiving information from the Secretary in relation to a children's service	GMC, MCCS, EYC	
s.54A	Power to apply for internal review by the Secretary	GMC, MCCS	Power of licensee and approved provider of an approved associated children's service
s.55	Power to apply to VCAT	GMC, MCCS	Power of person aggrieved

<b>PUBLIC HEALTH AND WELLBEING ACT 2008 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.143B	Duty to ensure enrolment of child only confirmed if satisfactory immunisation certificate provided	GMC, MCCS, EYC, PCP, FDCTL, KEO	Duty of person in charge of early childhood service Subject to exceptions contained in s.143C(1)
s.143C(2)	Duty to take reasonable steps to ensure immunisation status certificate provided within 16 weeks of child attending service	GMC, MCCS, EYC, PCP, FDCTL, KEO	Duty of person in charge of early childhood service Where an exception contained in s.143C(1) applies
s.149(2)	Power to rely on immunisation status certificate	GMC, MCCS, EYC, PCP, FDCTL, KEO	Power of person in charge of early childhood service

<b>WORKING WITH CHILDREN ACT 2005 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.15	Function of receiving notice from Secretary	GJC, MCCS	Function of agency
s.18	Function of receiving notice from Secretary	GMC, MCCS	Function of agency
s.20	Function of receiving notice of a change from worker	GMC, MCCS, EYC, PCD	Function of agency
s.20A(3)	Function of receiving notice from Secretary	GMC, MCCS	Function of agency
s.21A	Function of receiving notice from Secretary	GMC, MCCS	Function of agency
s.21AF	Function of receiving notice from Secretary	GMC, MCCS	Function of agency
s.21B	Function of receiving notice from Secretary	GMC, MCCS	Function of agency
s.21C	Function of receiving notice from Secretary	GMC, MCCS	Function of agency
s.22	Function of receiving notice from a holder of a negative notice	GMC, MCCS, EYC	Function of agency
s.23	Function of receiving notice from Secretary	GMC, MCCS, EYC	Function of agency
s.24(4)	Function of receiving notice from the Secretary	GMC, MCCS, EYC	Function of agency
s.30	Function of receiving notice of suspension or cancellation of a person's registration under the <i>Education and Training</i>	GMC, MCCS, EYC	Function of agency

<b>WORKING WITH CHILDREN ACT 2005 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	<i>Reform Act 2006</i>		
s.31	Function of receiving notice of suspension or dismissal of person with an exemption under the <i>Police Regulation Act 1958</i>	GMC, MCCS, EYC	Function of agency
s.31A	Function of receiving notice of suspension or termination of employment of a member of the Australian Federal Policy	GMC, MCCS	Function of agency
s.36	Duty to ensure that an offence against section 36 is not committed	GMC, MCCS, EYC	Duty of agency

**EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 (VIC)**

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The National Law provisions also apply in NSW, but the NSW delegation provisions for this Act are included separately at page 24-32 of this Instrument

Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.10	Power to apply for provider approval	GMC, MCCS	Power of "person" which includes a body corporate
s.20	Function of receiving copy of provider approval	GMC, MCCS	Function of approved provider
s.22	Power to apply to the Regulatory Authority for amendment of the provider approval	GMC, MCCS	Power of the approved provider
s.23	Function of receiving notice of amendment of provider approval	GMC, MCCS	Function of approved provider
s.24	Function of receiving a copy of amended provider approval	GMC, MCCS	Function of approved provider
s.26	Power of providing a written response to show cause notice	GMC, MCCS	Power of the approved provider
s.29	Function of receiving notice of decision to suspend provider approval	GMC, MCCS	Function of approved provider
s.32	Function of receiving a show cause notice and power to provide a written response to show cause notice	GMC, MCCS	Function and power of approved provider
s.33	Function of receiving notice of decision of Regulatory Authority	GMC, MCCS	Function of approved provider

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.35	Duty to comply with request for information, if a show cause notice has been given	GMC, MCCS, EYC	Duty of approved provider
s.36	Duty to comply with request to give written notice of suspension or cancellation	GMC, MCCS, EYC	Duty of approved provider
s.37(1)	Power to apply to the Regulatory Authority for suspension of the provider approval	GMC, MCCS	Power of approved provider
s.37(3)	Duty to notify parents of intention to make application for suspension of provider approval	GMC, MCCS, EYC	Duty of approved provider
s.37(5)	Function of receiving notice of Regulatory Authority's decision	GMC, MCCS	
s.37(6)	Function of agreeing with the Regulatory Authority on a date for suspension to take effect	GMC, MCCS	Function of approved provider
s.37(8)	Power to apply to revoke suspension before end of suspension period	GMC, MCCS	Power of approved provider
s.38(1)	Power to surrender provider approval	GMC, MCCS	Power of approved provider
s.38(3)	Duty to notify parents of intention to surrender provider approval	GMC, MCCS	Duty to approved provider

**EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 (VIC)**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.43	Power to apply for a service approval for an education and care service	GMC, MCCS	Power of approved provider
s.51	Duty to comply with condition of service approval to hold prescribed insurance	GMC, MCCS, EYC	Duty of approved provider
s.52	Function of receiving a copy of the service approval	GMD, MCCS, EYC	Function of approved provider
s.54(1)	Power to apply for amendment of service approval and function of receiving notice of decision	GMC, MCCS	Power and function of approved provider
s.54(9)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.55(3)	Function of receiving notice of the amendment	GMC, MCCS, EYC	Function of approved provider
s.56	Duty to give written notice to the Regulatory Authority of wish to change nominated supervisor	GMC, MCCS, EYC	Duty of approved provider
s.57	Function of receiving amended copy of service approval	GMC, MCCS, EYC	Function of approved provider

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.58	Power to transfer the service approval to another approved provider	GMC, MCCS	Power of approved provider
s.59	Duty to notify the Regulatory Authority of transfer under s.58	GMC, MCCS	Duty of approved provider
s.62	Function of receiving notice of the Regulatory Authority's decision to intervene	GMC, MCCS	Function of approved provider
s.68	Duty to give written notice to the regulatory Authority within 2 days of a transfer taking place	GMC, MCCS	Duty of approved provider
s.69	Duty to give written notice to parents of transfer of service	GMC, MCCS, EYC	Duty of approved provider who is receiving a transferred provider approval
s.71	Function of receiving a show cause notice and power to provide a written response to proposed suspension	GMC, MCCS	Function and power of approved provider
s.74	Function of receiving written notice of decision to suspend service approval	GMC, MCCS	Function of approved provider
s.78	Function of receiving a show cause notice and power to provide a written response to proposed cancellation	GMC, MCCS	Function and power of approved provider
s.79(1)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS	Function of approved provider

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.81	Power to apply for consent to transfer a service approval that is to be cancelled	GMC, MCCS	Power of approved provider
s.83	Duty to comply with request of Regulatory Authority for contact details of parents	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
s.84	Duty to comply with a direction of Regulatory Authority to give written notice of suspension or cancellation of service approval	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
s.85(1)	Power to apply to Regulatory Authority for a suspension of service approval	GMC, MCCS	Power of approved provider
s.85(4)	Duty to notify parents of intention to make application for suspension of service approval	GMC, MCCS	Duty of approved provider
s.85(6)	Function of agreeing with Regulatory Authority on date of suspension of service approval	GMC, MCCS, EYC, PCD, FDCTL	Function of approved provider
s.86(1)	Power to surrender a service approval	GMC, MCCS	Power of approved provider
s.86(3)	Duty to notify parents of intention to surrender the service approval	GMC, MCCS	Duty of approved provider

Instrument of Delegation (Children's Services VIC & NSW Legislation Only)

Version 45.0

**EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 (VIC)**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.87(1)	Power to apply to the Regulatory Authority for waiver from the requirement to comply with elements of the National Quality Standard and national regulations	GMC, MCCS	Power of approved provider
s.92(2)	Power to apply to the Regulatory Authority for revocation of service waiver	GMC, MCCS	Power of approved provider
s.94	Power to apply for temporary/interim waiver from the requirement to comply with elements of the National Quality Standard and national regulations	GMC, MCCS	Power of approved provider
s.136(1)	Function of receiving notice of the outcome of the rating assessment	GMC, MCCS, EYC, PCD, FDCTL	Function of approved provider
s.137(2)	Function of receiving notice from the Regulatory Authority	GMC, MCCS, EYC, PCD, FDCTL	Power of approved provider
s.139	Power to apply to the Regulatory Authority for re-assessment and re-rating of an approved education and care service	GMC, MCCS, EYC	Power of approved provider
s.141	Power to request the Regulatory Authority to review rating levels	GMC, MCCS, EYC, PCD, FDCTL	Power of approved provider

**EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 (VIC)**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.142(4)	Power to agree to extension of time	GMC, MCCS, EYC	Power of approved provider
s.143(2)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC, PCD, FDCTL	Function of approved provider
s.144(2)	Power to apply to the National Authority for a further review of the rating levels	GMC, MCCS, EYC, PCD, FDCTL	Power of approved provider
s.151(4)	Power to agree to extension of time	GMC, MCCS, EYC	Power of approved provider
s.151(5)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.152(1)	Power to apply to the National Authority for an approved education and care service to be assessed for the highest rating level	GMC, MCCS, EYC	Power of approved provider
s.155(3)	Power to agree to extension of time	GMC, MCCS, EYC	Power of approved provider

Instrument of Delegation (Children's Services VIC & NSW Legislation Only)

Version 45.0

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.156	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.159	Power to reapply for the award of the highest rating level	GMC, MCCS, EYC, PCD, FDCTL	Power of an approved provider which has been awarded the highest rating level
s.171	Duty to comply with direction of Regulatory Authority to exclude inappropriate persons from premises	GMC, MCCS, EYC, PCD, FDCTL, FDCE	Duty of approved provider
s.176	Duty to comply with a compliance direction of the Regulatory Authority	GMC, MCCS, EYC, PCD, FDCTL, FDCE	Duty of approved provider
s.177	Duty to comply with a compliance notice given by the Regulatory Authority	GMC, MCCS, EYC, PCD, FDCTL, FDCE	Duty of approved provider
s.178	Duty to comply with a direction given by the Regulatory Authority	GMC, MCCS, EYC, PCD, FDCTL, FDCE	Duty of approved provider

**EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 (VIC)**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.179	Duty to comply with a direction given by the Regulatory Authority	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
s.182	Function of receiving a prohibition notice	GMC, MCCS, EYC, PCD, FDCTL	Function of a person involved in the provision of an approved education and care service
s.183	Function of receiving a show cause notice and power to provide written submissions to the Regulatory Authority	GMC, MCCS, EYC	Function of a person involved in provision of an approved education and care service, including an approved provider
s.184	Function of receiving a notice of decision of Regulatory Authority	GMC, MCCS, EYC	Function of a person involved in provision of an approved education and care service, including an approved provider
s.186(1)	Function of receiving notice of cancellation of prohibition notice	GMC, MCCS, EYC	Function of a person involved in provision of an approved education and care service, including an approved provider
s.186(2)	Power to apply to the Regulatory Authority to cancel the prohibition notice	GMC, MCCS, EYC	Function of a person involved in provision of an approved education and care service, including an approved provider

**EDUCATION AND CARE SERVICES NATIONAL LAW ACT 2010 (VIC)**

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Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.191	Power to apply to the Regulatory Authority for review of decision	GMC, MCCS, EYC	Person who is the subject of a reviewable decision for internal review
s.193	Power to apply to relevant court or tribunal	GMC, MCCS, EYC	Power of a person who is the subject of a reviewable decision for external review
s.206	Duty to provide authorised officer with requested information	GMC, MCCS, EYC	Power of a specified person, which includes an approved provider
s.215	Duty to provide Regulatory Authority with requested information	GMC, MCCS, EYC, PCD	Duty of a specified person, which includes an approved provider
s.216	Duty to provide Regulatory Authority with requested information	GMC, MCCS, EYC, PCD	Duty of a specified person, which includes an approved provider
s.269(1)	Duty to keep a register of each family day care educator and any other person engaged to educate and care for a child	GMC, MCCS, EYC, FDCTL	Duty of an approved provider
s.269(2)	Duty to provide information on the register upon request	GMC, MCCS, EYC, FDCTL	Duty of an approved provider
s.272	Power to request the Regulatory Authority to disclose certain information	GMC, MCCS	Power of an approved provider

<b>CHILDREN'S SERVICES REGULATIONS 2009 (VIC)</b>				
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>	
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>	
r.24C	Function of ensuring that a request to cancel a service approval under section 252B of the Act is accompanied by information in Part 14 of Schedule 1 of the Regulations	GMC, MCCS, EYC	Function of approved provider of an approved associated children's service	
r.28	Duty to ensure that records kept are accurate	GMC, MCCS, EYC, PCD, FDCTL	Duty of proprietor	
r.29	Duty to ensure attendance record is kept in accordance with r.29	MCCS, EYC, PCD	Duty of proprietor	
rr.31 & 35	Duty to ensure that an enrolment records are kept in accordance with division 3 of Part 3	MCCS, EYC, PCD	Duty of proprietor	
rr.36 & 37	Duty to ensure that medication, accident, injury, trauma and illness records are kept in accordance with division 4 of Part 3	MCCS, EYC, PCD	Duty of proprietor	
r.38	Duty to ensure that a staff record is kept in accordance with r.38	MCCS, EYC, PCD	Duty of proprietor	
rr.40 – 44	Duty to ensure that requirements as to provision and display of information in division 1 of Part 4 are complied with	MCCS, EYC, PCD	Duty of proprietor	
rr.50 – 52A	Duty to ensure that minimum staff and teaching hour requirements in division 1 of Part 5 are met	MCCS, EYC, PCD	Duty of proprietor	
rr.60, 63, 65, 67, 68	Duty to ensure that qualification and training requirements for staff in division 3 of Part 5 are complied with	MCCS, EYC, PCD	Duty of proprietor	

<b>CHILDREN'S SERVICES REGULATIONS 2009 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.70	Duty to read current assessment notice and volunteer assessment notice (and duty to ensure r.70 is complied with)	GMC, MCCS, EYC, PCD, FDCTL	Duty of licensee and primary nominee
r.70A	Duty to read, or ensure that nominee has read, assessment notice before person becomes employee or volunteer	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider of an approved associated children's service
rr.71 – 74	Duty to ensure that the requirements in relation to access to and removal of children from the premises in division 1 of Part 6 are complied with	MCCS, EYC, PCD	Duty of proprietor
rr.76 & 77	Duty to ensure that safety requirements in division 2 of Part 6 are complied with	MCCS, EYC, PCD	Duty of proprietor
rr.78 – 82	Duty to ensure that personal hygiene, food and beverage and smoke-free requirements in division 3 of Part 6 are complied with	MCCS, EYC, PCD	Duty of proprietor
rr.84, 86, 88 & 89	Duty to ensure that first aid and illness requirements in division 5 of Part 6 are complied with	MCCS, EYC, PCD	Duty of proprietor
r.91	Duty to notify parent of serious incident	MCCS, EYC, PCD	Duty of proprietor
r.93	Duty to ensure that each child has access to furniture, materials and developmentally appropriate equipment	MCCS, EYC, PCD	Duty of proprietor

<b>CHILDREN'S SERVICES REGULATIONS 2009 (VIC)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.95 – 100	Duty to ensure that rooms and space requirements in division 3 of Part 7 are complied with	MCCS, EYC, PCD	Duty of licensee and approved provider of an approved associated children's service
r.101 – 104	Duty to ensure that toileting, rest and food preparation facilities requirements in division 4 of Part 7 are complied with	MCCS, EYC, PCD	Duty of licensee and approved provider of an approved associated children's service
r.105(1)	Duty to deal with and respond to complaints	MCCS, EYC, PCD, FDCTL	Duty of proprietor
r.105(2)	Duty to notify Secretary of complaints	MCCS, EYC, PCD, FDCTL	Duty of proprietor
r.106	Duty to ensure that the <i>Children's Services Act 1996</i> and Regulations are available at the premises of the children's service	MCCS, EYC, PCD, FDCTL	Duty of proprietor

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011 (NSW) **</b>			
<b>** Part 7, 8 of the NSW regulations apply to Victoria, pursuant to r.354 of the Education and Care Services Regulations (nswNSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
<a href="#">r.162</a>	Duty to keep immunisation status certificate or exemption for each child enrolled at education and care service	GMC, MCCS, EYC, FDCTL	Duty of approved provider of an education and care service Duty specifically prescribed in relation to Victoria
r.358	Duty to read a person's working with children check before the person is engaged or permitted to volunteer at the service	GMC, MCCS, EYC, FDCTL	Duty of approved provider of an education and care service
r.359	Duty to read and consider a person's criminal history record before the person is engaged or permitted to volunteer at the service	GMC, MCCS, EYC, FDCTL	Duty of approved provider of a family day care service

Instrument of Delegation (Children's Services VIC & NSW Legislation Only)

Version 45.0

<b>CHILD PROTECTION (WORKING WITH CHILDREN) ACT 2012 (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.31	Duty to provide information to the Children's Guardian upon request	GMC, MCCS, EYC, FDCTL, PCD	Duty of government agency
s.35	Duty to notify the Children's Guardian if a worker has engaged in conduct specified in cl.2 of Schedule 1	GMC, MCCS, EYC, FDCTL, PCD	Duty of reporting body
s.40	Duty to comply with direction of the Children's Guardian	GMC, MCCS, EYC, FDCTL, PCD, <a href="#">FDCE</a>	

