

set criteria outlined in the Small Project Grants guidelines (the guidelines). Funding recommendations are presented monthly at an Ordinary Council meeting for review and/or approval.

This report details the process of evaluation and lists the applications received since the previous meeting.

Five applications have been received seeking a total of \$5,502 in funding. The applications have been evaluated against eligibility criteria and the officer assessments are summarised within this report.

### Recommendations

#### That Council:

1. Approve the following applications:
  - a) Friends of Gisborne Botanic Gardens Inc: \$1,436 for purchase and construction of a noticeboard.
  - b) Macedon Ranges Further Education Centre: \$1,500 for purchase of computer desks and chairs.
  - c) Woodend Kindergarten Committee Inc: \$1,066 for purchase of a replacement barbecue, associated equipment and a promotional banner.
  - d) Malmsbury Town Hall Management Committee: \$1,500 for traffic management signage.
  
2. Note an application submitted by the Macedon Ranges Sustainability Group.

It was moved by Cr Mees seconded by Cr Bleeck that the Officer Recommendation be adopted.

CARRIED

7.40pm Cr Radnedge returned to the meeting.

#### Report No: Report Title:

**CS.3** Revised instrument of delegation to members of Council staff (S6) and Delegations Framework, Policy and Procedures

#### **Purpose and Overview**

The *Local Government Act 1989* enables Council to delegate its powers, duties and functions to officers of Council (Section 98) and to any Special Committee it has established (Section 86).

This report outlines revisions made to Council's Instruments of Delegation since their review and the adoption of the *Delegation Framework and Instruments of Delegation* document in September 2017.

The report seeks Council's adoption of a revised *Instrument of Delegation to Council Staff (S6)* and adoption of an updated version of the *Delegation Framework, Policy and Procedures* document, which contains minor amendments that reflect the proposed establishment of a Submitters Committee as a special committee of Council.

## Recommendations

### That Council:

1. In the exercise of the powers conferred by Section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolve that:
  - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument.
  - b. The instrument come into force immediately the common seal of Council is affixed to the instrument.
  - c. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
  - d. The duties and functions set out in the instrument be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. Resolves to adopt the attached revised *Delegation Framework, Policy and Procedures* document.
3. Notes that no changes have been proposed to the existing *Instrument of Delegation to the Chief Executive Officer (S5)*, approved by Council 27 September 2017.
4. Notes that the following Instruments of Delegation from the Chief Executive Officer to members of Council staff, have been revised and will be authorised by the Chief Executive Officer and made publicly available on Council's website:
  - a) Instrument of Sub-Delegation from the Chief Executive Officer to Council staff (S7)
  - b) Instrument of Delegation from the Chief Executive Officer to Council staff (S13)
  - c) Instrument of Delegation from the Chief Executive Officer to Council staff (S14)

It was moved by Cr Anderson seconded by Cr Radnedge

1. In the exercise of the powers conferred by Section 98(1) of the *Local Government Act 1989* (the Act) and the other legislation referred to in the attached Instrument of Delegation, resolve that:
  - a. There be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the attached *Instrument of Delegation to members of Council staff*, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument with the inclusion of a condition and limitation in relation to the delegated power to determine permit applications under section 61(1) of the *Planning and Environment Act 1987* as follows: "subject to Councillors not calling in the application for a

council meeting decision in accordance with Council's Delegations Framework, Policy and Procedure."

- b. The instrument come into force immediately the common seal of Council is affixed to the instrument.
  - c. On the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked.
  - d. The duties and functions set out in the instrument be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.
2. Resolves to adopt the attached revised *Delegation Framework, Policy and Procedures* document.
  3. Notes that no changes have been proposed to the existing *Instrument of Delegation to the Chief Executive Officer (S5)*, approved by Council 27 September 2017.
  4. Notes that the following Instruments of Delegation from the Chief Executive Officer to members of Council staff, have been revised and will be authorised by the Chief Executive Officer and made publicly available on Council's website:
    - a) Instrument of Sub-Delegation from the Chief Executive Officer to Council staff (S7)
    - b) Instrument of Delegation from the Chief Executive Officer to Council staff (S13)
    - c) Instrument of Delegation from the Chief Executive Officer to Council staff (S14)

LOST

Cr Anderson requested a division

FOR: Cr Radnedge, Cr West, Cr Gayfer, Cr Anderson

AGAINST: Cr Mees, Cr Pearce, Cr Jukes, Cr Bleeck

Cr Pearce, as Chairperson exercised a second vote against the motion.

It was moved by Cr Jukes seconded by Cr Mees that the Officer Recommendation be adopted.

CARRIED

**Report No:** **Report Title:**

**CS.4**            **Submitters Committee**

**Purpose and Overview**

The Local Government Act 1989 enables Council to delegate its powers, duties and functions to officers of Council (Section 98) and to any Special Committee it has established (Section 86).

This report responds to the 24 July 2019 resolution of Council which endorsed the establishment of a Submitters Committee by recommending Council resolve to establish a Submitters Committee, adopt an Instrument of Delegation for the proposed Committee, and revoke the existing Instrument of Delegation for the Section 223 Committee.

## **Recommendations**

### **That Council:**

- 1. In the exercise of the powers conferred by sections 86 and 87 of the *Local Government Act 1989* (LGA) and section 188 of the *Planning and Environment Act 1987* (P&E Act), resolves:**
  - a. That from the date of this resolution, there be established as a special committee, the Submitters Committee Special Committee.**
  - b. That the purpose of the Committee is to exercise Council's functions and powers and to perform Council's duties to hear from:**
    - i. people in support of written submissions lodged in accordance with s223 of the LGA.**
    - ii. persons who have made an objection or submission to a planning application in accordance with the P&E Act; and**
    - iii. planning permit applicants and/or land owners in relation to a planning permit application submitted in accordance with the P&E Act.**
  - c. That the Committee is to be constituted by all Councillors.**
  - d. That the Committee is required to submit minutes of each meeting of the Submitters Committee to the next available Ordinary Council Meeting for confirmation.**
  - e. The Chairperson of the Committee is the Mayor, or in the absence of the Mayor, the Deputy Mayor. In the absence of both the Mayor and Deputy Mayor, the Chairperson will be a Councillor resolved by a majority of members present to be the Chairperson.**
  - f. A quorum for the Committee is a whole number that is an absolute majority of the number of members of the Committee.**
  - g. All members of the Committee have voting rights on the Committee.**
  - h. There be delegated to the Committee the powers duties and functions set out in the attached Instrument of Delegation (the Instrument)**
  - i. The Instrument:**
    - i. comes into force immediately after the common seal of Council is affixed to the Instrument; and**
    - ii. remains in force until Council determines to vary or revoke it.**
  - j. The powers, duties and functions conferred on the Committee by the Instrument must be exercised in accordance with any guidelines or policies Council may from time to time adopt.**
  - k. The instrument must be sealed.**
- 2. To adopt the Submitters Committee Guidelines outlining the process for hearing from submitters, and makes them publically available.**
- 3. To revoke the Instrument of Delegation – Section 223 Committee authorised by resolution of Council on 27 September 2017.**

**It was moved by Cr Jukes seconded by Cr Mees that the Officer Recommendation be adopted.**

**CARRIED**