



Bass Coast Shire Council Resolution

Place Names Special Committee - Appointment and Delegation

In exercise of the powers conferred by sections 86 and 87 of the *Local Government Act 1989* (the Act), Council resolves that:

1. From the date of this resolution, there be established as a special committee the Place Names Special Committee.
2. The purposes of the Committee are those set out in the schedule to this resolution.
3. The members of the Committee are:
 - 3.1 One Councillor as delegated by Council Resolution
 - 3.2 Five Council Officers as nominated in the adopted Terms of Reference.
4. The Committee is required to report to Council at the intervals specified in the schedule to this resolution.
5. The members of the Committee who are not Councillors are pursuant to section 81(2A) of the Act, exempted from being required to submit a primary return or ordinary return.
6. The Chairperson of the Committee is the Property Officer unless otherwise elected by the Committee.
7. A quorum for the Committee is a whole number that is an absolute majority of the number of members of the Committee.
8. All members of the Committee have voting rights on the Committee.
9. There be delegated to the Committee the powers, duties and functions set out in the attached Instrument of Delegation (**the Instrument**).
10. The Instrument:
 - 10.1 comes into force immediately the common seal of Council is affixed to the Instrument; and
 - 10.2 remains in force until Council determines to vary or revoke it.
11. 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.
12. The Instrument be sealed.

SCHEDULE

Place Names Special Committee

Purpose

To exercise Council's functions and powers and to perform Council's duties in relation to obligations under the *Geographic Place Names Act 1998* and those parts of Schedule 10 of the *Local Government Act 1989* relating to road names and property addressing.

Reporting requirement

The Committee must report the minutes of its meetings to Council.



Bass Coast Shire Council

Place Names Special Committee – Instrument of Delegation

Bass Coast Shire Council (**Council**) delegates to the special committee established by resolution of Council passed on 16 April 2014 and known as the Place Names Special Committee (**the Committee**), the powers and functions set out in the Schedule, and declares that:

1. this Instrument of Delegation is authorised by a resolution of Council passed on 17 July 2019;
2. the delegation:
 - 2.1 comes into force immediately the common seal of Council is affixed to this Instrument of Delegation;
 - 2.2 remains in force until Council resolves to vary or revoke it; and
 - 2.3 is to be exercised in accordance with the guidelines or policies which Council from time to time adopts; and
3. all members of the Committee will have voting rights on the Committee.

The COMMON SEAL of)

BASS COAST SHIRE COUNCIL)

was affixed on)

in the presence of:

.....

Ali Wastie

Chief Executive Officer

SCHEDULE

Powers and functions

To exercise Council's functions and powers to perform Council's duties in relation to obligations under the *Geographic Place Names Act 1998* and those parts of Schedule 10 of the *Local Government Act 1989* relating to road names and property addressing, and for those purposes:

1. to make final and binding decisions in respect of all road naming issues;
2. to make recommendations to the full Council in respect of locality and feature naming issues;
3. to do all things necessary or convenient to be done for or in connection with the performance of those functions, duties and powers; and
4. hear submissions relating to Council's naming and addressing functions.

Exceptions, conditions and limitations

The Committee is not authorised by this Instrument to:

1. enter into contracts, or incur expenditure, for an amount which exceeds the approved budget; and
2. exercise the powers which, by force section 86 of the Act, cannot be delegated.

Terms of Reference

1. Application

These Terms of Reference have been adopted by Bass Coast Shire Council (Council) for the guidance of:

- the Place Names Special Committee

2. Exercise of Powers

The powers, duties and functions set out in the Instrument are delegated to the Committee. This means that the Committee can only act under delegation when sitting in a formally constituted meeting.

The Place Names Special Committee meetings must be called and conducted in a manner that complies with the provisions of the Local Government Act 1989 (the Act) and with the Council's meeting procedures local law.

The Committee cannot exercise its delegated powers when gathered outside the formal meeting structure as described above. For example, an informal coming together of members would not resolve to act under delegation.

Similarly, the delegations do not extend to individual members of the Committee.