CHILDREN AND YOUNG PERSONS (CARE AND PROTECTION) ACT 1998 (NSW)			
Column 1	Column 2	Column 3	Column 4
PROVISION	THING DELEGATED	DELEGATE	CONDITIONS & LIMITATIONS
s.245C	Power to provide information to another prescribed body, and function of receiving information from another prescribed body	GMC, MCCS, EYC, FDCTL	Power or function of prescribed body (which includes licensee)
s.245D(1)	Power to request information from another prescribed body	GMC, MCCS, EYC, FDCTL	Power of prescribed body (which includes licensee)
s.245D(3)	Duty to comply with request for information by another prescribed body unless s.245D(4) applies	GMC, MCCS, EYC, FDCTL	Duty of prescribed body (which includes licensee)
s.245D(5)	Duty to notify prescribed body with written reasons for refusing to provide information requested	GMC, MCCS, EYC, FDCTL	Duty of prescribed body (which includes licensee)
s.245F	Duty to ensure information is not disclosed or used for any purpose other than for the safety, welfare or well-being of the child or young person	GMC, MCCS, EYC	Duty of prescribed body (which includes licensee)
s.248	Function of furnishing and receiving information to/from the Director-General	GMC, MCCS	Function of prescribed body (which includes licensee)
s.248B(6)	Power to exchange assessment information with NSW State child protection bodies	GMC, MCCS, EYC, FDCTL	Where Council arranges child protection, out-of-home care, guardianship or adoption services

<b>CHILDREN (EDUCATION AND CARE SERVICES) SUPPLEMENTARY PROVISIONS ACT 2011 (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.10	Duty to ensure that there is at least one nominated supervisor	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
s.32	Duty to provide parents with access to information listed in s.32	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
s.33-35	Duty to comply with the conditions of service approval	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.10	Power to apply for provider approval	GMC, MCCS	Power of "person" which includes a body corporate
s.20	Function of receiving copy of provider approval	GMC, MCCS, EYC	Function of approved provider
s.22	Power to apply to the Regulatory Authority for amendment of the provider approval	GMC, MCCS, EYC	Power of the approved provider
s.23	Function of receiving notice of amendment of provider approval	GMC, MCCS, EYC	Function of approved provider
s.24	Function of receiving a copy of amended provider approval	GMC, MCCS, EYC	Function of approved provider
s.26	Power of providing a written response to show cause notice	GMC, MCCS, EYC	Power of approved provider
s.29	Function of receiving notice of decision to suspend provider approval	GMC, MCCS, EYC	Function of approved provider
s.32	Function of receiving a show cause notice and power to provide a written response to show cause notice	GMC, MCCS, EYC	Function and power of approved provider
s.33	Function of receiving notice of decision of Regulatory Authority	GMC, MCCS, EYC	Function of approved provider
s.35	Duty to comply with request for information, if a show cause notice has been given	GMC, MCCS, EYC	Duty of approved provider
s.36	Duty to comply with request to give written notice of suspension or cancellation	GMC, MCCS, EYC	Duty of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.37(1)	Power to apply to the Regulatory Authority for suspension of the provider approval	GMC, MCCS, EYC	Power of approved provider
s.37(3)	Duty to notify parents of intention to make application for suspension of provider approval	GMC, MCCS, EYC	Duty of approved provider
s.37(5)	Function of receiving notice of Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.37(6)	Function of agreeing with the Regulatory Authority on a date for suspension to take effect	GMC, MCCS	Function of approved provider
s.37(8)	Power to apply to revoke suspension before end of suspension period	GMC, MCCS	Power of approved provider
s.38(1)	Power to surrender provider approval	GMC, MCCS	Power of approved provider
s.38(3)	Duty to notify parents of intention to surrender provider approval	GMC, MCCS	Duty of approved provider
s.43	Power to apply for a service approval for an education and care service	GMC, MCCS	Power of approved provider
s.51	Duty to comply with condition of service approval to hold prescribed insurance	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
s.52	Function of receiving a copy of the service approval	GMC, MCCS, EYC	Function of approved provider
s.54(1)	Power to apply for amendment of service approval and function of receiving notice of decision	GMC, MCCS, EYC	Power and function of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.54(9)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.55(3)	Function of receiving notice of the amendment	GMC, MCCS, EYC	Function of approved provider
s.56	Duty to give written notice to the Regulatory Authority of wish to change nominated supervisor	GMC, MCCS, EYC	Duty of approved provider
s.57	Function of receiving amended copy of service approval	GMC, MCCS, EYC	Function of approved provider
s.58	Power to transfer the service approval to another approved provider	GMC, MCCS, EYC	Power of approved provider
s.59	Duty to notify the Regulatory Authority of transfer under s.58	GMC, MCCS, EYC	Duty of approved provider
s.62	Function of receiving notice of the Regulatory Authority's decision to intervene	GMC, MCCS, EYC, FDCTL, PCD	Function of approved provider
s.68	Duty to give written notice to the Regulatory Authority within 2 days of a transfer taking place	GMC, MCCS, EYC	Duty of approved provider
s.69	Duty to give written notice to parents of transfer of service	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider who is receiving a transferred provider approval
s.71	Function of receiving a show cause notice and power to provide a written response to proposed suspension	GMC, MCCS, EYC	Function and power of approved provider
s.74	Function of receiving written notice of decision to suspend service approval	GMC, MCCS, EYC	Function of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.78	Function of receiving a show cause notice and power to provide a written response to proposed cancellation	GMC, MCCS, EYC	Function and power of approved provider
s.79(1)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.81	Power to apply for consent to transfer a service approval that is to be cancelled	GMC, MCCS, EYC	Power of approved provider
s.83	Duty to comply with request of Regulatory Authority for contact details of parents	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
s.84	Duty to comply with a direction of Regulatory Authority to give written notice of suspension or cancellation of service approval	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
s.85(1)	Power to apply to Regulatory Authority for suspension of service approval	GMC, MCCS	Power of approved provider
s.85(4)	Duty to notify parents of intention to make application for suspension of service approval	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
s.85(6)	Function of agreeing with Regulatory Authority on date of suspension of service approval	GMC, MCCS	Function of approved provider
s.86(1)	Power to surrender a service approval	GMC, MCCS	Power of approved provider
s.86(3)	Duty to notify parents of intention to surrender the service approval	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.87(1)	Power to apply to the Regulatory Authority for waiver from the requirement to comply with elements of the National Quality Standard and national regulations	GMC, MCCS	Power of approved provider
s.92(2)	Power to apply to the Regulatory Authority for revocation of service waiver	GMC, MCCS	Power of approved provider
s.136(1)	Function of receiving notice of the outcome of the rating assessment	GMC, MCCS, EYC, FDCTL, PCD	Function of approved provider
s.137(2)	Function of receiving notice from the Regulatory Authority	GMC, MCCS, EYC, FDCTL, PCD	Function of approved provider
s.139	Power to apply to the Regulatory Authority for re-assessment and re-rating of an approved education and care service	GMC, MCCS, EYC	Power of approved provider
s.141	Power to request the Regulatory Authority to review rating levels	GMC, MCCS, EYC	Power of approved provider
s.142(4)	Power to agree to extension of time	GMC, MCCS, EYC	Power of approved provider
s.143(2)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC, FDCTL, PCD	Function of approved provider
s.144(2)	Power to apply to the National Authority for a further review of the rating levels	GMC, MCCS, EYC	Power of approved provider
s.151(4)	Power to agree to extension of time	GMC, MCCS,	Power of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.151(5)	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.152(1)	Power to apply to the National Authority for an approved education and care service to be assessed for the highest rating level	GMC, MCCS, EYC	Power of approved provider
s.155(3)	Power to agree to extension of time	GMC, MCCS, EYC	Power of approved provider
s.156	Function of receiving notice of the Regulatory Authority's decision	GMC, MCCS, EYC	Function of approved provider
s.159	Power to reapply for the award of the highest rating level	GMC, MCCS, EYC	Power of an approved provider which has been awarded the highest rating level
s.171	Duty to comply with direction of Regulatory Authority to exclude inappropriate persons from premises	GMC, MCCS, EYC, FDCTL, PCD, <a href="#">FDCE</a>	Duty of approved provider
s.176	Duty to comply with a compliance direction of the Regulatory Authority	GMC, MCCS, EYC, FDCTL, PCD, <a href="#">FDCE</a>	Duty of approved provider
s.177	Duty to comply with a compliance notice given by the Regulatory Authority	GMC, MCCS, EYC, FDCTL, PCD, <a href="#">FDCE</a>	Duty of approved provider
s.178	Duty to comply with a direction given by the Regulatory Authority	GMC, MCCS, EYC, FDCTL, PCD, <a href="#">FDCE</a>	Duty of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s. 179	Duty to comply with a direction given by the Regulatory Authority	GMC, MCCS, EYC, FDCTL, PCD, FDCE	Duty of approved provider
s. 182	Function of receiving a prohibition notice	GMC, MCCS, EYC	Function of a person involved in the provision of an approved education and care service
s. 183	Function of receiving a show cause notice and power to provide written submissions to the Regulatory Authority	GMC, MCCS, EYC	Function of a person involved in provision of an approved education and care service, including an approved provider
s. 184	Function of receiving a notice of decision of Regulatory Authority	GMC, MCCS, EYC, PCD, FDCTL	Function of a person involved in provision of an approved education and care service, including an approved provider
s. 186(1)	Function of receiving notice of cancellation of prohibition notice	GMC, MCCS, EYC, PCD, FDCTL	Function of a person involved in provision of an approved education and care service, including an approved provider
s. 186(2)	Power to apply to the Regulatory Authority to cancel the prohibition notice	GMC, MCCS, EYC, PCD, FDCTL	Function of a person involved in provision of an approved education and care service, including an approved provider
s. 191	Power to apply to the Regulatory Authority for review of decision	GMC, MCCS, EYC	Person who is the subject of a reviewable decision for internal review
s. 193	Power to apply to relevant court or tribunal	GMC, MCCS	Power of a person who is the subject of a reviewable decision for external review
s. 206	Duty to provide authorised officer with requested information	GMC, MCCS, EYC, PCD,	Power of a specified person, which includes an approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) NATIONAL LAW (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
s.215	Duty to provide Regulatory Authority with requested information	GMC, MCCS, EYC, PCD, FDCTL, <b>FDCE</b>	Duty of a specified person, which includes an approved provider
s.216	Duty to provide Regulatory Authority with requested information	GMC, MCCS, EYC, PCD, FDCTL, <b>FDCE</b>	Duty of a specified person, which includes an approved provider
s.269(1)	Duty to keep a register of each family day care educator and any other person engaged to educate and care for a child	GMC, MCCS, EYC, PCD, FDCTL, <b>FDCE</b>	Duty of an approved provider
s.269(2)	Duty to provide information on the register upon request	GMC, MCCS, EYC, PCD, FDCTL	Duty of an approved provider
s.272	Power to request the Regulatory Authority to disclose certain information	GMC, MCCS, EYC	Power of an approved provider

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011 (NSW)</b> (also known as "National Law Regulations")			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.33	Duty to pay the annual fee for service approval	GMC, MCCS, EYC	Duty of approved provider
r.43	Power to agree to alternative notice period	GMC, MCCS, EYC	Power of <del>approved</del> provider
r.55	Duty to prepare and submit a quality improvement plan within 3 months of grant of service approval	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
r.56	Duty to review and revise quality improvement plan and submit to Regulatory Authority on request	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
r.74	Duty to ensure that certain information listed in r.74(1) is documented	GMC, MCCS, EYC, FDCTL, PCD, <del>FDCE</del>	Duty of approved provider
r.75	Duty to make available certain information listed in r.75	GMC, MCCS, EYC, FDCTL, PCD, <del>FDCE</del>	Duty of approved provider
r.76	Duty to provide certain information to parents on request	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
r.77-84	Duty to ensure that requirements in r.77-84 regarding children's health, safety and wellbeing are met	GMC, MCCS, EYC, FDCTL, PCD, <del>FDCE</del>	Duty of approved provider
r.86	Duty to notify parent of child involved in incident, injury,	GMC, MCCS, EYC, FDCTL,	Duty of approved provider

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011 (NSW) (also known as "National Law Regulations")</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
	trauma or illness	PCD, <b>FDCE</b>	
r:87	Duty to keep an incident, injury, trauma and illness record, in accordance with r:87	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
r:88	Duty to ensure that parents are notified of an occurrence of an infectious disease at the child-care venue	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
r:89	Duty to ensure that first aid kits are kept in accordance with r:89	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
r:91	Duty to ensure that copy of the medical conditions policy is provided to parents of a child enrolled at service, if aware that their child has a health care need, allergy or medical condition	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
r:92-96	Duty to accord with requirements in r:92-96 regarding administration of medication to children	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
r:97	Duty to accord with requirements in r:97 regarding emergency and evacuation procedures	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
r:98	Duty to ensure that staff have access to telephone and communication equipment	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
r:99, 100 & 102	Duty to accord with requirements in r:99, 100 and 102 regarding collection of children from premises and excursions	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011 (NSW)</b> (also known as "National Law Regulations")			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.103-115	Duty to accord with requirements in 103-115 regarding facilities at child care service	GMC, MCCS, EYC, PCD	Duty of approved provider
r.116	Duty to conduct an assessment of each residence and approved family day care venue and require each family day care educator to advise of certain changes	GMC, MCCS, EYC, FDCTL, <b>FDCE</b>	Duty of approved provider
r.118	Duty to designate a suitably qualified and experienced educational leader	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
r.119	Duty to ensure that family day care educators and assistants are 18 years old or older	GMC, MCCS, EYC, FDCTL	Duty of approved provider
r.120	Duty to ensure educators under 18 years of age are supervised	GMC, MCCS, EYC, FDCTL, PCD, <b>FDCE</b>	Duty of approved provider
r.124	Power to approve a family day care educator to educate and care for more than 7 children or more than 4 preschool age children	GMC, MCCS, EYC, FDCTL	Duty of approved provider
r.136	Duty to ensure that persons with certain first aid training are in attendance at the service	GMC, MCCS, PCD, EYC	Duty of approved provider Note: r.136(1)(b) & (c) and 3(b) & (c) do not apply before 1 January 2013 (see r.246 and r.247)
r.144	Power to approve a person to assist a family day care educator	GMC, MCCS, EYC, FDCTL	Power of approved provider
r.145-152	Duty to keep staff and educator records in accordance with r.145-152	GMC, MCCS, PCD, FDCTL, EYC	Duty of approved provider
r.154	Duty to keep <u>arecorda</u> record of staff, family day care	GMC, MCCS,	Duty of approved provider

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011 (NSW)</b> (also known as "National Law Regulations")			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r: 155-156	Duty to comply with requirements of r: 155-156 with respect to interactions with children and relationships in groups	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
r: 157	Duty to ensure that parents have access to the child care centre premises	GMC, MCCS, EYC, PCD	Duty of approved provider
r: 158-162	Duty to keep attendance, <u>immunisation</u> and enrolment records in accordance with r: 158-162	GMC, MCCS, EYC, PCD, FDCTL, <u>KEO</u>	Duty of approved provider
r: 163-166	Duty to comply with requirements of r: 163-166 with respect to residents of family day care premises	GMC, MCCS, EYC, FDCTL, <u>FDCE</u>	Duty of approved provider
r: 167-172	Duty to accord with requirements regarding policies and procedures	GMC, MCCS, EYC, FDCTL, <u>FDCE</u>	Duty of approved provider
r: 180	Duty to keep evidence of prescribed insurance	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
r: 181	Duty to ensure confidentiality of records	GMC, MCCS, EYC, PCD, FDCTL, <u>FDCE</u>	Duty of approved provider
r: 183-184	Duty to comply with r: 183-184 regarding storage of records	GMC, MCCS, EYC, PCD, FDCTL, <u>FDCE</u>	Duty of approved provider
r: 185	Duty to ensure that a copy of law and regulations is accessible at child care premises	GMC, MCCS, EYC, PCD	Duty of approved provider

<b>EDUCATION AND CARE SERVICES NATIONAL REGULATIONS 2011 (NSW)</b> (also known as "National Law Regulations")			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>ITEM DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS &amp; LIMITATIONS</b>
r.238	Duty to prepare and make available a quality improvement plan	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
r.257	Power to apply to the Regulatory Authority for the prescribed regulation to cease to apply in relation to the service	GMC, MCCS EYC	Power of approved provider
r.273	Duty to ensure that the nominated supervisor of the service has completed a course in child protection	GMC, MCCS EYC, FDCTL	Duty of approved provider Note: this regulation applies in New South Wales only
r.274	Duty to comply with requirements of r.274 with respect to swimming pools at the premises of the service	GMC, MCCS, EYC, FDCTL, FDCE	Duty of approved provider Note: this regulation applies in New South Wales only
r.358	Duty to read or ensure that the nominated supervisor has read a person's working with children check before they are engaged	GMC, MCCS, EYC, FDCTL	Duty of approved provider Note: this regulation applies in New South Wales only
r.359	Duty to read or ensure that the nominated supervisor has read a person's criminal history check before they are engaged	GMC, MCCS, EYC, FDCTL	Duty of approved provider Note: this regulation applies in New South Wales only

<b>CHILDREN (EDUCATION AND CARE SERVICES) SUPPLEMENTARY PROVISIONS REGULATION 2012 (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.10	Duty to apply to the Regulatory Authority for approval of revised venue management plan and amendment to the service approval	GMC, MCCS, EYC	Duty of approved provider
r.37	Duty to ensure that the premises of the service comply with the plan for those premises	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider of a mobile education and care service for <u>which</u> there is a venue management plan
r.41(3)	Duty to ensure that a record is kept of any test of fire protection equipment	GMC, MCCS, PCD, FDCTL, EYC	Duty of approved provider
r.45-48	Duty to comply with requirements of r.45-48 with respect to the premises of an education and care service	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
r.49-56	Duty to comply with requirements of r.49-56 with respect to staffing arrangements for education and care service	GMC, MCCS, EYC, FDCTL, PCD	Duty of approved provider
r.58(2)	Power to agree to approval to provide the service to more children than the number specified in the service approval	GMC, MCCS, EYC, FDCTL	Power of approved provider
r.59(4)	Duty to admit a child who is the subject of emergency child care approval to the first available vacancy at the service	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider

<b>CHILDREN (EDUCATION AND CARE SERVICES) SUPPLEMENTARY PROVISIONS REGULATION 2012 (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.60	Duty to admit a child who is subject to the approval under r.59 to the first available vacancy at the service	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider
r.61	Duty to ensure that group sizes are in accordance with r.61	GMC, MCCS, DPC, FDCTL, EYC	Duty of approved provider
r.63-71	Duty to comply with operational requirements contained in r.63-71	GMC, MCS, EYC, PCD, FDCTL	Duty of approved provider
r.72-75	Duty to comply with requirements of r.72-75 with respect to information and access to children	GMC, MCCS, PCD, FDCTL, EYC	Duty of approved provider
r.76-79	Duty to comply with requirements of r.76-79 with respect to excursions	GMC, MCCS, PCD, FDCTL, EYC, <b>FDCE</b>	Duty of <del>approved</del> <b>approved</b> provider
r.80-83	Duty to comply with requirements of r.80-83 with respect to emergencies	GMC, MCCS, PCD, FDCTL, EYC, <b>FDCE</b>	Duty of approved provider
r.85-106	Duty to comply with administrative requirements contained in r.85-106	GMC, MCCS, PCD, FDCTL, EYC, <b>FDCE</b>	Duty of approved provider

Instrument of Delegation (Children's Services VIC & NSW Legislation Only)

Version 45.0

<b>CHILDREN (EDUCATION AND CARE SERVICES) SUPPLEMENTARY PROVISIONS REGULATION 2012 (NSW)</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>PROVISION</b>	<b>THING DELEGATED</b>	<b>DELEGATE</b>	<b>CONDITIONS AND LIMITATIONS</b>
r.101	Duty to give the Regulatory Authority notice of certain changes	GMC, MCCS, EYC, PCD, FDCTL	Duty of approved provider who is a public authority

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**14.12 ADOPTION OF ADMINISTRATION OF RATES POLICY CP050**

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

**1. Summary**

The purpose of this report is to present the Administration of Rates Policy CP050 and seek Council's resolution to adopt the policy.

**2. Recommendation**

**That Council adopt the Administration of Rates Policy CP050 as presented.**

**3. Background**

The purpose of this policy is to ensure the fair and consistent administration of municipal rates and charges while adhering to the requirements of the *Local Government Act 1989*.

**4. Consultation Proposed/Undertaken**

Consultation has been undertaken with Council's senior management team.

**5. Discussion**

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

Council recognises that the *Local Government Act 1989* (the Act) provides the guidelines by which Victorian Councils must abide by in administering rates and charges. However, the Act is applied broadly, enabling Councils to customise their administrative processes based on best practice principles of the day.

**6. Time Frame**

This policy will come into force if adopted by Council and will be reviewed every three years.

**7. Strategic Plan Links**

This report relates to the Council Plan in the Key Result Area:

**4.1 Leadership and Representation**

Goals to be achieved:

- deliver results in line with community expectations.

4.2 Communication and Engagement

Goals to be achieved:

- communicate effectively with the community; and
- engage effectively with the community.

4.3 Customer Service

Goals to be achieved:

- provide a high standard of customer service.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report presents the Administration of Rates Policy CP050.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Administration of Rates Policy (CP050)
- 2 Rates Penalty Interest Deferment Application Form
- 3 Rates Waiver Application Form
- 4 Non Rateable Status Application Form



**Administration of Rates Policy**  
**Policy – CP050**

Prepared	Reviewed	Approved	Date
Trim File: 18/02/01		To be reviewed: April 2020	
Document Owner: Manager Corporate Administration		Review Frequency: 3 Years	

**1. The purpose of this policy is**

To ensure the fair and consistent administration of municipal rates and charges while adhering to the requirements of the *Local Government Act 1989*.

**2. Policy Statement**

Council recognises that the *Local Government Act 1989* (the Act) provides the guidelines by which Victorian Councils must abide by in administering rates and charges. However, the Act is applied broadly, enabling Councils to customise their administrative processes based on best practice principles of the day.

**3. Principles**

- **Determining the Rateability of Land**

All land is rateable unless it qualifies for one of the exemptions detailed under Section 154 *Local Government Act 1989* Part 8. The exemption for land used exclusively for 'charitable purposes', however, is general in its description and therefore is open to interpretation.

The convention that shall be applied for assessing and maintaining rate exemptions is:

- Applications for rate exemptions will only be accepted by way of submitting a completed Non-Rateable Status application form and supporting documentation (where required)
- The effective date of an exemption will be the date Council receives the application form
- Where Council nominates a date the non-rateable status will cease, a new application will be required for an extension before that date
- Council may conduct site inspections without notice before or during a period of exemption
- Fraudulent or intentionally misleading information supplied to Council will result in the backdating of rates to the date the exemption commenced

- Failure to notify Council of a change in use of the property that would cause cessation of the exemption may result in the backdating of rates to 01 July of the current financial year
- Council will audit all non-rateable properties for ongoing compliance at least every two years and reserve the right to cease any exemption in the event of non-compliance

- **Application of Penalty Interest**

How and when rates penalty interest is applied varies greatly among Victorian Councils. Many ratepayers can potentially be penalised merely for oversights and situations outside of their control.

The convention that shall be applied for Rates Penalty Interest is:

- Ratepayers allowed a 14 calendar-day grace period on statutory Rates Instalments, effective from the statutory due date
- Ratepayers allowed a 28 calendar-day grace period on statutory Rates Full Payment, effective from the statutory due date
- A deferment of Rates Penalty Interest be applied for a maximum period of 90 days on compassionate grounds for those ratepayers who experience:
  - unexpected illness causing incapacitation, or
  - death of the ratepayer, or
  - death of a direct relative, or
  - unexpected crisis or trauma

A Statutory Declaration and completed Rates Penalty Interest Deferment Application form must be submitted before approval will be issued. A Death Certificate or the like can be submitted in place of a Statutory Declaration.

The above grace periods or deferments are not applicable in the instance Council evokes Sections 170, 171 or 171A *Local Government Act* Part 8.

- **Outstanding Rates Arrangements**

Council acknowledges that at times ratepayers may not be able to pay their rates in full as per the prescribed statutory due dates. Therefore, customised payment arrangements can be negotiated to enable ratepayers to meet their financial obligations with Council in a timely manner.

The convention that shall be applied for Outstanding Rates Arrangements is:

- Ratepayers allowed to pay weekly, fortnightly, monthly or have predetermined 'sunset' dates by which significant payments are to be made
- Ratepayers allowed a 90 day period in which no payments are required upon presentation of a current Contract of Sale with a registered real estate agent. By the conclusion of this period the ratepayer must present confirmation of a sale detailing a formal settlement date. If a confirmed sale cannot be achieved, the ratepayer must enter into a payment arrangement until such time that a sale is made.
- Ratepayers must enter into arrangements no less than the minimum amounts detailed in the table below, otherwise they must apply for hardship (primary place of residence only).

The preferred method of entering into a formal payment agreement is to complete an Application for Outstanding Rates Arrangement form. Verbal agreements and written payment arrangements using other formats are also permitted, including emails.

Balance Outstanding	Minimum Arrangement
Up to \$1,300.00	\$25.00 per week
\$1,301.00 to \$2,500.00	\$50.00 per week
\$2,501.00 to \$3,750.00	\$75.00 per week
\$3,751.00 to \$4,750.00	\$100.00 per week
\$4,751.00 or greater	\$(Balance divided by 52) per week

All payment arrangements made direct with Council must be recorded with the debt collection agency for monitoring if an account has already been opened with the debt collection agency. If the debt has not already been referred to the debt collection agency, Council must conduct a monthly check to ensure arrangements have been adhered to. In the event an arrangement has been broken, the debt is to be referred to the debt collection agency in accordance with the Rate Debt Management Policy.

• **Waiver by Application – Financial Hardship**

The use of fixed charges, such as a municipal charge, adversely impact properties with low valuations. Fixed charges, unlike rates, are not affected by valuations and therefore can be disproportionately high relative to a property's value. In this scenario, the total amount payable in rates and charges (over time) will exceed the Capital Improved Valuation of a low valuation property significantly quicker compared to a property with a higher valuation.

Properties with low valuations are typically unused or unusable, located in remote areas and have no desirability in the real estate market and are therefore difficult for owners to dispose of. The combination of these two factors can create financial hardship for the property owner if payment is enforced.

The convention that shall be applied for Rates Penalty Interest is:

- Owners of rateable land with a Capital Improved Valuation of no more than \$5000.00 may apply for a waiver of rates and charges by way of submitting an application on the prescribed form.
- Properties occupied by a third party have a choice in terms of their occupancy and therefore are ineligible for a waiver.
- Properties must be unoccupied, unused, feature no improvements and be land which the owner is not, or cannot, derive a benefit from.

**4. Who is responsible for implementing this policy?**

Revenue Coordinator  
 Manager Corporate Administration

**5. Definitions**

Charitable purposes	Land being used exclusively under the sub-headings of; relief of poverty, advancement of education, advancement of religion or beneficial to the community.
Unexpected illness causing incapacitation	Unforeseeable medical condition of ratepayer or immediate family member where treatment of an illness prevented payment being made by the due date.
Unexpected crisis or trauma	Unforeseeable event such as, but not limited to, retrenchment of primary income earner, significant loss of property, separation from life partner, insolvency of debtor.
Direct relative	Means the spouse, domestic partner, son, daughter, mother, father, brother or sister as defined under Section 78 <i>Local Government Act 1989</i> Part 4

**6. Legislation and other references**

**6.1 Legislation**

For further information related to this policy see:

- Section 154 *Local Government Act 1989*
- Section 167 *Local Government Act 1989*
- Section 171A *Local Government Act 1989*
- Section 172 *Local Government Act 1989*

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Non-Rateable Status Application Form
- Rates Penalty Interest Deferment Application Form
- Outstanding Rates Arrangement Form
- Rates Waiver Application Form

**6.3 Risk Assessment Reference**

*Please tick the corporate risk(s) that this policy is addressing.*

Risk Category	Risk Category	
Asset Management	Financial Sustainability	✓
Committees	Human Resource Management	
Compliance – Legal & Regulatory	Leadership & Organisational Culture	
Contract Management	Occupational Health & Safety	
Contract Tendering & Procurement	Organisational Risk Management	

Corporate Governance Environmental Sustainability	✓	Project Management Public Image and Reputation	✓
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Customer Service  
Officer Initials



Mildura Rural City Council

**RATES PENALTY INTEREST DEFERMENT APPLICATION FORM**

Please complete the following and return Council's Revenue Department. If you require any assistance with this form please contact Council on 5018 8100.

Rates Assessment No:	
Property Address:	
<i>If more than one property please see over page</i>	
Property Owner, Power of Attorney or Executor Name: <i>(Print name in full)</i>	
Postal Address: <i>(if different to above)</i>	
Phone:	(BH)
	(AH)
	(M)
Email:	

I hereby request a deferment of rates penalty interest for a period of 90 days due to the following unforeseeable circumstances *(please tick relevant cause)*:

- Illness causing incapacitation
- Death of ratepayer
- Death of a direct relative
- Crisis or trauma

The following supporting documentation is submitted with this application *(please tick relevant documents)*:

- Statutory Declaration
- Death Certificate
- Nomination of Power of Attorney
- Nomination of Executor of Will

Signature of property owner, power of attorney or executor:	
Date:	

**Privacy Collection Statement**

*Personal and/or Health Information collected by Council is used for municipal purposes as specified in the Local Government Act 198. The Personal or Health Information will be used solely by Council for these purposes and/or directly related purposes. Council may disclose this information to other organisations if required by legislation. The applicant understands that the Personal and/or Health Information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and or corrections should be made to Council's Privacy Officer.*

Please list additional properties below:

Rates Assessment No:	
Property Address:	

Rates Assessment No:	
Property Address:	

Rates Assessment No:	
Property Address:	

Rates Assessment No:	
Property Address:	

Rates Assessment No:	
Property Address:	

Customer Service  
Officer Initials



Mildura Rural City Council

**RATES WAIVER APPLICATION FORM**

Please complete the following and return to Council's Revenue Department. If you require any assistance with this form please contact Council on 5018 8100.

Rates Assessment No:	
Property Address:	
<i>One property per application</i>	
Property Owner, Power of Attorney or Executor Name: <i>(Print name in full)</i>	
Postal Address: <i>(if different to above)</i>	
Phone:	(BH)
	(AH)
	(M)
Email:	

I hereby request a waiver of rates and charges due to financial hardship in accordance with Council's Administration of Rates Policy. I declare the following:

- This property has a Capital Improved Valuation (CIV) of no more than \$5000.00
- This property is not leased, licenced or occupied by me as a third party
- This property is unoccupied, unused and does not feature any improvements
- I do not, and cannot, derive any benefit from this land
- I will advise Council immediately should any change in the above circumstances occur

The following supporting documentation is submitted with this application *(please tick relevant documents)*:

- Statutory Declaration
- Death Certificate
- Nomination of Power of Attorney
- Nomination of Executor of Will

Signature of property owner, power of attorney or executor:	
Date:	

**Privacy Collection Statement**

*Personal and/or Health Information collected by Council is used for municipal purposes as specified in the Local Government Act 198. The Personal or Health Information will be used solely by Council for these purposes and/or directly related purposes. Council may disclose this information to other organisations if required by legislation. The applicant understands that the Personal and/or Health Information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and or corrections should be made to Council's Privacy Officer.*

Customer Service  
Officer Initials



Mildura Rural City Council

**NON-RATEABLE STATUS APPLICATION FORM**

Please complete the following and return to Council's Revenue Department. If you require any assistance with this form please contact Council on 5018 8100.

Rates Assessment No:	
Property Address:	
Property Owner Name: <i>(Print name in full)</i>	
Postal Address: <i>(if different to above)</i>	
Phone:	(BH)
	(AH)
	(M)
Email:	

**1. Is the owner one of the following? (Please indicate by ticking the appropriate boxes)**

- An individual
- A corporation
- An unincorporated association
- Joint tenants/tenants in common
- A government department (Commonwealth or State)
- A municipal council
- A public statutory body
- A trustee appointed under an Act of Parliament to hold the land on trust for a public or municipal purpose
- A religious body
- A person holding the land on trust for a religious body
- None of the above

**2. Is the land occupied solely by the owner?**

- Yes, proceed to question 5
- No, please complete the following details

Property Occupier Name:	
Postal Address: <i>(if different to property address)</i>	
Phone:	(BH)
	(AH)
	(M)
Email:	

**3. Is the occupier one of the following? (Please indicate by ticking the appropriate boxes)**

- An individual
- A corporation
- An unincorporated association
- Joint tenants/tenants in common
- A government department (Commonwealth of State)
- A municipal council
- A public statutory body
- A trustee appointed under an Act of Parliament to hold the land on trust for a public or municipal purpose
- A religious body
- A person holding the land on trust for a religious body
- A practising Minister of religion
- A sub-branch of the Returned Services League
- The Air Force Association (Victoria Division)
- The Australian Legion of Ex-Servicemen and Women (Victorian Branch)
- The Metropolitan Fire Brigades Board
- A rail freight operator under the Transport Act 1983
- A passenger transport company under the Transport Act 1983
- None of the above

If more than one occupier, describe in detail which part of the land/building each occupier occupies (please provide a plan where possible):

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**4. Does the occupier(s) have a lease, licence or tenancy agreement to occupy the land?**

- Yes, please supply copy
- No

**5. Is the land used for any of the following purposes? (Please indicate by ticking the appropriate boxes)**

- The land is not currently occupied
- A public purpose
- A municipal purpose
- A charitable purpose
- As a residence of a practising Minister of religion
- For the education and training of persons to be a Minister of religion
- As a club for or in memorial to persons who served in armed conflict
- As a bank
- As a place for the provision of insurance services
- As a residence (other than a residence of a Minister of religion) [Note: This includes circumstances where a resident is required to reside on the land in order to carry out duties of employment]
- For the retail sale of goods
- As a place of business for profit
- Mining
- Other (Please describe) \_\_\_\_\_

Specify in detail the reasons for your choice of box(es) selected (e.g. if you have ticked the charitable purposes box, describe the charitable purpose being undertaken on the land. If you have ticked the residence of a practising Minister of religion, advise at which specific church/es):

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If different parts of the land are used for different purposes, describe the various parts of the land and the manner in which each part is used (e.g. half is used to sell goods and half is used for a charity):

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**6. If the land is used for the retail sale of goods or to carry out business activities, tick one of the following boxes:**

- The whole of the land is used for that purpose on a regular basis
- The whole of the land is used for that purpose on a periodic basis
- Part of the land is used for that purpose on a regular basis
- Part of the land is used for the purpose on a periodic basis

If only part of the land is used for that purpose, describe which part (please supply map or diagram):

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If the land is used for that purpose periodically, describe the frequency of the use (e.g. once a week, once a month etc):

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**7. Who is responsible for the payment of municipal rates?**

- Owner
- Occupier

**8. If the land is used for residential purposes, tick all relevant boxes**

- Residents are responsible for 'day to day' management of accommodation
- Residents pay for services used (e.g. utilities)
- Residents regard accommodation as their private home
- Accommodation is completely self-contained
- Residents are free to furnish accommodation as they wish
- Residents are free to make internal or external changes to the accommodation
- Residents select which accommodation they want to live in
- Accommodation is shared with other residents
- Residents control who enters their bedroom
- Residents have keys to all doors
- House rules exist at the accommodation to regulate the way residents act (e.g. curfews, no pets, restrictions on visitors or certain activities etc)
- The tenancy is covered by a standard (REIV) tenancy agreement
- The accommodation provider retains the right of entry at their discretion
- Residents are able to be moved to other accommodation by accommodation provider
- Tenancy is part of a staged aged care program offered by the accommodation provider
- Other institutional services are provided by the accommodation provider
- A 'Superintendent' is available for repairs, assistance etc?
- Standards for cleanliness of accommodation are prescribed by accommodation provider
- Resident is required to notify accommodation provider of intended absences
- Each occupant has an entrance/exit to their accommodation separate from other occupants

**9. What supporting documentation are you submitting with your application?**

- Not-for-profit or benevolent certification
- Lease, licence or tenancy agreement (if applicable)
- Statement of Purposes and Rules or Memorandum of Articles of Association
- Maps, plans or diagrams
- Other \_\_\_\_\_

Applicant Name:	
Name of Organisation:	
Postal Address:	
Phone (BH):	
Email:	

I certify that I am authorised to complete this questionnaire in my own right and/or on behalf of the organisation named and that the answers given are to the best of my knowledge true and correct.