The only other opportunity for individual Committee members to be granted delegated powers exists where the Committee member is a member of Council staff and subject to a delegation under section 98 of the Act.

All delegations must be read in conjunction with this document and any other policies and guidelines that may be adopted by the Council from time to time.

3. Reporting Back

These Terms of Reference have been developed to support the concept of delegation as a means of ensuring that the functions of Council are conducted in an efficient and timely manner.

Reporting back of delegations exercised may be necessary to ensure that adequate information regarding those actions is available to other staff, managers and Council.

Such reporting back would be by presentation of reports to Council within the time specified in the Instrument of Delegation; and production of minutes of meetings that will be circulated

or available for inspection at any time.

It is to be noted that the reporting back requirements on this policy are a minimum standard only and that nothing will preclude more detailed or extensive reporting back of delegated actions if individual circumstances warrant.

4. Background

Bass Coast Shire Council has formed the Place Names Committee (“the Committee”) to assist Council to fulfil its obligations under the *Naming Rules for Places Victoria – Statutory requirements for naming roads, features and localities 2016* and those parts of Schedule 10 of the *Local Government Act 1989* relating to road names and property addressing.

The *Geographic Place Names Act 1998* establishes a process for naming, renaming or changing the boundaries of roads, features and localities in Victoria. This process is outlined in detail in the mandatory *Naming Rules for Places Victoria – Statutory requirements for naming roads, features and localities 2016* issued by the Department of Environment, Land, Water and Planning.

Clause 5 Schedule 10 of the *Local Government Act 1989* empowers Councils to name roads, number premises next to roads, and to require premises to be numbered.

Australian Standard AS/NZS 4819 Geographic Information – Rural and Urban Addressing outlines how properties must be addressed.

5. Objectives

The Committee is a Special Committee of Council, established in accordance with Section 86 of the *Local Government Act 1989*.

The primary objective of the Committee is to assist Council in the effective discharge of its responsibilities for:

- the investigation and determination of geographic place names
- the notification of new or altered names to the Registrar of Geographic Names for inclusion in the Register for official mapping data and other purposes
- the addressing of properties within the Shire
- the provision of a forum where affected people can make representations

6. Membership

The Committee comprises six members:

- One Councillor as delegated
- Property Officer (convener and administrative support to the Committee. The

Property Administration Officer to assist)

- Coordinator Asset Management Systems (or appropriate representative)
- Roads Asset Systems Officer
- Coordinator Revenue (or appropriate representative)
- Development Engineer or other representative of Infrastructure Delivery, with an understanding of subdivision, planning and development processes

7. Meetings

The Committee will meet at least quarterly but a meeting can be called on an 'as needs' basis (i.e. when there is sufficient business to justify bringing the members together).

Meetings will generally be convened by the Property Officer. However, any member of the Committee can request that a meeting be held at any time. Such a request would be subject to the approval of a majority of Committee members.

The Property Officer will distribute an Agenda to Committee members at least one week before the scheduled meeting time.

Generally speaking, decisions made by the Committee will be arrived at through discussion and arriving at a consensus view. However, if such a consensus cannot be arrived at, the decision shall be that of a simple majority (with no Committee member having a casting vote). In the case of a deadlock, the matter will be referred to the full Council for resolution.

The Property Officer will record the Committee's decisions in Council's standard Action and Agreement Record format.

8. Duties and responsibilities

The Committee is authorised to make final and binding decisions in respect of all road naming issues.

The Committee will make recommendations to the full Council in respect of locality and feature naming issues.

In the case of contentious road/street numbering issues (which will be referred through the Revenue Services Department), the Committee will provide advice to the Revenue Services Department (and may choose to hear submissions directly from potentially affected property owners), but will not make final and binding decisions on such matters. The final decision with respect to road/street numbering will remain with Council Officers (and must be consistent with AS/NZS 4819).

9. Reporting

The Property Officer will provide the full Council with the Action and Agreement Record for each Committee meeting (as an attachment to a standard Council Report) for its information at the next available Ordinary Meeting of Council.

Any issues requiring consideration by Council will be referred to Council in the usual way by means of a Council Report (which will be drafted by the Property Officer).