Signature of applicant:	
Date:	

**Privacy Collection Statement**

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## 14.13 ADOPTION OF CITY RECOGNITION POLICY CP022

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the City Recognition Policy CP022 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated City Recognition Policy CP022 as presented.**

### 3. Background

To establish the circumstances under which the Mildura Rural City Council may bestow the honorary titles of 'Freeman of the City' and 'Key to the City' to worthy candidates.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. This policy remains largely unchanged with only minor formatting amendments.

### 6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

#### 4.1 Leadership and Representation

Goals to be achieved:

- proactively respond to the interests of our community.

### 8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report updates the current City Recognition Policy CP022.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 City Recognition Policy (CP022)



## City Recognition Policy

### Policy - CP022

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration	ELT	Council	20 May 2017	
Trim File: 18/02/01		To be reviewed: May 2020		
Document Owner: Manager Corporate Administration		Review Frequency: 3 years		

**1. The purpose of this policy is**

To establish the circumstances under which the Mildura Rural City Council may bestow the honorary titles of 'Freeman of the City' and 'Key to the City' to worthy candidates.

**2. Policy Statement**

Mildura Rural City Council will, under appropriate circumstances, recognise and provide official recognition to individual(s) and group(s) for outstanding achievement or service to the community through the bestowing of the honorary title of 'Freeman of the City' or 'Key to the City'.

**3. Principles**

There will be two categories of the honour that shall be defined as follows:

- Freeman of the City.

This is an honorary title bestowed upon an individual or organisation in recognition of outstanding community contribution, high service of community duty and public spirit. It is relevant to residents or former residents of this municipality.

The following shall apply:

- bestowing of the title 'Freeman of the City' will only be by resolution of Council and in accordance with this policy;
- consideration of the bestowing of such a title should stem only from either recommendation from the community or Council;
- all scrolls of recognition are to be signed by the Mayor and Chief Executive Officer;
- bestowing of 'Freeman of the City' shall be limited in number to maintain both the significance and prestige of the title;
- there will be no more than five living recipients in this category;
- any presentation is to be made at an appropriate Civic Ceremony especially held for the purpose and hosted by Council; and

- the title of 'Freeman of the City' may be presented to organisations or individuals as deemed appropriate, however the following selection criteria should be considered:
  - benefit of contribution to the community;
  - personal integrity;
  - demonstrated public spirit; and
  - level of community service (impact, duration etc).
- Key to the City.

This is an honour bestowed upon an individual or organisation in recognition of outstanding achievement in any field.

The following shall apply:

- bestowing the 'Key to the City' will only be by resolution of Council and in accordance with this policy;
- consideration or presenting the 'Key to the City' should stem only from recommendation from either the community or Council;
- any presentation is to be made at an appropriate Civic Ceremony especially held for the purpose and hosted by Council; and
- the key may be presented to organisations or individuals as deemed appropriate, however the following selection criteria should be considered:
  - contribution to the community or;
  - outstanding achievement in any field;
  - personal Integrity; and
  - affiliation with the Mildura Municipality.

**4. Who is responsible for implementing this policy?**

Manager Corporate Administration

**5. Definitions**

*Freeman of the City* The honorary title bestowed upon an individual or organisation in recognition of outstanding community contribution, high service of community duty and public spirit. Relevant to residents or former residents of the municipality.

*Key to the City* The honour bestowed upon an individual or organisation in recognition of outstanding achievement in any field.

*Scroll* An illuminated scroll certificate of A4 size depicting Council's logo, Council seal and a suitable inscription.

**6. Legislation and other references**

**6.1 Legislation**

- Nil

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Freeman of the City Scroll; and
- Keys to the City Scroll.

**6.3 Risk Assessment Reference**

<b>Risk Category</b>	✓	<b>Risk Category</b>	✓
Asset Management		Financial Sustainability	
Committees		Human Resource Management	
Compliance – Legal & Regulatory		Leadership & Organisational Culture	✓
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓

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## 14.14 ADOPTION OF COUNCILLOR PROFESSIONAL DEVELOPMENT POLICY CP016

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the Councillor Professional Development Policy CP016 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated Councillor Professional Development Policy CP016 as presented.**

### 3. Background

The purpose of this policy is to provide guidelines for Councillors wishing to attend training and professional development programs to enhance and improve the skills necessary to perform their role and function as Councillors and to provide Councillors with clarity on resource allocation for individual training and development entitlements.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. This policy remains largely unchanged with only minor formatting amendments.

### 6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every four years.

### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

#### 4.1 Leadership and Representation

Goals to be achieved:

- deliver results in line with community expectations.

4.2 Communication and Engagement

Goals to be achieved:

- engage effectively with the community.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report updates the current Councillor Professional Development Policy CP016.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Councillor Professional Development Policy (CP016)



**Councillor Professional Development Policy**

**Policy – CP016**

Prepared	Reviewed	Approved	Date	Council Minute No.
GMCS	ELT	Council	May 2017	
Trim File: 18/02/01		To be reviewed: May 2021		
Document Owner: GMCS		Review Frequency: Four yearly		

**1. The purpose of this policy is**

- to provide guidelines for Councillors wishing to attend training and professional development programs to enhance and improve the skills necessary to perform their role and function as Councillors; and
- to provide Councillors with clarity on resource allocation for individual training and development entitlements.

**2. Policy Statement**

Professional development of Councillors is strongly encouraged and the selection of training or attendance at conferences or seminars should be based on relevance to the individual Councillor and his/her portfolio, and be of demonstrable benefit to the enhancement and development of the Councillor's skills and abilities with regard to effective community representation.

**3. Principles**

**3.1 Commitment to professional development**

As community representatives and the public face of Council, Councillors have a leadership role in development, communication and representation of the Council Plan, Council policy, strategies and programs.

Professional development for Councillors contributes towards a positive presentation of Council and improves the decision making process.

Council will allocate funds through its budget process to meet the approved professional development needs of Councillors.

**3.2 Personal development**

Councillors are encouraged to identify individual and group personal development needs to enhance their effectiveness. As the needs of individual Councillors may vary, each Councillor is encouraged to seek the assistance of the Chief Executive Officer to analyse their particular requirements and identify appropriate development opportunities to meet those needs

### 3.3 Conferences, seminars, forums or delegations

A Councillor who receives funding from Council to attend a conference, seminar, forum, delegation or similar event, shall participate as a representative of Council, not as an individual.

Councillors may participate in conferences, seminars, forums, delegations or similar events where it can be demonstrated that attendance will:

- (i) provide information on a contemporary issue, so that Council can contribute to discussion or debate;
- (ii) put forward Council's viewpoint during formation of a collaborative policy, or stance on an issue;
- (iii) meet community expectations that Council representation is necessary for the benefit of the community;
- (iv) provide development to the Councillor in his/her portfolio; or
- (v) provide improvements to the built, social, economic and natural well being of the community.

Following participation in an event covered by this section the Mayor or Councillor is expected to submit a written report, for presentation at a Council forum or inclusion in the Council agenda.

This report will document:

- (i) whether the objectives of the training or development activity were met;
- (ii) the benefits to the Councillor, Council and the community; and
- (iii) the value of future attendance or representation by Council at similar events.

### 3.4 Funding for Professional Development

Council will allocate funds for professional development during the budget process each year to provide for a notional amount of \$2,000 per Councillor or any such amount as Council determines appropriate. This allocation will be reviewed annually as part of the Council budget approval process.

The following particulars apply to this allocation:

- (i) unused allocations cannot be carried forward into another year;
- (ii) a Councillor who wishes to spend in excess of their allocation shall require Council's approval in advance; and
- (iii) any unexpended funds from an individual Councillor can be formally transferred to another Councillor to assist in funding attendance at a conference or seminar in that same year, providing all other policy provisions and requirements have been met.

**3.5 Applications for professional development funding**

To maximise the effectiveness of allocated resources, Council will only meet the cost of professional development outlined in this policy, subject to approval by the Chief Executive Officer, in consultation with the Mayor.

A Councillor is required to complete the attached form (Appendix A) to facilitate participation in professional development.

If a request for professional development cannot be accommodated within the budget allocation, the Mayor in conjunction with the Chief Executive Officer will determine if additional funding may be available from another area of the budget.

Applications to attend interstate and overseas conferences, seminars, forums, delegations or similar events under this policy must be discussed with the Chief Executive Officer prior to arrangements being made.

**4. Who is responsible for implementing this policy?**

General Manager Corporate.

**5. Definitions**

Professional Development	Includes personal development such as undergraduate and post graduate studies, short courses, study tours, conferences, seminars, forums, delegations or similar events that will assist a Councillor in their broad civic leadership role.
--------------------------	---

**6. Legislation and other references**

**6.1 Legislation**

*Local Government Act 1989.*

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Travel and Accommodation Policy;
- Interstate and Overseas Travel Register; and
- Councillor Support and Expenses Policy.

6.3 Risk Assessment

Risk Category	✓	Risk Category	✓
Asset Management Committees		Financial Sustainability Human Resource Management	
Compliance – Legal & Regulatory Contract Management	✓	Leadership & Organisational Culture Occupational Health & Safety	✓
Contract Tendering & Procurement Corporate Governance	✓	Organisational Risk Management Project Management	
Environmental Sustainability		Public Image and Reputation	✓

Appendix A

**Application Form - Councillor Professional Development**

Councillor's name:.....

Type of Professional Development:

	Please ✓
Professional Development	<input type="checkbox"/>
Conference, Seminar or Forum	<input type="checkbox"/>
Delegation	<input type="checkbox"/>
Other	<input type="checkbox"/>

Name of professional development event:

.....  
 .....

Date/s: ..... Location:.....

Cost: \$.....

*(Please also attach information/brochure or flyer about the training event.)*

How will participation in this professional development event meet the criteria in Council's policy?

.....  
 .....  
 .....

*For criteria refer to policy – 3.2. Personal development and 4.3. Conferences, seminars, forums or delegations*

Signed.....

Date of Application:.....

OFFICE USE ONLY	
Budget Allocation Available:	\$
General Ledger No:	.....
Does the request for professional development meet the criteria in Council's Councillor Professional Development Policy?	Yes / No
Professional Development Approved:	Yes / No
Signed: .....	Signed: .....
Mayor	Chief Executive Officer

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## 14.15 ADOPTION OF GIFTS POLICY CP095

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the Gifts Policy CP095 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated Gifts Policy CP095 as presented.**

### 3. Background

The purpose of the Gifts Policy is to outline the guidelines for appropriate conduct in circumstances where Councillors or staff are offered gifts, benefits, hospitality or are granted awards or win prizes, whether part of their official duties or while attending functions as Council representatives.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team and benchmarking was performed against numerous Victorian Councils.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, a comprehensive review of the existing policy and its principles has been undertaken.

To demonstrate Council's commitment to transparency and accountability to the community, the only consequential changes to this policy are the monetary definitions which significantly reduce from \$500 to \$20.

Other changes include:

- The GIFT Test;
- Procedural Guidelines;
- Definitions

### 6. Time Frame

This policy will come into force if adopted by Council and will be reviewed every three years.

**7. Strategic Plan Links**

This report relates to the Council Plan in the Key Result Area:

**4.1 Leadership and Representation**

Goals to be achieved:

- proactively respond to the interests of the community.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications****Policy**

This report updates the existing Gifts Policy CP095.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Gifts Policy (CP095)



**Gifts Policy**

**Policy – CP095**

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration	ELT	Council		
Trim File: 18/02/01			To be reviewed:	
Document Owner: General Manager Corporate			Review Frequency: 3 years	

**1. The purpose of this policy is**

To establish guidelines for appropriate conduct in circumstances where Councillors or staff are offered gifts, benefits, hospitality or are granted awards or win prizes, whether part of their official duties or while attending functions as Council representatives.

**2. Policy Statement**

This policy has been developed to ensure transparency and that the principles of good governance and accountability are practiced by Councillors and staff when receiving gifts in the course of their duties.

This policy is intended to highlight both the legal and ethical issues that should be taken into account in deciding whether to accept gifts, benefits or hospitality.

Mildura Rural City Council acknowledges that as part of business or cultural practices, Councillors and/or staff may be presented with gifts as a form of appreciation. While Council is appreciative of such gifts it is Council policy that gifts should not be accepted and politely refused in most circumstances. Should any gifts be received they must be declared and recorded in Council's Gifts Register.

**3. Principles**

**Gifts must never be sought**

Councillors and Council officers must not solicit, demand or request gifts or any personal benefit for themselves or another person by virtue of their position.

**No Sense of obligation**

No gift may be accepted that could influence, or be perceived to influence, a Councillor or Council officer in the performance of their public or professional duties.

**Prohibited Gifts**

In addition to other limitations imposed by this policy, monetary gifts of any value must never be accepted. This includes cash, gift cards and vouchers.

**Token Gifts**

Gifts of token value may be accepted by Councillors or Council officers provided that the gift does not create a real or perceived sense of obligation that may lead to a perception of preferential service as a result of the gift.

The following should be used as a guide for Councillors or Council officers in determining whether to accept token gifts. Such gifts may be accepted only when the following have been considered:

- such a gift is offered in an open or public forum and refusal would be obviously discourteous;
- acceptance would not cause any potential perceived or actual compromise or conflict of interest;
- the gift does not have a significant monetary value (as a guide, less than \$20); and
- the gift is not offered on a regular basis.

There is no requirement to declare or record token gifts in the Council Gifts Register.

**Official Gifts**

From time to time individuals or organisations may offer gifts of goodwill to the Council organisation. The Chief Executive Officer or relevant Manager will ensure that any such official gift is recorded in the Council Gifts Register.

Individuals may be involved in conferences or social, cultural, community, industry events where official gifts are presented or exchanged. Where it would appear to be impolite or inappropriate to decline the offer, it is reasonable for official representatives of Council to accept official gifts on behalf of Council. Unless otherwise determined as set out below, such gifts shall be considered to be the property of Council and may be displayed in an appropriate and secure location for public viewing.

In some circumstances, including where the item may not be suitable for public display or the gift is of a personal nature to the recipient, the Chief Executive Officer will use their discretion as to the appropriate use of the official gift.

A record will be made in the Council Gifts Register in the event that the gift is used for purposes other than Council purposes.

**Significant Occasion Gifts**

A Councillor or Council officer may accept a significant occasion gift on behalf of Mildura Rural City Council.

A significant occasion gift to the Mayor and Chief Executive Officer must not exceed \$500. A significant occasion gift to a Councillor or Council officer must not exceed \$250.

All significant occasion gifts must be declared and the details recorded in the Council Gifts Register.

**Gifts of Appreciation**

Demonstrating appreciation for services received from Council or a Council officer should not involve the presentation of a gift or benefit. Acceptable alternatives may include a letter of thanks or a thank you card as these are considered less likely to result in a situation that may compromise or be perceived to compromise either party.

If such a gift is offered in an open or public forum and refusal would be obviously discourteous or acceptance would cause any potential perceived or actual compromise or conflict of interest, the gift may be accepted but is to be surrendered to the Chief Executive Officer for a decision as to the appropriate disposal.

The gift must be recorded in Councils Gifts Register.

Multiple gifts from the same person/organisation are considered inappropriate and should not be accepted.

All gifts of appreciation, whether accepted or declined, are to be recorded in the Council Gifts Register.

**Hospitality**

Councillors and Council officers, in an official capacity, will from time to time receive invitations of hospitality to attend various functions and events.

Where hospitality is only modest in nature and provides an opportunity to network or undertake business of a common purpose, it may be appropriate to accept such invitations.

Incidental refreshments at meetings, working lunches, or similar, are not considered to be a gift and need not be recorded unless they occur at a frequency that may give rise to the perception of a conflict of interest under the *Local Government Act 1989*.

In some circumstances a Councillor or Council officer may attend the event if the Council either fully reimburses the organisation for the full cost of the hospitality or if the Councillor or Council officer personally pays for their own attendance.

If acceptance of the hospitality is likely to create the impression that an attempt is being made to compromise the impartiality of the Councillor or Council officer, or could be perceived as a conflict of interest, the offer of hospitality should be politely declined.

Offers of hospitality, whether accepted or declined, must be recorded in the Council Gifts Register.

#### **Awards and Prizes Won at Conferences/ Seminars**

Prizes or awards valued at over \$20 that are won at functions attended at Council's expense, must immediately become the property of Council. The Supreme Court has ruled that such prizes or awards are owned by the person/organisation providing 'consideration' for the attendance.

Councillors and staff attending functions as Council representatives, and who make no financial contribution to the attendance, lose entitlement to any award or prize won as a result of attending the function;

- Circumstances in which a person may be entitled to keep a prize or award over \$20 are where personal payment has been made for the attendance, or the person pays for a raffle ticket that wins a prize. In each case the recipient has provided consideration for the prize/award and may lay legal claim to its title; and
- From an ethics point-of-view, recipients of such prizes could potentially be seen as being influenced by the sponsor of the prize. Prizes and awards valued at over \$20 must therefore be reported as soon as possible to the Chief Executive Officer, who must determine the ownership of the item and the appropriate action to be taken, as per this policy.

#### **Benefits**

- A Councillor or member of staff must not knowingly accept travel or hospitality (including meals and accommodation) sponsored wholly or partly by any person, organisation or business, where such acceptance implies an obligation on the recipient. However, reasonable hospitality may be accepted in circumstances where it is:
  - approved by the Chief Executive Officer;
  - provided at a function or event where the person is acting in an official capacity on behalf of Council;
  - provided at rates that are openly available to people other than Councillors or staff; or
  - of value less than \$20 and by reason of its triviality could not be constructed as creating an obligation.

#### **Remote or Insignificant Interest**

If the acceptance of a gift, benefit or hospitality relates to an interest that is remote or insignificant in accordance with s77A (4) of the *Local Government Act 1989*, the Councillor or Council officer will not be considered to have a conflict of interest.

### Campaign Donation Returns

Division 9 of the *Local Government Act 1989* outlines the requirements in relation to Campaign Donation Returns.

- Section 62B – Certain gifts not to be accepted

It is unlawful for a Councillor or Candidate or a person acting on behalf of a Councillor or Candidate to receive during the donation period a gift made to or for the benefit of the Councillor, being a gift the amount or value of which is equal to or exceeds the gift disclosure threshold unless:

- (a) the name and address of the person making the gift are known to the person receiving the gift; or
- (b) at the time when the gift is made
  - (i) the person making the gift gives to the person receiving the gift the person's name and address; and
  - (ii) the person receiving the gift has no grounds to believe that the name and address so given are not the true name and address of the person making the gift.

### Conflict of Interest

Gifts must not be accepted which give the appearance of a past, present or future conflict of interest.

As outlined in Section 78C of the *Local Government Act 1989* a Councillor or member of staff has an indirect interest because of receipt of an applicable gift if:

- One of more gifts with a total value (or more than) over the gift disclosure threshold (\$500 over a five year period) are received from a person in the five years preceding the decision or exercise of the power, duty or function, this does not include:
  - (a) reasonable hospitality received by the person at an event or function the person attended in an official capacity as the Mayor, Councillor, member of Staff or member of a Special Committee;
  - (b) a gift, other than an election campaign donation, that was received by the person more than 12 months before the person became a Councillor, member of Staff or member of a Special Committee.
- A person has an indirect interest in a matter if the person has received an applicable gift, directly or indirectly, from:
  - (a) a person who has a direct interest in the matter; or
  - (b) a director, contractor, consultant, agent or employee of a person, company or body that the person knows has a direct interest in a matter; or
  - (c) a person who gives the applicable gift to the person on behalf of a person, company or body, that has a direct interest in the matter.

**The GIFT Test**

Developed by the Victorian State Services Commission, the GIFT test is a good example of what to think about when deciding whether to accept or decline a gift, benefit or hospitality.

<b>G</b>	<b>Giver</b>	<p><b>Who is providing the gift, benefit or hospitality and what is their relationship to me?</b></p> <p>Does my role require me to select contractors, award grants, regulate industries or determine government policies? Could the person or organisation benefit from a decision I make?</p>
<b>I</b>	<b>Influence</b>	<p><b>Are they seeking to influence my decisions or actions?</b></p> <p>Has the gift, benefit or hospitality been offered to me publicly or privately? Is it a courtesy, a token of appreciation or highly valuable? Does its timing coincide with a decision I am about to make?</p>
<b>F</b>	<b>Favour</b>	<p><b>Are they seeking a favour in return for the gift, benefit or hospitality?</b></p> <p>Has the gift, benefit or hospitality been offered honestly? Has the person or organisation made several offers of the last 12 months? Would accepting it create an obligation to return a favour?</p>
<b>T</b>	<b>Trust</b>	<p><b>Would accepting the gift, benefit or hospitality diminish public trust?</b></p> <p>How would I feel if the gift, benefit or hospitality became public knowledge? What would my colleagues, family friends or associates think?</p>

**PROCEDURAL GUIDELINES**

Gift	Value	Action
Any Gift, Benefit, Award or Prize	Under \$20	Nil
Any Gift, Benefit, Award or Prize	\$20 - \$50	Declare & Retain
Any Gift, Benefit, Award or Prize	Over \$50	Declare & Surrender
Cash or Gift Card	Any Value	Decline & Declare

**Declaration of Gifts**

Any gift, benefit, award or prize over \$20 must be declared and the details recorded on the Council Gifts Register which is administered by the Governance Unit. It is the individual's responsibility to complete the appropriate form and forward it to the Governance Unit.

Surrendered gifts immediately become 'public property' and will be disposed of in accordance with the 'Disposal of Gifts' process as set out below.

A gift declined must also be disclosed. Disclosure that the gift has been declined and returned protects the Councillor and highlights any systematic patterns. Gifts declined in the presence of the gift giver do not need to be disclosed.

**Disposal of Gifts**

The Chief Executive Officer may dispose of gifts by any of the following methods:

- Return to the original recipient;
- Return to sender;
- Disposal by resolution of Council;
- Transfer to other public agencies or authorities;
- Transfer as a gift to a recognised charitable, aid or non-profit organisation;
- Archival action by the Victorian Museum or State Library;
- Reduction to scrap; or
- Destruction.

If a gift does not have a public value or is not of particular significance regarding its historical, cultural or protocol value, or was given to a Councillor or member of staff by virtue of the discharge of that person's duties, the recipient may, at the discretion of the Chief Executive Officer, buy the gift from Council. The purchase price must be the manufacturer's wholesale value of the gift in the place of origin at the time of purchase as determined by the Chief Executive Officer, less \$50. If there is difficulty in assessing the value, a valuation must be obtained by Council from an appropriately experienced person or body.

**Policy Breaches**

- All incidents of non-conformity to this policy will be discussed with the Human Resources Unit and may be dealt with as per the steps outlined in Council's Discipline Policy (OP033).

4. Who is responsible for implementing this policy?

General Manager Corporate.

5. Definitions

<b>Applicable Gift</b>	<p>Means one or more gifts with a total value of, or more than, the gift disclosure threshold, received from a person or persons specified in subsection (2) in the 5 years preceding the decision or the exercise of the power, duty or function but does not include—</p> <p>(a) reasonable hospitality received by the person at an event or function the person attended in an official capacity as the Mayor, a Councillor, a member of Council staff or a member of a special committee; or</p> <p>(b) a gift, other than an election campaign donation, that was received by the person more than 12 months before the person became a Councillor, a member of Council staff or a member of a special committee.</p>
<b>Benefit</b>	<p>Something which is believed to be of value to the receiver, such as a service ie access to a sporting event, preferential treatment, access to confidential information, accommodation, personal services, pleasure or holidays.</p>
<b>Bribe</b>	<p>A corrupt inducement to reward.</p>
<b>Gift</b>	<p>Section 3 of The <i>Local Government Act 1989</i> defines a gift as meaning any disposition of property otherwise than by will made by a person to another person without consideration in money or money’s worth or with inadequate consideration, including –</p> <ul style="list-style-type: none"> <li>a) <i>the provision of a service (other than volunteer labour); and</i></li> <li>b) <i>the payment of an amount in respect of a guarantee; and</i></li> <li>c) <i>the making of a payment or contribution at a fundraising function</i></li> </ul>
<b>Gift Disclosure Threshold</b>	<p>Means \$500 or a higher amount or value prescribed by the regulations and notwithstanding the limits specified in this policy.</p>
<b>Hospitality</b>	<p>Where a meal or service is offered which has more than nominal value and is not viewed as being connected to official Council business or part of the accepted meal at a conference or seminar.</p>

<b>Official Gift</b>	A gift received by Councillors or Council Officers as representatives of the City or Council. These gifts may be received from a Sister City, organisations or corporations that are bestowing a corporate gift (eg plaques, plates, vases, trophies, art work) or souvenir to the City, or as a token of appreciation for a contribution to a conference or industry event.
<b>Prohibited Gift</b>	Monetary gifts of any value including: cash, credit, gift cards, vouchers
<b>Significant Occasion Gift</b>	A gift, which may be given by Council to the Mayor or a Councillor as a gesture of goodwill for official or ceremonial purposes
<b>Token Gift</b>	<p>Is of such a nature and minimal value (under \$20) that it could not reasonably be regarded as capable of influencing any actions or decisions of the relevant person in relation to the matter.</p> <p>The token gift does not create a sense of obligation in the receiver that will influence, or appear to influence, the exercise of their official duties. In the event that a gift might reasonably be perceived to influence, or appear to influence, the recipient, it cannot be defined as a token gift.</p>
<b>Register of Interest Returns</b>	These are completed by nominated officers, Councillors, and members of special committees to declare any interests they may have (eg property owned, gifts over \$500 received) as required by the <i>Local Government Act 1989</i> . The Primary return is completed initially, followed by Ordinary returns twice yearly.

**6. Legislation and other references**

**6.1 Legislation**

*Local Government Act 1989*

Note: In addition to the requirements of this policy it remains the responsibility of staff and Councillors to maintain their own records of applicable gifts received in order to comply with Section 78c of the *Local Government Act 1989*.

Additionally, all 'nominated officers', Councillors and members of special committees must declare any gifts received, to the value of \$500 and above, on their Ordinary Register of Interest returns for any gifts received during the period of the return. (Section 87(7)e of the *Local Government Act 1989*).

**6.2 Documents**

Local Government Victoria – Conflict of Interest booklet

Local Government Victoria – Register of Interests Guide

Discipline Policy OP033

**6.3 Risk Assessment Reference**

*Please tick the corporate risk(s) that this policy is addressing.*

Risk Category	✓	Risk Category	✓
Asset Management		Financial Sustainability	
Committees		Human Resource Management	✓
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓



# Mildura Rural City Council

## DECLARATION OF OFFICIAL GIFTS

*by Councillors and Staff of Mildura Rural City Council*

Declarations made using this form will be held maintained by the Chief Executive Officer in Council's Gifts Register. This form must be completed with 14 days of receiving the gift or benefit or, if was received overseas, within 14 days of returning to Australia.

**Full name** \_\_\_\_\_

**Type of Gift**

<input type="checkbox"/>	Transfer of money	<input type="checkbox"/>	Transfer of property of a presentational or charitable nature or otherwise
<input type="checkbox"/>	A loan of money	<input type="checkbox"/>	The sale of property with a sale price below proper valuation
<input type="checkbox"/>	Travel	<input type="checkbox"/>	Provision of services free of charge or at a reduced rate
<input type="checkbox"/>	Hospitality (meals, entertainment, accommodation)	<input type="checkbox"/>	Other (please state)

**Full description of gift:** \_\_\_\_\_

**Gift was received from** \_\_\_\_\_ **on (date)** \_\_\_\_\_

**Value of the gift** \_\_\_\_\_

**Has the gift been independently valued by an appropriately experienced person or body?**

**Yes**    **Name of person/body valuing gift** \_\_\_\_\_     **No**

**Do you wish to purchase the gift?**

**Yes**     **No**

**Was the gift handed to the Chief Executive Officer?**

**Yes**    **Date** \_\_\_\_\_

**Reason**

<input type="checkbox"/>	It has a historical value
<input type="checkbox"/>	It has a cultural value
<input type="checkbox"/>	It has a protocol value
<input type="checkbox"/>	It was given to me by virtue of the discharge of my duties

**Do you wish to retain the gift in your designated work area?**

**Yes**     **No**

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

OFFICE USE ONLY		Gift disposed of as follows:	
<input type="checkbox"/>	Transfer to other public agencies or authorities	<input type="checkbox"/>	Disposal by resolution of Council
<input type="checkbox"/>	Retention by recipient	<input type="checkbox"/>	State Museum or State Library
<input type="checkbox"/>	Sold to recipient (value less \$50)	<input type="checkbox"/>	Destroyed
<input type="checkbox"/>	Transfer as a gift to a recognized charitable, aid or non-profit organisation	<input type="checkbox"/>	Archival action
<input type="checkbox"/>	Reduction to scrap	<input type="checkbox"/>	Returned to sender
<b>CEO Signature</b> _____		<b>Date</b> _____	

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## 14.16 ADOPTION OF HARDSHIP POLICY CP035

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the Hardship Policy CP035 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated Hardship Policy CP035 as presented.**

### 3. Background

The purpose of this policy is to provide a policy framework for financial relief to customers who are experiencing difficulty in meeting their financial obligations to Council.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. This policy remains largely unchanged with only minor formatting amendments.

### 6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

#### 4.4 Financial Sustainability

Goals to be achieved:

- financial sustainability; and
- meet the community's needs in a financially responsible manner.

### 8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report updates the current Hardship Policy CP035.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

This policy encourages ratepayers to meet their financial obligations, which has a positive effect on the level of outstanding rate debtors.

**Environmental**

There are no environmental implications associated with this report.

**Social**

The objective of this policy is to provide guidelines on the treatment of customers who are experiencing difficulty in meeting their financial obligations to Council. There are no adverse social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Hardship Policy (CP035)



**Hardship Policy**

**Policy – CP035**

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Financial Services	ELT			
Trim File: 18/02/01		To be reviewed: April 2020		
Document Owner: Manager Corporate Administration		Review Frequency: 3 years		

**1. The purpose of this policy is**

To provide a policy framework for financial relief to customers who are experiencing difficulty in meeting their financial obligations to Council.

**2. Policy Statement**

Council recognises ~~that~~ customers may, at times, experience difficulty in paying their accounts and therefore is committed to providing mechanisms to support and guide those customers in satisfying their obligations. Hardship is defined as 'a customer who wants to pay but cannot'.

**3. Principles**

In formulating this policy, Council is committed to the following principles:

- Assisting customers experiencing hardship to manage their payments.
- Creating an informative, respectful and engaging environment where customers requiring support can identify themselves to staff.
- Utilising relevant industry and community expertise to assist with hardship circumstances.
- Providing penalty interest exemptions and deferrals or waivers of rates, charges and levies.

**Components:**

• *Information Provision*

Council shall provide information regarding the avenues available to customers to assist in meeting their obligations. Such information will be made available at all Council customer areas, through Council's website and will be included in publications, invoices and rate notices sent to customers.

Information regarding this policy shall also be made available to appropriate social advocacy organisations and financial counsellors.

- *Respect and Engagement*

Council shall establish contact points with financial counselling organisations in order to minimise customer anxiety and allow for a quick resolution to be achieved.

Council shall respect the advice of financial counsellors with regard to the assessment of the customer's capacity to pay.

Council's nominated financial counsellors include, but are not limited to:

- Mallee Family Care,
- CentaCare, or
- Rural Financial Counselling Service

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- *Penalty Interest Exemptions*

To qualify for a penalty interest exemption, customers are required to undertake a financial assessment by an approved financial counselling service. The financial counselling service shall make an appraisal of the customer's circumstances and report to Council on the most appropriate manner in which to clear the account. If an agreeable payment arrangement is made, and adhered to, an interest exemption will apply.

Penalty interest exemptions will be granted with regard to charges against a customer's primary place of residence only.

Customers shall receive a penalty interest exemption for up to 12 months on unpaid accounts. The exemption is not available for consecutive periods. A minimum of 12 months must lapse between the cessation of one exemption period and the commencement of another.

Where a customer defaults on their arrangement, Council will inform the counselling service with a view to recommence the arrangement. Failure to recommence, or regular defaultment will result in the reinstatement of penalty interest and debt collection actions.

Penalty interest exemptions will be considered and approved by the Revenue Coordinator.

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- *Deferred Payment*

Deferment of rates, charges and levies in part may be available to customers subject to long term cases of extreme financial hardship, diagnosed with a terminal illness or are self-funded retirees with low, fixed incomes aged 70 or over.

This option is limited to a customer's primary place of residence of which they must be the sole proprietor. The property must be rated as Residential only.

The customer must be eligible to claim the State Government pensioner rate concession, or be receiving unemployment benefits for a minimum period of three consecutive months.

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To qualify for a deferment, customers are required to undertake a financial assessment by an approved financial counselling service. The financial counselling service shall make an appraisal of the customer's circumstances and report to Council their capacity to pay.

The deferment will be in place for three years or until such time as the customer's circumstances improve or the property is transferred, in whole or in part, to another entity. Customers will be required to re-submit an application via an approved financial counselling service every three years to qualify for a continuation of any deferment arrangement.

Where property ownership changes, in part or in full, all deferred rates, charges and levies must be paid in full at settlement date. Deferral agreements are not transferable.

Penalty interest on the deferred amount will be capped at half the penalty interest rate determined by the State Government. Deferment is capped at 25% of all rates, charges and levies and the total deferred amount accrued (including penalty interest) must not exceed 25% of the Capital Improved Valuation of the property.

Deferred payment applications will be considered by the Revenue Coordinator and approved by the Manager Corporate Administration.

- *Waiver*

Council will only consider the waiving of rates, charges and levies, in part or in full, in exceptional circumstances outside the control of the customer.

This option is limited to a customer's primary place of residence of which they must be the sole proprietor. The property must be rated as Residential only.

All applications for a waiver need to be lodged in writing and include any supporting documentation. Such applications will be assessed by Council on the grounds of financial hardship only.

Waiver applications will be considered by the Revenue Coordinator and approved by Council.

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**4. Who is responsible for implementing this policy?**

Manager Corporate Administration

**5. Definitions**

HardshipN/A A customer who wants to pay but cannot.

**6. Legislation and other references**

**6.1 Legislation**

*Local Government Act 1989, Sections 170 and 171.*

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**6.2 Documents**

N/A

**6.3 Risk Assessment Reference**

<b>Risk Category</b>	✓	<b>Risk Category</b>	✓
Asset Management		Financial Sustainability	✓
Committees		Human Resource Management	✓
Compliance – Legal & Regulatory		Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	
Corporate Governance	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓

## 14.17 ADOPTION OF INTELLECTUAL PROPERTY POLICY CP029

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the Intellectual Property Policy CP029 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated Intellectual Property Policy CP029 as presented.**

### 3. Background

To provide guidelines on the application of the principles of intellectual property rights and how these principles affect the activities of Mildura Rural City Council.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. This policy remains largely unchanged with only minor formatting amendments.

### 6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

#### 4.5 Organisational Management

Goals to be achieved:

- a high performing organisation.

### 8. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report updates the current Intellectual Property Policy CP029

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Intellectual Property Policy (CP029)



## Intellectual Property Policy

### Policy - CP029

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration	ELT	Council	May 2017	
Trim File: 18/02/01		To be reviewed: May 2020		
Document Owner: Manager Corporate Administration		Review Frequency: 3 Years		

**1. The purpose of this policy is**

To provide guidelines on the application of the principles of intellectual property rights and how these principles affect the activities of Mildura Rural City Council.

**2. Policy Statement**

Intangible assets, like brand names, technology and information, have become increasingly important and, as a result, valuable to any organisation.

Employees of Mildura Rural City Council are likely to create intellectual property of value every day which adds to the intangible assets of Council. This intellectual property may include:

- reports, correspondence and papers being written in which copyright may subsist under the *Copyright Act* (Cth) 1968 (the "Copyright Act");
- new brand names or logos being devised which should be the subject of trade mark applications under the *Trade Marks Act* 1995 (Cth) (the "Trade Marks Act"); and
- new software being written which could be the subject of copyright protection as a literary work under the Copyright Act or could be the subject of a patent application under the *Patents Act* 1990 (Cth) (the "Patents Act").

Given the importance of intellectual property rights, Mildura Rural City Council employees should act in a way that seeks to maximise and protect the value of the Council's intellectual property, while simultaneously avoiding infringing the intellectual property rights of third parties. The information below is intended as a guide to the various intellectual property legislative schemes and to provide guidance to Mildura Rural City Council employees in their dealings with intellectual property; where it is owned by the Mildura Rural City Council and also where it is owned by third parties.

### 3. Principles

#### 3.1 COPYRIGHT

##### 3.1.1 General

Under the Copyright Act, copyright is the exclusive right to do, or authorise others to do, a number of specified acts including the right to reproduce the work and the right to publish the work.

Broadly speaking, copyright protects literature (which includes text, tables, compilations as well as computer programs), artistic works (which includes drawings, maps and charts), music, dramatic works, films and broadcasts from unauthorised copying by others.

Copyright may subsist in many of the documents produced by Mildura Rural City Council employees each day such as marketing plans, business reports and information, photographs or graphics included on the Mildura Rural City Council website.

It is highly recommended that staff read any licence conditions attached to material Council has (e.g. aerial imagery & GIS data) before agreements are made to supply documents or enter into a contractual arrangement.

##### 3.1.2 Ownership of Copyright

The general principle is that the creator of a work is the owner of the copyright in that work. If, however, the creator of the work is an employee and creates the work in their course of employment, then the employer is the owner of the copyright. This means that Mildura Rural City Council is the owner of all copyright created by its employees during the course of their employment.

Where the creator of the work is an independent contractor, however, unless there is an agreement in writing to the contrary, the independent contractor owns the copyright in the work. Where an independent contractor, such as an external advertising agency, creates work in which copyright subsists for the Mildura Rural City Council, unless there is an agreement to the contrary, the Mildura Rural City Council will have an implied licence to use the copyright in the work for the purpose for which it was created. If there is a chance that Mildura Rural City Council may wish to use the work in the future for a purpose other than the purpose for which the work was created, Mildura Rural City Council employees should arrange a licence agreement with the creator which provides Mildura Rural City Council with an unrestricted licence to use the copyright for any future purposes.

On the rare occasion where Mildura Rural City Council wishes to commercialise the work created by an independent contractor (rather than simply use it for Mildura Rural City Council's own purposes),

Mildura Rural City Council employees should seek to have copyright in the work formally assigned in writing to Mildura Rural City Council.

### 3.1.3 Originality

Copyright only subsists in works if they are original. Under the Copyright Act, this simply means that the work must not have been copied from another source.

### 3.1.4 Registration

There is no registration system in Australia for copyright. Copyright subsists automatically on creation of the original work. Where a work is being published, however, Mildura Rural City Council employees may wish to use the copyright symbol © to notify others that Mildura Rural City Council owns copyright in the work. Any such copyright notice should include the word "copyright" or the copyright symbol ©, "Mildura Rural City Council", and the year in which the work was created.

### 3.1.5 Infringement of Copyright

The copyright in a work is infringed if a person does, or authorises the doing, of any act that the owner of copyright has the exclusive right to do under the Copyright Act without the licence or permission of the copyright owner.

Unauthorised reproduction of copyright work is the most common form of infringement of copyright. It is an infringement of copyright to reproduce the entire or a substantial part of the copyright work. In assessing whether what has been copied is substantial, the courts look at the *quality* and not the *quantity* of what has been taken. So, reproduction of a small section of a work may nevertheless be an infringement of copyright if what is taken is a vital or important part of the original work.

It is important to remember that it does not matter how readily available a work is in the public domain, such as work on the internet, reproduction of that work without the permission of the copyright owner will amount to an infringement of the copyright in the work.

Staff should also be aware that use of third party applications such as Google maps and screen captures are classified as a breach of copyright when used for business purposes.

### 3.1.6 When Infringement is Not Applicable

The Copyright Act sets out a number of specific situations where fair use of a copyright work will not amount to copyright infringement. A "fair use" of a work for the purpose of research or study, for the purpose of criticism or review, for reporting news, or for the giving of professional advice by a legal practitioner will not amount to an infringement of copyright. In most instances, use by a Mildura Rural City Council employee will not fall within these exceptions and so the

copyright owner's consent should be sought before the entire or a substantial part of a work is copied or reproduced.

### **3.1.7 Moral rights**

Use of most works by Mildura Rural City Council employees will generally not infringe the moral rights of an author if the use of the work is reasonable in all the circumstances. Moral rights issues are more likely to arise in situations where Mildura Rural City Council employees are dealing with artwork or artistic creations of third parties.

### **3.1.8 Guidelines on the use of copyright**

Where Mildura Rural City Council work is to be published, employees should consider whether an appropriate copyright notice should be included.

When engaging independent contractors, consider whether Council should secure an unrestricted licence to use the copyright work for any future proposed uses of the work by Council and where appropriate, obtain an assignment of copyright in Mildura Rural City Council's favour.

Obtain the permission of the owner of copyright before copying or reproducing an entire work or a substantial part of a work.

## **3.2 TRADE MARKS**

### **3.2.1 General**

Under the Trade Marks Act, a trade mark is a sign (such as a name, logo, symbol, brand or marking) used to distinguish the goods or services of the trader or organisation using the sign from the goods or services of other traders.

### **3.2.2 Registration of a trade mark**

A trader or organisation (such as Mildura Rural City Council) can apply to register a sign used by it as a trade mark.

### **3.2.3 Who owns a trade mark**

A registered trade mark will be owned by the trader or organisation that applies to register it. Once registered the owner may assign the trade mark registration in its entirety or license others to use it. If Mildura Rural City Council licenses its trade marks to any third parties, such as where Mildura Rural City Council agrees to sponsor events or public performances, it should ensure that the licence agreement sets out the manner in which the trade mark is to be used. Improper use of a trade mark can dilute the value of the trade mark and make it vulnerable to removal from the Trade Marks Register.

A trade mark registration in Australia provides the owner of the trade mark with an exclusive legal right to use, license or sell it within Australia for the goods and services for which it is registered.

Trade mark registration differs from registration of a company, business or domain name which does not in itself give you the right to use that name as a trade mark.

### **3.2.4 Use of trade marks**

Ideally, the "®" symbol should always be used in conjunction with a registered trade mark and the "™" symbol with unregistered marks. These symbols indicate to others that Mildura Rural City Council is using the word, sign or name as a trade mark and claiming a proprietary right in that word, sign or name.

### **3.2.5 Infringement of a trade mark**

A registered trade mark is infringed if a person uses as a trade mark a sign that is substantially identical with or deceptively similar to the registered trade mark in relation to the same or closely related goods and services.

Mildura Rural City Council employees should be careful not to use trade marks owned by other traders or businesses without authorisation. If Mildura Rural City Council wishes to use a new name, brand or logo, a thorough search of the Australian Trade Marks Register should be conducted to ensure that no other third party already has a registration for that name, brand or logo.

### **3.2.6 Guidelines on the use of trade marks**

Consideration needs to be made on whether any new Mildura Rural City Council signs, logos or markings should be registered as trade marks. Once trade marks are registered the "®" symbol is used, but until registration occurs the "™" symbol is used in conjunction with the mark.

## **3.3 DOMAIN NAMES**

**3.3.1** A domain name identifies the domain name holders' Internet address.

### **3.3.2 Registration of a domain name**

To be eligible to register a .com.au domain name, Mildura Rural City Council must be able to show that it has a current company or business name or a trade mark registration or application. The domain name may either be based on those names or can be a generic word describing Mildura Rural City Council's services. There are application fees for registering a domain name and ongoing renewal fees.

### **3.3.3 Protection for a new name or brand**

Unlike a trade mark, a domain name does not of itself give the holder of the domain name any rights to the name. So, if Mildura Rural City Council wishes to obtain protection for a new brand or name that it is using as a domain name, it should seek to register that brand or name as a trade mark.

## **3.4 PATENTS**

### **3.4.1 General**

Under the Patents Act, a patent gives the owner the exclusive right to prevent others from manufacturing, using and/or selling the invention in Australia. The owner may also license others to manufacture the invention.

### **3.4.2 Obtaining a patent**

To obtain a patent, an application must be filed with the Patent Office. The Patent Office will assess whether the invention covered by the patent is new and meets the requirements. Patents cover, generally, any device, substance, method or process which is new, inventive and useful. Artistic creations, mathematic models, plans or other purely mental processes cannot be patented.

### **3.4.3 Discussions on an invention**

It is very important not to publicly disclose anything about an invention before filing a patent application. If the invention is demonstrated or discussed in public, or offered for sale or sold in public before the patent application is filed, this may prevent a patent being granted for the invention.

### **3.4.4 Benefits of a patent to Council**

As the patent owner has the exclusive right to "exploit" the invention under a patent, Mildura Rural City Council would be able to generate revenue by licensing others to use any inventions for which it obtained a patent by way of licensing fees and/or royalty payments. It would also have a monopoly in the invention and could prevent others from using it.

### **3.4.5 Infringement of a Patent**

Essentially, a patent is infringed where a person exploits the patent (which includes dealing with another invention covered by the patent) without the permission of the owner of the patent.

**3.4.6 Guidelines of the use of Patents**

Consideration needs to be made on whether any new device, method or process could be the subject of a patent application. Use of any patents of third parties without obtaining their permission is prohibited.

**4. Who is responsible for implementing the policy**

Manager Corporate Administration

**5. Definitions**

Intellectual property rights	Intellectual property rights are those rights provided by a suite of different laws to protect the products of intellectual endeavour. These laws include laws relating to copyright, trade marks, domain names and patents.
Copyright	Copyright is the protection given to the original <i>expression</i> of an idea, concept, fact or information. It does not protect the underlying idea, concept, fact or information itself.
Moral Rights	Moral rights are personal rights belonging to the author of a work in which copyright subsists. Only individuals have moral rights, not corporations or organisations. They essentially include the right to be appropriately identified as the author of a work and the right not to have the work subjected to derogatory treatment.
Trade Mark	A trade mark is a sign (such as a name, logo, symbol, brand or marking) used to distinguish the goods or services of the trader or organisation using the sign from the goods or services of other traders.
Domain Name	A domain name identifies the domain name holders' Internet address.
Patent	A patent provides protection for the owner's invention.

**6. Legislation and other references**

**6.1 Legislation**

- Copyright Act 1968 ;
- Trade Marks Act 1995 ; and
- Patents Act 1990.

**6.2 Documents**

Nil

**6.3 Risk Assessment Reference**

<p><b>Risk Category</b></p> <p>Asset Management Committees</p> <p>Compliance – Legal &amp; Regulatory Contract Management Contract Tendering &amp; Procurement Corporate Governance Environmental Sustainability</p>	<p>✓</p> <p>✓</p> <p>✓</p>	<p><b>Risk Category</b></p> <p>Financial Sustainability Human Resource Management</p> <p>Leadership &amp; Organisational Culture Occupational Health &amp; Safety Organisational Risk Management Project Management Public Image and Reputation</p>	<p>✓</p>
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**14.18 ADOPTION OF INVESTMENT POLICY CP047**

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

**1. Summary**

The purpose of this report is to present the Investment Policy CP047 and seek Council's resolution to adopt the reviewed policy.

**2. Recommendation**

**That Council adopt the reviewed Investment Policy CP047 as presented.**

**3. Background**

This policy sets out Mildura Rural City Council's guidelines for the investment of surplus funds.

**4. Consultation Proposed/Undertaken**

Consultation has been undertaken with Council's senior management team and the Finance Advisory Committee.

**5. Discussion**

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed with no amendments made.

**6. Time Frame**

The updated policy will come into force if adopted by Council and will be reviewed every three years.

**7. Strategic Plan Links**

This report relates to the Council Plan in the Key Result Area:

**4.4 Financial Sustainability**

Goals to be achieved:

- meet the community's needs in a financially responsible manner.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report reviews the current Investment Policy CP047.

**Legal/Statutory**

This policy aims to ensure that Council will be able to continue to cover all statutory reserve balances and deferred liabilities.

**Financial**

This policy has the potential to increase investment returns, without affecting the current level of credit risk, which would ease the pressure on annual rates levied.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Investment Policy (CP047)



## Investment Policy

### Policy – CP047

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Financial Services	FAC			
Trim File: 18/02/01		To be reviewed: May 2020		
Document Owner: Manager Financial Services		Review Frequency: 3 Years		

**1. The purpose of this policy is**

This policy sets out Mildura Rural City Council's guidelines for the investment of surplus funds.

**2. Policy Statement**

Council recognises that it is important to maximise return on investments while maintaining an acceptable level of risk.

**3. Principles**

- Business Risk is the most critical principle in the investment of funds, therefore the return of Capital must be considered above all else.
- In order to achieve the Policy Statement, Council must take into consideration all of the following factors when carrying out investment functions:
  - I) Existence of Guarantee and Security
  - II) Credit Rating of Institution
  - III) Interest Rate
  - IV) Social or Community Benefit
- i) Existence of Guarantee and Security
  - Determine whether the investment is guaranteed by the Institution and/or the Commonwealth Government under Investment Guarantee Scheme. Commercial / Bank Bills rank as an unsecured creditors in the advent of winding up unless the deposit falls within the Government Guarantee.
- ii) Credit Rating of the Institution
  - The credit rating of an institution does not require consideration where the investment falls within the ambit of the Commonwealth Government Guarantee Scheme.

- Where investments fall outside the scope of the Commonwealth Government Guarantee Scheme, they are only as good as their issuer, therefore the credit rating of the Institution must also be considered.
  - Standard & Poors (S&P) credit ratings will be utilised. When determining the viability of the issuer.
  - The minimum credit rating Council will accept from a Non Australian Bank or Non-bank Financial Institution will be A1+ for Short Term and AA- for Long Term investments. A1+ is classified by S&P as having 'an extremely strong' short-term capacity to pay and AA- as 'very strong' capacity to pay. Due to the strength of the Australian Financial System, investment in 'investment grade' products i.e. BBB or greater is regarded as a prudent level for an Australian Bank. Any ratings below these levels are considered too uncertain.
- iii) Interest Rate
- Although Credit Interest or Return on Investment is a major factor in decision making, consideration must also be given to any bank fees applicable to transferring funds between Institutions.
- IV) Social or Community Benefit
- Investment with certain financial institutions affords social or community benefit in terms of partnerships in community projects. This should be taken into consideration when evaluating investment alternatives.
- Given that Council's Cash Flow Forecasts and Strategic Resource Plan covers a 10 year period, and the philosophy that investment funds should be reasonably accessible and not have maturity dates that are too long term, the maximum maturity period permitted is 5 years.
  - Investments with maturity dates that exceed 5 years are required to be government guaranteed and tradable in a liquid market. Investments falling within this guideline must be reviewed annually from settlement date.
  - Council will invest in the following: ("Short Term" or "Long Term" is determined by the term to maturity – See Section 5 Definitions)
  - SHORT TERM:
    - At Call Account
    - Term Deposits
    - Commercial Bills
    - Promissory Notes
    - Floating Rate Notes
  - LONG TERM:
    - Floating Rate Notes
    - Medium Term Notes
    - Callable Range Notes
    - Mortgage Backed Securities
    - Semi / Government Bonds
    - Government Bonds

- Council will not invest greater than 45% of its annual average investments in one financial institution.
- Council may not invest greater than 20% of its annual average investments in non-bank financial institutions (this is not to include Government Bond investments).
- Not less than three quotations shall be obtained from financial institutions in order to make investment decisions.
- Council's Financial Services Department will maintain a current list, being not more than six months old, of Short and Long Term paper ratings. If any of the funds/securities held are downgraded, such that they no longer fall within the guidelines to this policy, the investment will be divested within 30 days or as soon as practicable.
- All new investments which equate to a value of greater than 10% of Council's annual average investments require Chief Executive Officer approval.
- To ensure compliance with Conflict of Interest rules outlined in the Local Government Act 1989, staff will ensure they are aware of and abide by the Conflict of Interest rules. If a staff member establishes they hold a Conflict of Interest they will complete the Disclosure of Conflict of Interest form and remove themselves from the process. The disclosure form will be forwarded to the Governance Unit for processing.

**4. Who is responsible for implementing this policy?**

The General Manager Corporate Services is responsible for implementing this policy.

Any investments that fall outside the parameters of this policy will be subject to a report to Council.

**5. Definitions**

Surplus Funds	The cash available in Council's bank account which is not essential in satisfying monthly cash flow requirements.
Short Term	Investment term to maturity of up to and including 90 days.
Long Term	Investment term to maturity of greater than 90 days. Investment term to maturity exceeding 5 years must be government guaranteed and in a highly liquid market

**6. Legislation and other references**

**6.1 Legislation**

For further information related to this policy see:

- Section 143 of the Local Government Act 1989.

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Standard and Poors Ratings Levels

**6.3 Risk Assessment Reference**

*Please tick the corporate risk(s) that this policy is addressing.*

<b>Risk Category</b>	<input checked="" type="checkbox"/>	<b>Risk Category</b>	<input checked="" type="checkbox"/>
Asset Management		Financial Sustainability	<input checked="" type="checkbox"/>
Committees		Human Resource Management	
Compliance – Legal & Regulatory		Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	<input checked="" type="checkbox"/>
Corporate Governance	<input checked="" type="checkbox"/>	Project Management	
Environmental Sustainability		Public Image and Reputation	

STANDARD & POORS RATINGS LEVELS

SHORT TERM:

- A1+ Extremely Strong Capacity to Pay
- A1 Strong Capacity to Pay
- A2 Satisfactory Capacity to Pay
- A3 Adequate Capacity to Pay
- B Speculative

LONG TERM:

- AAA Extremely Strong Capacity to Pay
- AA+ }  
AA } Very Strong Capacity to Pay  
AA- }
- A+ }  
A } Strong Capacity to Pay  
A- }
- BBB+ }  
BBB } Adequate Capacity to Pay  
BBB- }
- BB+ }  
BB } Uncertainties or Adverse Conditions could lead to Inadequate Capacity to Pay  
BB- }
- B+ }  
B } Adverse Conditions Likely to Impair Capacity to Pay  
B- }
- CCC Vulnerable to Default
- C High Risk of Default
- D Default

## 14.19 ADOPTION OF MEDIA RELATIONS POLICY CP049

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the Media Relations Policy CP049 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated Media Relations Policy CP049 as presented.**

### 3. Background

The purpose of this policy is to guide Council's media liaison activities and specify procedures and protocols for dealing with media requests with the intention of informing our stakeholders.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. Minor changes have been made and these are presented in the attachment.

### 6. Time Frame

The updated policy will come into force if adopted by Council and will be reviewed every three years.

### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

#### 4.2 Communication and Engagement

Goals to be achieved:

- communicate effectively with the community;
- engage effectively with the community; and
- responsive to community input and feedback.

### 8. Asset Management Policy/Plan Alignment

There are no asset management policy or plan implications relating to this report.

**9. Implications**

**Policy**

This report updates the current Media Relations Policy CP049.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will be exposed to the following risks:

Risks	Controls	Residual Risk
Any staff member speaking to the media on any topic	Authorised spokespersons appointed and trained.	Low
Incorrect information is provided to the media	Approvals process implemented for information dissemination	Low

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Media Relations Policy (CP049)



## Media Relations Policy

### Policy – CP049

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration	SMT	Council	<del>27 April</del> 27 April 2017	2011/0471
Trim File: 18/02/01		To be reviewed: <del>May 2014</del> April 2017		
Document Owner: Manager Corporate Administration		Review Frequency: 3 years		

#### 1. The purpose of this policy is

To guide Council's media liaison activities and specify procedures and protocols for dealing with media requests with the intention of informing our stakeholders.

#### 2. Policy Statement

This policy ensures that:

- Accurate, timely and consistent information is provided to the media;
- The most qualified and appropriate spokespeople and/or sources of information at Council are identified;
- Council's integrity and professional image is preserved; and
- Issues are monitored and handled in an appropriate manner.

#### 3. Guiding Principles

##### 3.1 Dealing with media enquiries

The ~~Communications Officer~~/Public Relations Officer will coordinate and deal with all media enquiries ~~to Council staff.~~ When appropriate and required the Communications Officer will provide support.

All queries to staff from the media are to be referred immediately to Council's Public Relations Officer so that they can be logged and responded to in the most efficient, appropriate and accurate manner. Queries to Councillors may also be referred to the Public Relations Officer.

The Public Relations Officer will ascertain the nature of the query and organise the most appropriate response to the request for comment or information in liaison with the Mayor, Councillors, Chief Executive Officer, General Managers or Managers. This may include an interview or photo opportunity.

Where a media agency requests information on a specific topic, the response will be provided to them exclusively.

**3.2 Authorised Spokespeople**

To ensure clarity in Council's messages and the most appropriate responses to issues, the following guidelines are provided in selecting spokespeople for particular issues:

Type of issue	Definition	Authorised spokespeople
Political issues	Involve matters of policy, Council position, external liaison or dealings with government bodies or municipal advocacy on behalf of the region.	Mayor, Portfolio Councillor or the Chief Executive Officer
Policy and strategic issues	Issues involving Council's dealings with external parties and Council's long term vision for the community.	Mayor, Portfolio Councillor or the Chief Executive Officer
Operational issues	Issues relating to the day-to-day operation of Council that do not involve Council policy. This includes Council's normal programs and services.	Chief Executive Officer, relevant General Manager or Manager, Public Relations Officer, Communications Officer
Technical or expert issues	Issues requiring very specific, technical or detailed information to provide understanding on a complex topic.	A nominated staff member who has the knowledge and media training.
Special interest issues	Stories that typically focus on human interest matters, analysis or background that lend a human face to a story. These do not usually delve into operational issues or matters of Council policy.	Relevant Councillor or staff member as determined in consultation with the Public Relations Officer and relevant Manager (if applicable).

All authorised spokespeople must have completed an approved media training program. Exceptions will only be allowed with approval from the Manager Corporate Administration in consultation with relevant Manager.

Council media resources and support will only be provided to an authorised Council spokesperson.

Where there is a dispute as to the appropriate spokesperson, the matter shall be referred to the Mayor or Chief Executive Officer for a decision.

Spokespersons have the opportunity to be briefed or have research conducted by the Public Relations or Communications Officer before being interviewed. It is recognised that in some instances, ie a weekly radio interview, civic function etc, that staff may be questioned outside expected parameters.

Designated spokespersons will work with the [Communications-Marketing and Communications](#) Unit to determine key messages and ensure any timelines or deadlines to meet media requests are delivered upon.

It should be noted the Public Relations or Communications Officer may be an appropriate spokesperson.

### 3.3 Councillors and the media

- Councillors have been elected to represent our community and are free to speak to the media on any subject;
- Councillors have the right to express personal opinions on any issue, but must make it clear that they are speaking for themselves and not on behalf of Council, unless they are supporting a Council position;
- Councillors may issue media releases under their own name, however any announcements, launches or timelines for Council projects are to be made in an official Council media release. Councillors issuing their own releases should also send a copy to the [Marketing and Communications Unit](#).
- Councillors have the right to be briefed by the Public Relations or Communications Officer or relevant manager on topics for which they are the authorised spokesperson;
- Councillors will be quoted in media releases related to their portfolio. Where there is more than one Councillor representing a portfolio, the spokesperson responsibilities will be shared as agreed by all Councillors in the portfolio. This approach will then be implemented by the [Communications–Public Relations](#) Officer in a consistent fashion; and
- If a Councillor has taken a lead role in a specific project or initiative, they will assume spokesperson responsibilities.

### 3.4 Staff and the media

- Staff are encouraged to cooperate with the media, subject to the guidelines in this policy;
- All media enquiries must be referred to the Public Relations or Communications Officer;
- Council employees may speak to the media or write letters to the editor as private individuals with the following restrictions:
  - they do not identify themselves as employees of Council.
  - their comments are not seen to represent Council's position or policy.
- Council employees are encouraged to refrain from commenting on Council business, policy, activities or Councillors in the media;
- Council staff should not respond to public criticism of Council, Council staff, policy or activities via letters or text messages to media agencies unless approval has been given by the Chief Executive Officer;
- In the event of an industrial dispute (or incident likely to lead to an industrial dispute) statements on behalf of Council employees should be issued via the relevant union; and
- Contractors, service providers or suppliers engaged by Council must refer all media enquiries relating to Council to the Public Relations or Communications Officer.

### 3.5 Speaking Off the Record

Staff and Councillors should be aware that all conversations with a member of the media, whether an interview is agreed upon or not, are treated as on the record, and can be attributed to them.

Speaking off the record can be useful to provide information for the purposes of briefing on an issue in which Council is not involved. This must be agreed to by the staff member and journalist prior to the discussion.

### 3.6 Approaching the media

The Public Relations Officer is responsible for issuing Council's media releases and contacting journalists about potential stories.

Staff members must refrain from approaching the media directly. They must provide the Public Relations Officer with the information or opportunity for the media instead.

If a Councillor or officer becomes aware of a potential media opportunity or issue they should contact and brief the Public Relations Officer. The Public Relations Officer will work with relevant staff and Councillors to prepare any necessary information (such as media releases, background papers and kits) for approval before they are distributed.

Staff and Councillors should be aware of requirements surrounding the Local Government Act and in particular Conflict of Interest provisions.

### 3.7 Issue and crisis management

The Public Relations Officer monitors media and social media activity and identifies potential issues. If a Councillor or staff member becomes aware of an issue that has the potential to develop further, this should be brought to the attention of the Public Relations Officer or Customer Relations Coordinator, the Mayor and/or the Chief Executive Officer as soon as possible.

In the event of a crisis or unexpected issue, the Public Relations Officer will put into place appropriate crisis management procedures to ensure Council's communication with the media is appropriately managed. These procedures include:

- Identifying and briefing the most appropriate designated Council spokesperson (generally the Mayor or Chief Executive Officer);
- Convening discussions of all communications with relevant staff/Councillors;
- Ensuring only designated spokespeople make comment during a crisis situation; and
- Developing consistent key messages.

Statements made during a crisis situation may have far-reaching effects, including potential use in legal proceedings against the Council. It should, therefore, be noted that comment contrary to the provisions of this policy could prejudice Council's ability to communicate in the most appropriate way and compromise the professionalism of Council's image.

### 3.8 Media Releases

The media is an important customer of the [Marketing and Communications Unit](#). The Public Relations Officer is responsible for the ongoing management and implementation of a proactive program to keep the local media informed of Council decisions and activities. The program includes daily contact with media, proactive story placements, media briefings after Council meetings and distribution of media releases.

Only Councillors, ~~or the~~ Chief Executive Officer [or General Managers](#) will be quoted in media releases. Where Council is a partner in a joint release, an appropriate external person may be quoted alongside the authorised Council spokesperson.

To ensure total media coverage, media conferences, ceremonies or events of any sort should be scheduled for the morning or early afternoon between Mondays and Thursdays.

At times it will be necessary for a large amount of information prepared by various departments to be released on the same day. The Public Relations [and/or](#) Communications Officer will discuss the immediacy of the information with the relevant staff or Councillors and will determine the most appropriate date of release. If necessary, the timing of the releases will be referred to the Manager Corporate Administration or the Chief Executive Officer.

Councillors and staff should treat all media agencies equally and avoid preferential treatment. Media releases will be distributed to all agencies at the same time.

### 3.9 Media Conferences

A media conference can be useful to stimulate interest and create awareness of a particular cause or to make an important announcement.

Media conferences will be organised by the Public Relations or Communications Officer and approved by the Mayor or Chief Executive Officer. Spokespersons must be approved by the Mayor or Chief Executive Officer and should be well briefed on all aspects of the topic and possible questions the media may ask.

A media release will be prepared announcing the media conference, the subject of the conference, brief background details, who will be speaking, time, date and location.

If required, a media kit will be prepared by the Public Relations or Communications Officer for release at the commencement of the media conference.

All media events/conferences need at least four working days' notice for the organisation and preparation to be completed.

**3.10 Provision of editorial content**

- Council will often provide editorial content for promotional purposes via an agreed relationship with a media agency and can be in the following forms:
  - Regular radio spots (Authorised spokesperson guidelines apply);
  - Written special interest columns;
  - Articles for magazines, journals or online news services; and
  - Other formats as agreed to by the Manager Corporate Administration
- Editorial content relationships with media agencies must be organised and approved by the [Marketing and](#) Communications unit;
- Editorial content opportunities must be identified and included in branch marketing plans; and
- A plan for topics or content must be developed and provided to the [Public Relations and/or](#) Communications Officer. Any exceptions must be approved by the Manager Corporate Administration.

**3.11 Caretaker Mode**

Whilst Council is in Caretaker Mode due to pending elections, provisions will be made to Council's Media Relations Policy. During Caretaker Mode, the following principles will be implemented.

- Councillors will not be quoted in any issued media release;
- Councillors requesting any media releases to be written or released on their behalf will be refused under the Act;
- Appropriate spokespeople for quoting in media releases will be the CEO and General Managers, or staff member as determined in consultation with the Public Relations Officer and relevant Manager (if applicable) -and the approval process still stands; and
- Media releases will be kept to an absolute minimum during this period and will be scrutinised to ensure they do not contravene the Local Government Act.

**4. Who is responsible for implementing this policy?**

Manager Corporate Administration and [Communications Customer Relations](#) Officer.

**5. Definitions**

Portfolio Councillor	As determined by CP028 Councillors Portfolio Policy.
Off the record	Information given during an interview under the undertaking that it is not for attribution but can be published. Please note that all discussions with a member of the media are on the record unless an agreement is made to go off the record. Speaking off the record must be agreed to by the staff member and journalist prior to the discussion.
Caretaker mode	As defined in Section 93A of the Local Government Act (1989), Council enters caretaker mode during

election period, beginning on the entitlement date of a Council election and ending on 6pm of the election day.

**6. Legislation and other references**

**6.1 Legislation**

For further information related to this policy see:

- Local Government Act (1989); and
- Section 55D of the Local Government Act (1989) relating to caretaker provisions for media and communications.

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Responding to media queries deployment flowchart;
- Media release development and deployment flowchart;
- ~~Mildura Rural City Council Media Planning Tool;~~
- Mildura Rural City Council Media Release Request Form;
- CP 028 Councillors Portfolio Policy;
- CP 039 Mildura Rural City Council’s Commitment To Good Governance;
- CP 030 Release of Confidential Information Policy; and
- Appointment of Delegates and Representatives report to Statutory Council Meeting.

**6.3 Risk Assessment Reference**

<p><b>Risk Category</b></p> <p>Asset Management Committees Compliance – Legal &amp; Regulatory Contract Management Contract Tendering &amp; Procurement Corporate Governance Environmental Sustainability</p>	✓	<p><b>Risk Category</b></p> <p>Financial Sustainability Human Resource Management Leadership &amp; Organisational Culture Occupational Health &amp; Safety Organisational Risk Management Project Management Public Image and Reputation</p>	✓
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**14.20 ADOPTION OF RATE DEBT MANAGEMENT POLICY CP062**

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

**Summary**

The purpose of this report is to present the Rate Debt Management Policy CP062 and seek Council's resolution to adopt the updated policy.

**1. Recommendation**

**That Council adopt the updated Rate Debt Management Policy CP062 as presented.**

**2. Background**

The purpose of this policy is to establish a framework for Mildura Rural City Council to manage and implement a consistent approach to the collection of rates and charges that is consistent with the Council Plan, in particular Key Result Area - Financial Sustainability.

**3. Consultation Proposed/Undertaken**

Consultation has been undertaken with Council's senior management team.

**4. Discussion**

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

Council derives a large share of its revenue from rates and charges, and therefore has a responsibility to ensure that all monies owing are collected in a timely, effective and efficient manner, in order to finance its operations and to ensure effective cash flow management.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. This policy remains largely unchanged with only minor amendments.

**5. Time Frame**

This policy will come into force if adopted by Council and will be reviewed every two years.

## 6. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

### 4.1 Leadership and Representation

Goals to be achieved:

- deliver results in line with community expectations.

### 4.2 Communication and Engagement

Goals to be achieved:

- communicate effectively with the community; and
- engage effectively with the community.

### 4.3 Customer Service

Goals to be achieved:

- provide a high standard of customer service.

### 4.4 Financial Sustainability

Goals to be achieved:

- financial sustainability.

## 7. Asset Management Policy/Plan Alignment

There are no asset management implications associated with this report.

## 8. Implications

### **Policy**

This report updates the Rate Debt Management Policy CP062.

### **Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

### **Financial**

There are no financial implications associated with this report.

### **Environmental**

There are no environmental implications associated with this report.

### **Social**

There are no social implications associated with this report.

### **Economic**

There are no economic implications associated with this report.

**9. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**10. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Rate Debt Management Policy (CP062)
- 2 Outstanding Rates Arrangement Form



## Rate Debt Management Policy

### Policy – CP062

Prepared	Reviewed	Approved	Date
Trim File: 18/02/01		To be reviewed: April 2019	
Document Owner: Manager Corporate Administration		Review Frequency: 2 Years	

**1. The purpose of this policy is**

To establish a framework for Mildura Rural City Council to manage and implement a consistent approach to the collection of rates and charges that is consistent with the Council Plan, in particular Key Result Area - Financial Sustainability.

**2. Policy Statement**

Council derives a large share of its revenue from rates and charges, and therefore has a responsibility to ensure that all monies owing are collected in a timely, effective and efficient manner, in order to finance its operations and to ensure effective cash flow management.

**3. Principles**

In formulating this policy, Council is committed to the following principles:

- Assisting customers to attend to any rates arrears in a progressive manner.
- Adherence to Part 8 of the *Local Government Act 1989* in relation to the recovery of unpaid rates and charges.
- Ensure a fair, equitable and accountable approach to collection decisions and practices.
- Rate debtors are expected to take responsibility for their Council debt obligations and to organise their affairs in such a way as to be able to discharge these obligations when required.
- Council will not instigate legal action without first making all reasonable endeavors to contact the debtor directly to advice of such action. However, Council will proceed with each step of the legal process without further notice where a debtor:
  - Fails to respond to communications from Council or its nominated Debt Collection Agency;
  - Fails to enter into a realistic and agreed payment arrangement; or
  - Fails to meet repayments as agreed

• **Process**

In the event that a customer does not pay their annual rates, charges or levies by the statutory due dates, Council may instigate recovery of this debt via the methods outlined in the Local Government Act 1989.

However, this process must also include the requirement for Council to make reasonable endeavors to avoid the need to engage the legal system.

The convention that shall be applied for Debt Collection is:

Reasonable Endeavors Checklist	Recovery of Rates, Charges & Levies
<p><b>Step</b></p> <p>1. Final Notice issued</p> <p>2a. Referral to Debt Collection Agency (Lump sum participant)</p> <p>2b. Referral to Debt Collection Agency (Instalment participant)</p> <p>3. SMS sent and/or Demand Letter issued</p> <p>4. Second Attempt to Contact Customer</p>	<p><b>Action</b></p> <p>Final Rate Notices are to be issued on all rates assessments with balances greater than five dollars (Lump Sum Option only) 14 days prior to the conclusion of the 28 day grace period on penalty interest.</p> <p>Rates assessments with balances no less than \$750.00 (or with aged debt of more than three years) are to be referred to our nominated debt collection agency after the conclusion of the penalty interest grace period (Lump Sum Option only) unless an agreed payment arrangement has been made and adhered to.</p> <p>Rates assessments with balances no less than \$750.00 are to be referred to our nominated debt collection agency where unpaid Instalments from the previous financial year are not paid by 14 October of the new financial year.</p> <p>The debt collection agency will:</p> <ul style="list-style-type: none"> <li>- send a SMS text message to the customer (if we have a mobile phone number) requesting contact, or</li> <li>- send a Demand letter in the mail to the customer (if we don't have a mobile phone number).</li> </ul> <p>After 7 days, rates assessments with balances no less than \$1,500.00 (or with aged debt of more than three years) where no contact has been received from the customer by either Council or the debt collection agency, the debt collection agency will:</p> <ul style="list-style-type: none"> <li>- send a Demand letter in the mail to those customers who were initially sent a</li> </ul>

<p>5. Issue Complaint (Magistrates' Court)</p>	<p>SMS text, or</p> <ul style="list-style-type: none"> <li>- make one attempt to contact the customer by phone. Successful phone contact is defined as being:             <ul style="list-style-type: none"> <li>- The call is answered and the customer is spoken to, or</li> <li>- The call is answered and this person agrees to pass on a message to the customer, or</li> <li>- The call isn't answered but a message is left on an answering machine, message bank or message-to-text service</li> </ul> </li> </ul> <p>If phone contact is unsuccessful the debt collection agency is to refer the customer back to Council. Council will then search for alternative postal addresses, phone numbers or email addresses (within its customer database and document archive system) and make one attempt on each to contact the customer. If successful contact cannot be made, the customer is referred back to the debt collection agency.</p> <p>After a minimum of 21 days since the initial SMS text or Demand letter, should no contact (including the receipt of full or part payment) be received from the customer by either Council or the debt collection agency and the amount of the debt is no less than \$1,500.00 (or is aged more than three years), the debt may be referred to the Magistrates' Court and a Complaint issued in accordance with Section 180 Local Government Act 1989.</p> <p>Note: where the debtor is not a registered owner, their details will be deleted from the rates assessment and their debt collection account will be closed. An updated Rate and Valuation Notice is then issued in the registered owner's name, accompanied with a letter advising their tenant has defaulted on payment, and they now have 14 days in which to pay in full or make an agreeable payment arrangement. No further contact or negotiation with the tenant will be entered into. After the 14 day period, the collection process will commence at Step 2.</p>
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<p>6. Issue Judgement (Magistrates' Court)</p>	<p>After 21 days, should no contact (including the receipt of full or part payment) be received from the customer by either Council or the debt collection agency, the matter may proceed to Judgement. Judgement is also to be obtained in the event that Council is required to attend a 'Defence' instigated by the customer, or if an agreed payment arrangement isn't adhered to. <u>Judgement must be obtained prior to the expiry of the Complaint (regardless of the debtor's circumstances) if the debt including legal costs aren't paid in full.</u></p>
<p>7. Issue Summons Oral Examination (Magistrates' Court)</p>	<p>After 14 days from the date of issue of the Judgement, should no contact (including the receipt of full or part payment) be received from the customer by either Council or the debt collection agency the matter may proceed to Summons Oral Examination (SOE). The matter may also proceed if an agreed payment arrangement isn't adhered to.</p>
<p>8. Other Methods of Enforcement (Magistrates' Court)</p>	<p>After 14 days from attending the SOE, should no contact (including the receipt of full or part payment) be received from the customer by either Council or the debt collection agency, the matter may proceed to any other available method of payment enforcement not limited to the garnishee of wages or rental income, or the seizure of goods. The matter may also proceed if an agreed payment arrangement isn't adhered to.</p>
<p>9. Section 181 Property Sale</p>	<p>Where more than three years of unpaid rates, charges or levies exists, Council may initiate the sale of property pursuant to <i>Section 181 Local Government Act 1989 Part 8</i>. Council approval is required before proceeding with any property sale. However, a Warning Property Sale letter may be issued at any time once the property has met the criteria set out in Section 181.</p>
<p><u>Notes:</u></p>	<p>At any time, if a customer who has made a payment arrangement directly with Council defaults on their agreed payment arrangement, their rates assessment is to be referred to our nominated debt collection agency.</p>

	<p>At any time, if a customer who has made a payment arrangement (after their debt has been listed with our debt collection agency) defaults on their agreed payment arrangement, the debt collection agency is to send a Broken Arrangement letter (first and final).</p> <p>At any time, should a customer default on their agreed payment arrangement without prior discussion with Council, the next step in recovery may proceed without notice.</p> <p>At any time, Council may send a 'Review' letter to the customer requesting an increase in either the payment amount or frequency. Failure to enter into a revised, agreed arrangement is to be treated as a default.</p> <p>If an agreed payment arrangement is entered into after a Complaint has been issued, the customer must be advised in writing that a Judgement will be obtained against them 7 days prior to the anniversary of the Complaint's date of issue if any debt (including costs) exists at that time.</p>
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**4. Who is responsible for implementing this policy?**

Revenue Coordinator  
 Manager Corporate Administration

**5. Definitions**

Arrears                      Any monies unpaid after the statutory payment due date.

**6. Legislation and other references**

**6.1 Legislation**

For further information related to this policy see:

- Section 177 *Local Government Act 1989*
- Section 180 *Local Government Act 1989*
- Section 181A *Local Government Act 1989*

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Outstanding Rates Arrangement form
- Tenant Default letter
- Warning Judgement letter

**6.3 Risk Assessment Reference**

*Please tick the corporate risk(s) that this policy is addressing.*

Risk Category	Risk Category	
Asset Management	Financial Sustainability	✓
Committees	Human Resource Management	
Compliance – Legal & Regulatory	Leadership & Organisational Culture	✓
Contract Management	Occupational Health & Safety	
Contract Tendering & Procurement	Organisational Risk Management	✓
Corporate Governance	Project Management	
Environmental Sustainability	Public Image and Reputation	

Customer Service  
Officer Initials



Mildura Rural City Council

**APPLICATION FOR OUTSTANDING RATES ARRANGEMENT**

Please complete the following and return Council's Revenue Department. If you require any assistance with this form please contact Council on 5018 8100.

Rates Assessment No:	
Property Address:	
Ratepayer Name: <i>(Print name in full)</i>	
Residential Address:	
Postal Address: <i>(if different to above)</i>	
Phone:	
Email:	

I would like to make the following arrangements to pay the outstanding Council rates for the listed property/ies in this application. (NOTE: You will only be contacted if this offer is not agreeable.)

\$	Per Week/Fortnight: <i>(please circle one)</i>	Commencing: <i>(dd/mm/yyyy)</i>	
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I understand interest will continue to accrue until final payment is made and that I must adhere to this arrangement until all outstanding debt is paid.

I understand that this arrangement is not in place indefinitely and that Council may conduct periodic reviews that may result in the need for a revised payment amount and/or frequency.

I understand that should I default on this arrangement without prior discussion with Council, my rates account/s will be referred to a debt collection agency (if this hasn't occurred already). I understand that failure to respond to any contact from the debt collection agency may lead to legal action being taken where I will be fully liable for associated costs.

I understand that if a Complaint has already been issued by the Magistrates' Court, a Judgement will be obtained against me if any debt exists (as per Complaint, including all associated costs) prior to the anniversary of the issue date of the Complaint, regardless of any factor. I understand that a Judgement may affect my credit rating.

I declare that I am authorised to act on behalf of all owners of the listed property/ies in regard to this matter and understand that any legal proceedings will affect all owners.

Signature:	
Date:	
Financial Assessment Appointment Date & Time:	

**Privacy Collection Statement**

*Personal and/or Health Information collected by Council is used for municipal purposes as specified in the Local Government Act 198. The Personal or Health Information will be used solely by Council for these purposes and/or directly related purposes. Council may disclose this information to other organisations if required by legislation. The applicant understands that the Personal and/or Health Information provided is for the above purpose and that he or she may apply to Council for access to and/or amendment of the information. Requests for access and or corrections should be made to Council's Privacy Officer.*

## 14.21 ADOPTION OF STREET NUMBERING POLICY CP003

**File Number:** 18/02/01  
**Officer:** General Manager Corporate

### 1. Summary

The purpose of this report is to present the Street Numbering Policy CP003 and seek Council's resolution to adopt the updated policy.

### 2. Recommendation

**That Council adopt the updated Street Numbering Policy CP003 as presented.**

### 3. Background

The purpose of this policy is to establish consistency in the application of street numbers.

### 4. Consultation Proposed/Undertaken

Consultation has been undertaken with Council's senior management team.

### 5. Discussion

Council policies are developed and approved by Council to help govern how the organisation operates. They outline organisational decision-making processes and protocols for service delivery and civic administration.

Council recognises it has a responsibility to ensure identification of properties through accurate numbering to ensure that statutory authorities and emergency services can identify individual properties.

In accordance with the review schedule, this policy and its principles have been comprehensively reviewed. This policy remains largely unchanged with only minor amendments.

### 6. Time Frame

This policy will come into force if adopted by Council and will be reviewed every three years.

### 7. Strategic Plan Links

This report relates to the Council Plan in the Key Result Area:

#### 4.1 Leadership and Representation

Goals to be achieved:

- proactively respond to the interests of our community.

4.2 Communication and Engagement

Goals to be achieved:

- engage effectively with the community.

**8. Asset Management Policy/Plan Alignment**

There are no asset management implications associated with this report.

**9. Implications**

**Policy**

This report updates the Street Numbering Policy CP003 for adoption.

**Legal/Statutory**

This policy complies with all requirements under the *Local Government Act 1989*.

**Financial**

There are no financial implications associated with this report.

**Environmental**

There are no environmental implications associated with this report.

**Social**

There are no social implications associated with this report.

**Economic**

There are no economic implications associated with this report.

**10. Risk Assessment**

By adopting the recommendation, Council will not be exposed to any significant risk.

**11. Conflicts of Interest**

No conflicts of interest were declared during the preparation of this report.

**Attachments**

- 1 Street Numbering Policy (CP003)



## Street Numbering Policy

### Policy – CP003

Prepared	Reviewed	Approved	Date	Council Minute No.
Manager Corporate Administration				
Trim File: 18/02/01		To be reviewed: April 2020		
Document Owner: Manager Corporate Administration		Review Frequency: 3 years		

**1. The purpose of the this policy is**

To establish consistency in the application of street numbers.

**2. Policy Statement**

Council recognises it has a responsibility to ensure identification of properties through accurate numbering to ensure that statutory authorities and emergency services can identify individual properties.

**3. Principles**

The convention that shall be applied in the municipal district of the Mildura Rural City Council is as follows:

- In roads where through traffic is possible, property numbers will be allocated with all odd numbers on one side of the road and all even numbers on the opposite side of the road.
- In roads where through traffic is not possible, property numbers will be allocated seriatim from the first property on the left-hand side at the entrance to the road.
- Where a property which has frontage to more than one street has been allocated a property number to one of those streets, and the owner requires it to be changed to another street, a written application setting out the reasons for the change will be required. If the application is deemed to have merit and the existing property numbers allow for a change to an alternative street an administrative fee will be payable before the change is made.
- Upon re-allocation of street numbers the following authorities, or their successors, must be notified:
  - Powercor;
  - Telstra;
  - Lower Murray Water;
  - Australia Post
  - Victoria Police;
  - Country Fire Authority;
  - Victorian State Emergency Service;

- VICMAP – Land Victoria;
  - Rural Ambulance Victoria; and
  - Australian Electoral Commission.
- Where property numbers have been previously allocated, and it is necessary to re-allocate property numbers, written notification will be given to the owners of the affected properties, giving them 28 days to comment;
  - Following a decision to re-allocate property numbers, owners will be notified in writing, and be directed to re-number their property within a specified time frame, supplied with one set of reflective numbers to be erected at the properties' primary point of entry, given the option to be reimbursed by council for the cost of mail redirection for a period of up to 90 days (residential mail delivery service only); and
  - Where a property which has frontage to more than one street has been allocated a property number to one of those streets, and the owner requires it to be changed to another street, a written application setting out the reasons for the change will be required. If the application is deemed to have merit and the existing property numbers allow for a change to an alternative street an administrative fee will be payable before the change is made.
  - Street and road names will be determined under the naming rules for places in Victoria and accord with Australian/New Zealand Rural and Urban Addressing Standard

**4. Who is responsible for implementing this policy?**

General Manager Corporate

**5. Definitions**

Road	has the meaning attached to it in Section 3 of the Local Government Act 1989 (as amended).
Property Number	is the number allocated by the Mildura Rural City Council to identify individual properties within a road

**6. Legislation and other references**

**6.1 Legislation**

For further information related to this policy see:

- Section 6 of the Local Government Act 1989 defines one of the purposes of a Council as providing for the peace, order and good government of its municipal district;
- Schedule 10 of the Local Government Act 1989 provides for Council to approve, assign and change the number of any premises next to a road; and
- Schedule 10 further provides that Council may require people to number their premises and to renew those numbers.

- The Naming rules for places in Victoria – Statutory requirements for naming roads, features and localities 2016

**6.2 Documents**

This Policy is implemented in conjunction with the following documents:

- Deployment Flowchart - Rural Addressing;
- Deployment Flowchart - Urban Addressing; and
- Deployment Flowchart - Urban Addressing - Re-Allocation of Property Numbers.
- Australian/New Zealand Standard AS/NZS 4819:2011 – Rural and urban addressing

**6.3 Risk Assessment Reference**

*Please tick the corporate risk(s) that this policy is addressing.*

<b>Risk Category</b>	✓	<b>Risk Category</b>	✓
Asset Management	✓	Financial Sustainability	
Committees		Human Resource Management	
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	
Contract Tendering & Procurement		Organisational Risk Management	✓
Corporate Governance		Project Management	
Environmental Sustainability		Public Image and Reputation	

**15 URGENT BUSINESS**

**16 OTHER MATTERS**

**17 PUBLIC QUESTIONS**

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**CONFIDENTIAL BUSINESS**

Pursuant to Section 89(2) of the *Local Government Act 1989*, Council will resolve to move into confidential business to deal with:

**18 CONFIDENTIAL REPORTS**

**18.1 SECTION 89(2)(H) - (ANY OTHER MATTER WHICH THE COUNCIL OR SPECIAL COMMITTEE CONSIDERS WOULD PREJUDICE THE COUNCIL OR ANY PERSON)**

- **QUEEN BATON RELAY - COUNCIL BATON BEARER NOMINATION**

**18.2 SECTION 89(2)(D) - (CONTRACTUAL MATTERS)**

- **TENDER AWARD - MILDURA RIVERFRONT EAST PRECINCT SEMI PERMANENT TRADER - 1617/47**

**18.3 SECTION 89(2)(D) - (CONTRACTUAL MATTERS)**

- **TENDER AWARD - MILDURA ARTS CENTRE PASSENGER LIFT - CONTRACT 1617/36**
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**19 CLOSURE**